

Vesting a Reserve in the Ohura County Council

C. W. M. NORRIE, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington, this 19th day of May 1953

Present:

THE HON. K. J. HOLYOAKE PRESIDING IN COUNCIL

WHEREAS the land described in the Schedule hereto has been duly set apart as a reserve for a site for a County depot:

And whereas, in the opinion of the Governor-General, it is expedient to vest the said reserve in the Chairman, Councillors, and Inhabitants of the County of Ohura:

Now, therefore, pursuant to section 9 of the Public Reserves and Domains Act 1928, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby declares that, from and after the day of the date hereof, the reserve described in the Schedule hereto shall become vested in the Chairman, Councillors, and Inhabitants of the County of Ohura, in trust, for a site for a County depot.

SCHEDULE

TARANAKI LAND DISTRICT

SECTION 11, Block IX, Town of Ohura: Area, 1 rood 24-1 perches, more or less. Subject to the reservations and conditions imposed by section 59 of the Land Act 1948. (S.O. plan 7816.)

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

(L. and S. H.O. 6/1/300; D.O. M.L. 489)

Granting Control of Parts of the Foreshore at Papatowai, Otago, in the Papatowai Scenic Board

C. W. M. NORRIE, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington, this 19th day of May 1953

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 Papatowai Scenic Board control of parts of the foreshore at Papatowai, Otago, as described in the First Schedule hereto and subject to the terms and conditions set forth in the Second Schedule hereto.

FIRST SCHEDULE

DESCRIPTION OF AREA

ALL that portion of the foreshore of the Tahakopa River and at Papatowai, Otago, commencing at the Papatowai River Bridge and extending generally southwards to the rocks at Picnic Point, as the same is shown, coloured red, on plan marked M.D. 7052, and deposited in the office of the Marine Department at Wellington.

SECOND SCHEDULE

CONDITIONS

1. In these conditions the terms—

“ Board ” means the Papatowai 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. 7052, 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.

B

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. 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.

8. Nothing herein contained shall authorize the Board to move or cause to be removed any stone, sand, shingle, or shells without the consent of the Minister being first obtained.

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

10. 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.

11. 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.

12. 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.

Consenting to the Raising of a Loan of £1,110 by the Bay of Islands County Council and Prescribing the Conditions Thereof

C. W. M. NORRIE, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington, this 19th day of May 1953

Present:

THE HON. K. J. HOLYOAKE PRESIDING IN COUNCIL

WHEREAS the Bay of Islands County Council (hereinafter called the said local authority) proposes pursuant to the provisions of section 3 of the Main Highways Amendment Act 1928 to borrow the sum of one thousand one hundred and ten pounds (£1,110) by a loan to be known as “ Main Highways Sealing Loan 1953 ” (hereinafter called the said loan) for the purpose of providing the said local authority's share of the additional cost of sealing the Otiria Station Main Highway:

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 Governor-General, acting by and with the advice and consent of the Executive Council, hereby consents to the raising by the said local authority of the said loan for the said purpose up to the amount of one thousand one hundred and ten pounds (£1,110) and in giving such consent hereby determines as follows:—

1. The term for which the said loan or any part thereof may be raised shall be five (5) years.

2. 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 a rate exceeding four pounds (£4) per centum per annum.

3. The said loan, together with interest thereon, shall be repaid by equal aggregate annual instalments extending over the term as determined in 1 above.

4. 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.

(T. 49/184)