

*Granting Control of Foreshore in the Hutt County Council and Revoking Certain Orders in Council*

H. F. O'LEARY,  
Administrator of the Government  
ORDER IN COUNCIL

At the Government House at Wellington, this 8th day of October 1952

Present:  
HIS EXCELLENCY THE ADMINISTRATOR OF THE GOVERNMENT IN COUNCIL

PURSUANT to the Harbours Act 1950, His Excellency the Administrator of the Government, acting by and with the advice and consent of the Executive Council, hereby grants to the Hutt County Council control of that part of the foreshore described in the First Schedule hereto subject to the terms and conditions set forth in the Second Schedule hereto and revokes the Orders in Council described in the Third Schedule hereto.

FIRST SCHEDULE

AREA OF FORESHORE GRANTED

THAT portion of the foreshore commencing from the westernmost point of the southern bank of the Waikanae River extending generally southwards and westwards to Te Rewarewa Point, thence southwards and eastwards to Walker's Point; thence northwards and eastwards along the northern shore of the Pauatahanui Arm of the Porirua Harbour to the mouth of the Pauatahanui River; thence along the southern shore of the Pauatahanui Arm; and thence southwards and westwards to the traffic bridge spanning the Porirua Harbour, as the same is shown edged red on plan marked M.D. 9439 and deposited in the office of the Marine Department at Wellington

SECOND SCHEDULE

CONDITIONS

- In these conditions the term—
  - "Foreshore" means all land between high-water mark of ordinary spring tides and low-water mark of ordinary spring tides.
  - "Minister" means the Minister of Marine as defined by the Shipping and Seamen Act 1908, and includes any officer, person, or authority acting by or under the direction of such Minister.
- The concessions and privileges conferred by this Order in Council shall extend and apply only to that part of the foreshore as is defined in the First Schedule hereto.
- Her Majesty or the Governor-General, and all officers in the Government service acting in the execution of their duty, shall at all times have free ingress, passage, and egress out and over the said foreshore without payment.
- Nothing herein contained shall authorize the Council to do or cause to be done anything repugnant to or inconsistent with any law relating to the Customs, or with any regulation of the Minister of Customs, or with any provision of the Harbours Act 1950 or its amendments, or any regulations made thereunder, and that are or may hereafter be in force.
- The rights, powers, and privileges conferred by this Order in Council shall not apply to those portions of the foreshore required for securing the shore-ends of any telegraph cables that are at present or may be at any time laid down within the said area of foreshore.
- The Council may enclose any part or parts of the foreshore described in the First Schedule hereto for the purpose of holding athletic sports or games, and may by by-law fix a charge for admission to such enclosed part or parts; Provided that the total number of days on which such enclosures are made shall not exceed six in any one year.
- The Council may, subject to the provisions of section 178 of the Harbours Act 1950, erect or license, or permit the erection of bathing-sheds, or boat-sheds, on the foreshore described in the First Schedule hereto, and may make by-laws regulating the use thereof, and may fix charges for such use: Provided that the funds so received shall be expended in improving the foreshore for the benefit of the public.
- Nothing herein contained shall authorize the Council to remove, or cause to be removed, any stone, sand, shingle, or shells without the consent of the Minister being first obtained.
- By-laws made by the Council under the said Act in respect of the foreshore shall not have effect unless and until approved in writing by the Minister.
- The rights, powers, and privileges conferred by or under this Order in Council shall continue to be in force for twenty-one years from the date hereof, unless in the meantime such rights, powers, and privileges shall be altered, modified, or revoked by competent authority.
- The said rights, powers, and privileges may be at any time resumed by the Governor-General without payment of any compensation whatever, on giving to the Council six calendar months' previous notice in writing. Any such notice shall be sufficient if given by the Minister, and delivered at or posted to the last known address of the Council in New Zealand.

THIRD SCHEDULE  
ORDERS IN COUNCIL REVOKED

Date of Order in Council.	Short Title.	Published in Gazette.	
		Year.	Page.
15 May 1933	Vesting the control of part of the foreshore at Paremata in the Hutt County Council	1933	1404
10 July 1933	Vesting the control of part of the foreshore in Hutt County (Paekakariki to Te Rewarewa Point) in Hutt County Council	1933	1898
13 December 1938	Vesting the control of part of the foreshore at Paraparaumu and Paekakariki and Plimmerton in the Hutt County Council	1939	4
23 August 1944	Vesting the control of part of the foreshore in Porirua Harbour in the Hutt County Council	1944	1047

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

*Consenting to the Raising of a Loan of £36,000 by the Mount Eden Borough Council and Prescribing the Conditions Thereof*

H. F. O'LEARY,  
Administrator of the Government  
ORDER IN COUNCIL

At the Government House at Wellington, this 8th day of October 1952

Present:  
HIS EXCELLENCY THE ADMINISTRATOR OF THE GOVERNMENT IN COUNCIL

WHEREAS under the authority of clause 16 of the Mount Eden Borough Loans Conversion Order 1934 (No. 1) the Mount Eden Borough Council (hereinafter called the said local authority) stipulated in certain of the securities issued pursuant to such Order for the redemption thereof at the option of the said local authority on such date prior to that specified in the said securities as the said local authority might fix by notice in that behalf to be published in the *Gazette* at least six (6) months before such prior date:

And whereas the said local authority proposes, in exercise of the said option to redeem on the 1st day of April 1953, certain of such securities amounting in the aggregate to the sum of thirty-six thousand pounds (£36,000) the date specified in such securities for the redemption thereof being the 1st day of April 1958:

And whereas the said local authority being desirous, in order to give effect to such proposal, of raising a loan of thirty-six thousand pounds (£36,000) to be known as "Mount Eden Redemption Loan 1953" (hereinafter called the said loan) has complied with the provisions of the Local Government Loans Board Act 1926, and it is expedient that the precedent consent of the Governor-General in Council, as required by such Act, should be given to the raising of the said loan:

Now, therefore, pursuant to section 11 of the Local Government Loans Board Act 1926, as set out in section 29 of the Finance Act 1932 (No. 2), His Excellency the Administrator of the Government, acting by and with the advice and consent of the Executive Council, hereby consents to the raising in New Zealand by the said local authority of the said loan for the said purpose up to the amount of thirty-six thousand pounds (£36,000), and in giving such consent hereby determines as follows:—

- The term for which the said loan or any part thereof may be raised shall not exceed five (5) years.
- The rate of interest that may be paid in respect of the said loan or any part thereof shall be such as shall not produce to the lender or lenders a rate exceeding four pounds (£4) per centum per annum.
- The said loan shall be repaid on the 1st day of April 1958.
- It shall not be necessary to establish a separate sinking fund for the redemption loan of thirty-six thousand pounds (£36,000) and the proviso to subsection (3) of section 32 of the Finance Act 1938 (as set out in subsection (2) of section 29 of the Finance Act 1941) shall apply, and accordingly the provisions of subclause (2) of clause 21 of the Mount Eden Borough Loans Conversion Order 1934 (No. 1) shall be construed as if the debentures amounting to thirty-six thousand pounds (£36,000) redeemed on the 1st day of April 1953, had not been redeemed as at that date, but had been redeemed on the date specified in clause 3 hereof.
- The payment of interest and the instalment of principal in respect of the said loan shall be made in New Zealand and no amount payable as interest or principal shall be paid out of loan-moneys.
- The amount payable for brokerage, underwriting, and procreation fees in respect of the raising of the said loan or any part thereof shall not in the aggregate exceed one-quarter per centum of any amount raised.
- No moneys shall be borrowed under this consent after the expiration of two years from the date hereof.

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