

Declaring an Access-way to be Vested in the Corporation of the Borough of Mount Roskill and to be Under the Control and Management of the Mount Roskill Borough Council

C. W. M. NORRIE, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington, this 13th day of January 1953

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 6 of the Housing Amendment Act 1940, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby orders and declares that the access-way described in the Schedule hereto shall, on and after the date of this Order in Council, vest in the Mayor, Councillors, and Burgesses of the Borough of Mount Roskill and be under the control and management of the Mount Roskill Borough Council.

SCHEDULE

APPROXIMATE area of the access-way dealt with: 8 perches.
Being Lot 96, D.P. 37712, being part Allotment 86, Section 10, Suburbs of Auckland, situated in the Borough of Mount Roskill, and being part of the land comprised and described in certificate of title, Volume 1019, folio 69 (Auckland Land Registry).

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

(P.W. 51/3011; D.O. 4/17/379)

Declaring Access-ways to be Vested in the Corporation of the City of Auckland and to be Under the Control and Management of the Auckland City Council

C. W. M. NORRIE, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington, this 13th day of January 1953

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 6 of the Housing Amendment Act 1940, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby orders and declares that the access-ways described in the Schedule hereto shall, on and after the date of this Order in Council, vest in the Mayor, Councillors, and Citizens of the City of Auckland and be under the control and management of the Auckland City Council.

SCHEDULE

APPROXIMATE areas of the access-ways dealt with:—

A.	R.	P.	Being
0	0	5.8	Part Lot 6, D.P. 8264, being part Allotment 10, District of Tamaki; coloured blue, edged blue.
0	0	2.6	Part Lot 7, D.P. 8264, being part Allotment 10, District of Tamaki; coloured yellow, edged yellow.

Situated in Block IX, Rangitoto Survey District (City of Auckland), (Auckland R.D.). (S.O. 36313.)

In the North Auckland Land District; as the same are more particularly delineated on the plan marked P.W.D. 139037, deposited in the office of the Minister of Works at Wellington, and thereon coloured as above mentioned.

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

(P.W. 51/3602; D.O. 2/3/5085)

Extending Time for Holding Election of Councillor for Henderson Borough

C. W. M. NORRIE, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington, this 13th day of January 1953

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

WHEREAS, pursuant to the Municipal Corporations Act 1933 and the Local Elections and Polls Act 1925, an election of a Councillor for the Borough of Henderson was required to be held not later than Monday, the 10th day of November 1952:

And whereas that election has not yet been held:

And whereas it is desirable to extend the time for holding the said election:

Now, therefore, pursuant to section 71 of the Local Elections and Polls Act 1925, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby declares that the time for the holding of the said election is extended to Saturday, the 7th day of February 1953.

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

(I.A. 103/167/8)

C

Granting Control of Foreshore at Waikanae in the Waimeha Domain Board

C. W. M. NORRIE, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington, this 17th day of December 1952

Present:

THE HON. K. J. HOLYOAKE PRESIDING IN COUNCIL

PURSUANT to the Harbours Act 1950, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby grants to the Waimeha Domain Board control of that part of the foreshore at Waikanae described in the First Schedule hereto, subject to the terms and conditions set forth in the Second Schedule hereto.

FIRST SCHEDULE

AREA OF FORESHORE GRANTED

ALL that portion of the foreshore of the Waimeha Beach at Waikanae commencing at a point at high-water mark on a right line drawn from the north-western corner of the south side of Moana Road and extending southwards and westwards to a right line drawn from the south-westernmost point of Section 82 in Waimeha Township as the same is shown hatched green on plan marked M.D. 9475, and deposited in the office of the Marine Department at Wellington.

SECOND SCHEDULE

CONDITIONS

- In these conditions the terms—
“Foreshore” means such parts of the bed, shore, or banks of a tidal water as are covered and uncovered by the flow and ebb of the tide at ordinary spring tides;
“Low-water mark” means low-water mark at 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 those parts of the foreshore as shown hatched green on plan marked M.D. 9475, and deposited in the office of the Marine Department at Wellington.
- 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 Board 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 provisions 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 Board 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 Board may, subject to the provisions of section 178 of the Harbours Act 1950, erect or license or permit the erection of baths and bathhouses or boatsheds, boatbuilding sheds, jetties, and slipways 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 Board 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 Board 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 until the 31st day of October 1971, 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 Board 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 Board in New Zealand.

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