

SECOND SCHEDULE

CONDITIONS

1. In these conditions the terms—

“Board” means the Hokianga Harbour 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 1952 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. 9816 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 areas 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 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 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.

(M. 4/2059)

Authorizing Harry John Wardell, of Bog Roy, Sheepfarmer, 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 8th day of March 1955

Present:

THE RIGHT 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 grants to Harry John Wardell, of Bog Roy, Sheepfarmer (hereinafter referred to as the licensee), a licence, 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 322b, Gala Survey District, in the County of Waitaki, for the purpose hereinafter set forth, a stream of water not exceeding thirteen cubic feet 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.

LICENCE SUBJECT TO REGULATIONS

2. This licence is issued under the Water Power Regulations 1934, and is subject thereto, and to the Electrical Supply Regulations 1935, the Electrical Wiring Regulations 1935, the Radio Interference Regulations 1934, and to all regulations hereafter made in amendment thereof or in substitution therefor respectively.

UTILIZATION OF WATER AND LOCATION OF HEADWORKS

3. Water shall be used under this licence solely for the purpose of generating electricity and shall be taken from the said stream at the point in Run 322b, Gala Survey District, indicated on the plan marked P.W.D. 85802 deposited in the office of the State Hydro-electric Department at Wellington.

GENERAL DESCRIPTION OF WORKS

4. The licensee is hereby authorized, subject to the conditions hereof, to construct, maintain, and use the following works for the purpose of this licence, the positions of the said works being indicated on the said plan P.W.D. 85802.

(a) Headworks consisting of an intake, water-race, dam, and pipe-line leading to the powerhouse hereinafter referred to, giving a static head of approximately 28 ft.

(b) Turbine and powerhouse with all necessary equipment for generating electricity, situated in Run 322b, Gala Survey District.

(c) Tail-race leading from the said powerhouse to the said stream.

SYSTEM OF SUPPLY

5. The system of supply shall be a direct-current system as described in paragraph (d) of regulation 21-01 of the Electrical Supply Regulations 1935.

DURATION OF LICENCE

6. Unless sooner lawfully determined this licence shall continue in force until the 31st day of March 1975.

RENTAL

7. For the purpose of assessing the rental or annual sum payable in respect of this licence, the licensee may install a suitable maximum-demand indicator to the satisfaction of the Inspecting Engineer of the State Hydro-electric Department, and failing such installation the rental shall be assessed on the maximum generating capacity of the plant installed. The present plant is rated at 20 kilowatts.

NO RIGHT TO WATER CONFERRED

8. Nothing in this licence shall of itself confer upon the licensee any right to water.

T. J. SHERRARD, Clerk of the Executive Council.
(S.H.D. 11/20/109)

Authorizing the Christchurch City Council to Lay and Use Certain Electric Lines in the Borough of Riccarton

C. W. M. NORRIE, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 8th day of March 1955

Present:

THE RIGHT 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 the Christchurch City Council (hereinafter referred to as the licensee), subject to the conditions hereinafter set forth, to lay, construct, put up, place, and use the electric lines described in the Schedule hereto.

CONDITIONS

IMPLIED CONDITIONS

1. The conditions directed to be implied in all licences by the Electrical Supply Regulations 1935 and the Electrical Wiring 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.

LICENCE SUBJECT TO REGULATIONS

2. The licence hereby conferred is subject to compliance by the licensee with the Electrical Supply Regulations 1935, the Electrical Wiring Regulations 1935, the Radio Interference Regulations 1934, and with all regulations hereafter made in amendment thereof or in substitution therefor respectively.