

The Hawke's Bay Metropolitan Milk District Constitution Order 1952

FREYBERG, Governor-General
ORDER IN COUNCIL

At the Government Buildings at Wellington, this 24th day of March 1952

Present:

THE RIGHT HON. S. G. HOLLAND PRESIDING IN COUNCIL

PURSUANT to the Milk Act 1944, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following Order.

ORDER

1. (1) This Order may be cited as the Hawke's Bay Metropolitan Milk District Constitution Order 1952.

(2) This Order shall come into force on the 27th day of March 1952.

2. Those parts of New Zealand consisting of the City of Napier, the Borough of Hastings, the Town Districts of Havelock North and Taradale, and that portion of the Hawke's Bay County described in the Schedule hereto are hereby constituted and declared a milk district under the Milk Act 1944 with the name of the "Hawke's Bay Metropolitan Milk District".

3. The Hastings Milk District Constitution Order 1945* and the Napier Milk District Constitution Order 1945† are hereby revoked.

SCHEDULE

PORTION OF HAWKE'S BAY COUNTY INCLUDED IN MILK DISTRICT

ALL that area in the Hawke's Bay Land District, being that portion of the County of Hawke's Bay contained within the boundary lines particularly described as follows: Commencing at a point on the sea-coast where the northern bank of the Esk River meets the high-water mark of the ocean; thence proceeding generally westerly along the northern bank of that river to its intersection with the centre line of the Waipunga Road; thence southerly along the middle of that road to the Taupo-Napier State Highway; thence easterly along the middle of that highway to the Hedgeley Road; thence generally south-westerly along the middle of that road to the Napier Park - Rissington Main Highway; thence generally south-easterly along the middle of that road to the Puketapu-Wharerangi Road; thence generally south-westerly along the middle of that road to the Puketapu-Omahu Road; thence south-westerly along the middle of that road to the Omarumui Road; thence generally south-easterly along the middle of that road to its junction with the Napier-Hastings via Fernhill Main Highway; thence south-westerly along the middle of that highway to the Fernhill-Takapau Main Highway; thence south-westerly along the middle of that highway to the Roys Hill - Bridge Pa Road; thence south-easterly along the middle of that road to and across its intersection with the Hastings-Maraekakaho Main Highway; thence south-easterly along the middle of that road to its junction with the Longlands Road; thence south-easterly along the middle of that road to the Havelock North - Te Aute Road; thence south-westerly along the middle of that road to Crystals Road; thence south-easterly along the middle of that road to its junction with the Middle Road; thence easterly by a right line from the centre point of the said junction to Trig. Station A, Te Mata Peak; thence north-easterly by a right line to the point where the eastern bank of the Tuki Tuki River meets the northern boundary of Lot 1, Deeds Plan 485; thence north-easterly along that boundary to the north-western corner of part Lot 1, Deeds Plan 697; thence north-easterly southerly, easterly, northerly, and north-easterly again along the northern boundary of the land in that plan, and the northern boundary of Lot 2, Deposited Plan 6582, produced to the middle of a public road; thence north-easterly along the middle of that road to the middle of the Clifton Road; thence south-easterly along the middle of that road to a point in line with the north-eastern boundary of Lot 2, Deeds Plan 915; thence southerly and easterly to and along that boundary to the high-water mark of the ocean; thence generally northerly along the said high-water mark to the northern extremity of the Napier Breakwater Mole; thence north-westerly by a right line to the point of commencement: As the said area is more particularly delineated on the plan marked M.D. 81/15/1, deposited in the office of the Marketing Department at Wellington, and thereon edged green.

T. J. SHERRARD,
Clerk of the Executive Council.

* Gazette, 28 June 1945, Vol. II, page 840.

† Gazette, 17 August 1945, Vol. II, page 1025.

Appointing a Commission to Inquire Into Certain Matters Affecting the Future Development of Edgecumbe Township

FREYBERG, Governor-General

To all unto whom these presents shall come and to:

ERNEST LESLIE WALTON, of Gisborne, Stipendiary Magistrate;
OWEN NEIL CAMPBELL, of Wellington, retired Land Drainage Engineer; FREDERICK SELWYN DYSON, A.M.I.C.E., of Auckland, Civil Engineer;

GREETING:

WHEREAS it appears necessary to make provision for the extension of the Township of Edgecumbe (hereinafter called the township) which is now situated within the flood plain of the Rangitaiki River (hereinafter called the river):

And whereas doubts exist as to the safety of persons and property in the township from flooding of the river:

And whereas because of the relative levels of the river and the township the drainage system and sewage-disposal from the township may not be satisfactory:

And whereas certain aspects of this matter have previously been investigated by a Committee of Public Servants which recommended—

- (1) That an area of approximately 30 acres (known as Reynolds Block) be acquired for the future residential development of Edgecumbe;
- (2) That this area be stopbanked and, if found necessary, a pump installed to keep the area de-watered during the wet season;
- (3) That all the future residential, commercial, and industrial development of Edgecumbe be confined to the protected area;
- (4) That in consequence of these recommendations the local authority be requested to refuse to issue any further building permits for purely residential purposes outside the protected area:

And whereas the recommendations of this Committee have been partially given effect by the temporary prohibition of subdivision of land adjoining the river, and by the acquisition and subdivision of Reynolds Block for extension of the township:

And whereas the Whakatane County Council and other interested organizations have requested relief from the restrictions on subdivision of land:

And whereas it is desirable that the future welfare of the township be considered in relation to river-control problems:

Now, therefore, in pursuance and exercise of the powers and authorities vested in me by the Commissions of Inquiry Act 1908, and of all other powers and authorities enabling me in this behalf, and acting by and with the advice and consent of the Executive Council, and for the purposes herein set forth, I, Bernard Cyril, Baron Freyberg, the Governor-General of New Zealand, hereby appoint you, the said Ernest Leslie Walton, Owen Neil Campbell, and Frederick Selwyn Dyson, to be a Commission to inquire into and report on the following matters:—

- (1) Is it necessary for the effective control of flooding from the river to construct an extensive stop-bank system at Edgecumbe and elsewhere along the river?
- (2) If the answer to the first question is in the affirmative, what minimum width on each bank of the river where it might affect the township should be kept free of buildings or obstructions to facilitate the construction of stop banks and a flood channel, or in the interests of the occupiers of the lands?
- (3) (a) Should further subdivision or building in the present township or its vicinity be permitted—
(i) Without the stop-banking of the river, or
(ii) Even if stop-banking is completed, or
(b) Should future residential and commercial development be confined to the Reynolds Block now being developed by the Lands and Survey Department?
- (4) Will stop-banking be required around the Reynolds Block pending the completion of major protective works on the river?
- (5) And generally on such other matters arising thereout as may come to your notice in the course of your inquiries and which you consider should be investigated in connection therewith and upon any matters arising in the course of your investigations which you consider should be brought to the attention of the Government.

And with the like advice and consent I further appoint you the said Ernest Leslie Walton, to be Chairman of the said Commission:

And for the better enabling you to carry these presents into effect you are hereby authorized and empowered to make and conduct any inquiry under these presents at such time and place as you deem expedient, with power to adjourn from time to time and place to place as you think fit, and so that these presents shall continue in force, and the inquiry may at any time and place be resumed although not regularly adjourned from time to time or from place to place:

And you are hereby strictly charged and directed that you shall not at any time publish or otherwise disclose, save to me in pursuance of these presents or by my direction, the contents of any report so made or to be made by you or any evidence or information obtained by you in the exercise of the powers hereby conferred upon you except such evidence or information as is received in the course of a sitting open to the public.

And it is hereby declared that the powers hereby conferred shall be exercisable notwithstanding the absence at any time of any one of the members hereby appointed:

And I further ordain that you have liberty to report your proceedings and findings under this Commission from time to time if you shall judge it expedient so to do:

And, using all due diligence, you are required to report to me in writing under your hands and seals not later than the 30th day of June 1952, your findings and opinions on the matters aforesaid, together with such recommendations as you think fit to make in respect thereof:

And lastly, it is hereby declared that these presents are issued under the authority of and subject to the provisions of the Commissions of Inquiry Act 1908, and with the advice and consent of the Executive Council.

Given under the hand of His Excellency the Governor-General, and issued under the Seal of New Zealand, this 24th day of March 1952.

W. S. GOOSMAN, Minister of Works.

Approved in Council—

T. J. SHERRARD,
Clerk of the Executive Council.

(P.W. 53/674)