

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

Given under the hand of His Excellency the Governor-General, and issued under the Seal of New Zealand, this 24th day of November 1953.

W. S. GOOSMAN, Minister of Works.

GOD SAVE THE QUEEN!

(P.W. 51/3011; D.O. 2/3/3191)

Foreshore Licence—Whangamata Harbour—Whangamata Boating Club (Incorporated)—Slipway

C. W. M. NORRIE, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington, this 23rd day of November 1953

Present:

THE RIGHT HON. S. G. HOLLAND 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 licenses and permits the Whangamata Boating Club (Incorporated), (hereinafter called the licensee, which term shall include its successors or assigns, unless the context requires a different construction) to use and occupy a part of the foreshore and land below low-water mark in Whangamata Harbour, as shown on plan marked M.D. 9512 and deposited in the office of the Marine Department at Wellington, for the purpose of erecting and maintaining a slipway thereon as shown on the said plan, such licence to be held and enjoyed by the licensee upon and subject to the terms and conditions set forth in the Schedule hereto.

SCHEDULE

CONDITIONS

1. This licence is subject to the Foreshore Licence Regulations 1940, and the provisions of those regulations shall, so far as applicable, apply hereto.
2. The premium payable by the licensee shall be five pounds and the annual sum so payable three pounds.
3. The term of the licence shall be fourteen years from the 1st day of November 1953.

T. J. SHERRARD,

Clerk of the Executive Council.

(M. 4/4105)

Granting Control of Part of the Foreshore of Hawke Bay in the Hawke's Bay County

C. W. M. NORRIE, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington, this 23rd day of November 1953

Present:

THE RIGHT HON. S. G. HOLLAND 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 Hawke's Bay County Council control of part of the foreshore of Hawke Bay 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

THAT portion of the foreshore in Hawke's Bay County commencing at a point at the junction of the eastern boundary of Block V, Kidnappers Survey District, with the coastline, and extending in a southerly direction to Te Wainohu Point, midway on the eastern boundary of Section 3, Block II, Waimarama Survey District. As the same is shown, coloured red, on plan marked M.D. 7108, and deposited in the office of the Marine Department at Wellington.

SECOND SCHEDULE

CONDITIONS

1. In these conditions the term—
 - “Council” means the Hawke's Bay County Council.
 - “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. 7108 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 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.

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 Council 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 Council may enclose any part or parts of the shore 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 Council to move or cause to be removed any stone, sand, shingle, or shells without the consent of the Minister being first obtained.

9. The Council 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 Council 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 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.

T. J. SHERRARD,

Clerk of the Executive Council.

Authorizing the Otago Harbour Board to Reclaim Land in Andersons Bay in Otago Harbour

C. W. M. NORRIE, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington, this 23rd day of November 1953

Present:

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

WHEREAS it is provided by section 185 of the Harbours Act 1950 (hereinafter called the said Act) that where a Harbour Board is desirous of executing or constructing upon lands vested in such Board or upon lands of the Crown any harbour works of such a nature that the same could, but for this section, only be carried out and executed under the authority of a special Act, the Board may apply to the Governor-General in Council for a special order, and, if the Governor-General in Council thinks fit, such order may be made and granted:

And whereas the Otago Harbour Board (hereinafter called the Board) is desirous of reclaiming from the sea certain land in Andersons Bay in Otago Harbour, and the said harbour works are of such a nature as aforesaid, and the Board has applied to the Governor-General in Council for a special order authorizing the execution of the said harbour works:

And whereas all the conditions precedent to the granting of a special order prescribed by section 185 of the said Act have been duly complied with.

And whereas it has been made to appear to the Governor-General in Council that the proposed work will not be or tend to the injury of navigation:

Now, therefore, pursuant to the said Act His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby authorizes and empowers the Board to reclaim from the sea in Tainui Inlet in Andersons Bay in Otago Harbour all the lands, containing six acres two roods and twenty perches, more or less, coloured red on plan marked M.D. 9611 and deposited in the office of the Marine Department at Wellington, and to construct a rubble retaining-wall in connection therewith, provided such reclamation is carried out and constructed in accordance with plan marked M.D. 9611 subject to the provisions of the said Act; and that the said harbour works shall be completed within the period of ten years computed from the date of this Order in Council.

T. J. SHERRARD,

Clerk of the Executive Council.

(M. 4/511)