

*Granting Control of Parts of the Foreshore of the Kaikoura County
in the Hundalee Scenic 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 Hundalee Scenic Board control of parts of the foreshore of the Kaikoura County as described in the First Schedule hereto subject to the terms and conditions set forth in the Second Schedule hereto, and hereby revokes the Order in Council dated the 24th day of March 1952, vesting the control of the said foreshore in trustees.

FIRST SCHEDULE
DESCRIPTION OF AREA

ALL that area in the Marlborough Land District, Kaikoura County, being the foreshore commencing at the easternmost point of the south bank of the Clarence River and thence southerly generally along the east coast to the easternmost point of the northern bank of the Hapuku River:

And all that area in the Marlborough Land District, Kaikoura County, being the foreshore commencing at the easternmost point of the south bank of the Kowhai River and thence southerly generally along the east coast to the easternmost point of the northern bank of the Conway River.

As the said areas are shown coloured red on plan marked M.D. 9309, and deposited in the office of the Marine Department at Wellington.

SECOND SCHEDULE
CONDITIONS

1. In these conditions the terms—

“Board” means the Hundalee Scenic Board.

“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.

2. The concessions and privileges conferred by this Order in Council shall extend and apply only to those parts of the foreshore as shown edged red on plan marked M.D. 9309, and deposited in the office of the Marine Department at Wellington.

3. 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.

4. 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 provision of the Harbours Act 1950 or its amendments, or any regulations made thereunder, and that are or may hereafter be in force.

5. 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.

6. The Board may, subject to the provisions of section 178 of the Harbours Act 1950, erect or license or permit the erection of baths, bathhouses, boatsheds, boat building 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 inhabitants of the district.

7. 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.

8. The Board shall prevent any nuisance being caused and shall not permit fish or fish offal to remain on or about the foreshore.

9. 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.

10. 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.

11. 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.

*Making Provision for Representation on the Whakatane Harbour
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

WHEREAS the Whakatane Harbour District (hereinafter referred to as the District) is constituted by the Whakatane Harbour Act 1921–22 as described in the First Schedule to the Whakatane Harbour Amendment Act 1928 and as extended by the Whakatane Amendment Act 1950 to include the areas described in the Schedule to that Act:

And whereas the District is by subsection (1) of section 4 of the Whakatane Harbour Amendment Act 1928 and the Second Schedule to that Act and by section 3 of the Whakatane Harbour Amendment Act 1950 and the Schedule to that Act divided into six subdivisions—namely, the Opouriao Subdivision, the Taneatua Subdivision, the Rangitaiki Subdivision, the Omataroa Subdivision, the Waimana Subdivision, and the Whakatane Subdivision:

And whereas it is provided by subsection (2) of section 15 of the Harbours Act 1950 and the First Schedule to that Act that the Whakatane Harbour Board (hereinafter referred to as the Board) shall consist of nine members, to be elected by the electors of the said six subdivisions of the District in the manner set out in that First Schedule:

And whereas the Board, acting pursuant to subsections (2) and (3) of section 4 of the Whakatane Harbour Amendment Act 1928, did, by Special Order made on the 1st day of August 1952, redivide the District into eight subdivisions—namely, Tarawera, Rangitaiki, Omataroa, Ohope, Whakatane, Taneatua, Waimana, and Urewera-Galatea-Taupo-Wairoa, as the same are more particularly described in the said Special Order:

And whereas in the opinion of His Excellency the Governor-General it has become necessary and expedient by reason of the said redivision of the District by the Board to make provision with respect to the representation on the Board of the said eight subdivisions:

Now, therefore, His Excellency the Governor-General, acting pursuant to subsection (2) of section 5 of the Whakatane Harbour Amendment Act 1928 and to section 30 of the Harbours Act 1950, and by and with the advice and consent of the Executive Council, hereby makes with respect to the representation on the Board of the subdivisions of the District created by the said Special Order, the following provision in lieu of the provision made in that behalf by section 15 of the Harbours Act 1950 and the First Schedule to that Act, that is to say:—

One member shall be elected by the electors of the Tarawera Subdivision of the District;

One member shall be elected by the electors of the Rangitaiki Subdivision of the District;

One member shall be elected by the electors of the Omataroa Subdivision of the District;

One member shall be elected by the electors of the Ohope Subdivision of the District;

Two members shall be elected by the electors of the Whakatane Subdivision of the District;

One member shall be elected by the electors of the Taneatua Subdivision of the District;

One member shall be elected by the electors of the Waimana Subdivision of the District; and

One member shall be elected by the electors of the Urewera-Galatea-Taupo-Wairoa Subdivision of the District.

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

*Authorizing Arthur Allenby Urquhart, of Mount Somers, Sheep-
farmer, to Use Water for the Purpose of Generating Electricity*

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 Public Works Act 1928, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby authorizes Arthur Allenby Urquhart, of Mount Somers, Sheep-farmer (hereinafter referred to as the licensee), subject to the conditions hereinafter set forth, to take and use from an unnamed stream (hereinafter referred to as the said stream) situated in Run 112, Block X, Clyde Survey District, in the Canterbury Land District, for the purpose hereinafter set forth, a stream of water not exceeding one (1) cubic foot per second at any one time.

CONDITIONS

IMPLIED CONDITIONS

1. The conditions directed to be implied in all licences by the Water-power Regulations 1934 and the Electrical Supply Regulations 1935 shall be incorporated in and shall form part of this licence except in so far as the same may be inconsistent with the provisions hereof.