

*The Five Rivers Rabbit District Order 1958 (Notice
No. Ag. 6492)*

COBHAM, Governor-General
ORDER IN COUNCIL

At the Government Buildings at Wellington this 10th day of
March 1958

Present:

THE HON. C. F. SKINNER, M.C., PRESIDING IN COUNCIL

PURSUANT to the Rabbits Act 1955, His Excellency the Governor-General, at the request of the Minister of Agriculture made on the recommendation of the Rabbit Destruction Council, and acting by and with the advice and consent of the Executive Council, hereby constitutes and declares the area of land, the boundaries of which are described in the Schedule hereto, being an area to which subsection (1) of section 14 of the Rabbits Act 1955 applies, a rabbit district, and appoints that the name of the said rabbit district shall be the Five Rivers Rabbit District, and orders that the basis on which the rabbit board to be established for the said district shall first levy its general rate shall be the acreage of the land occupied by the ratepayer.

SCHEDULE

BOUNDARIES OF THE FIVE RIVERS RABBIT DISTRICT

ALL that area of land in the Southland Land District and the Southland County, situated in the Lincoln Black Hill and Eyre Survey Districts, containing by estimation 167,000 acres, more or less, inclusive of roads and streams and bounded as follows: Commencing at the confluence of the Irthing Stream and the Oreti River on the left bank of the said Irthing Stream in line with the left bank of the said Oreti River; thence westerly generally along the said left bank of the Oreti River to the northernmost point of the Hamilton Burn Rabbit District (*Gazette*, 1955, page 61); thence south-westerly generally along the said boundary to the right bank of the Oreti River aforesaid; thence northerly generally along the right bank of the aforesaid Oreti River to the confluence of the aforesaid Oreti River and the Ashton Burn; thence easterly generally along the southern boundary of the Mid-Wakatipu Rabbit District (*Gazette*, 1957, page 48) to the south-western boundary of Run 547, Eyre Survey District, and along this boundary to the western boundary of the Eyre Creek Rabbit District (*Gazette*, 1955, page 1033); thence southerly generally along the said western boundary and the western boundary of the Longridge Rabbit District (*Gazette*, 1957, page 1544) to the point of commencement.

T. J. SHERRARD, Clerk of the Executive Council.
(Ag. 20891A)

*Granting the Control of Parts of the Foreshore of Hauraki
Gulf*

COBHAM, Governor-General
ORDER IN COUNCIL

At the Government Buildings at Wellington this 10th day of
March 1958

Present:

THE HON. C. F. SKINNER, M.C., 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:

(a) To the Waitemata County Council (hereinafter called the Council) the control of the foreshore described in the First Schedule hereto, subject to the terms and conditions set forth in the Fourth Schedule hereto;

(b) To the East Coast Bays Borough Council (hereinafter called the Council) the control of the foreshore described in the Second Schedule hereto, subject to the terms and conditions set forth in the Fourth Schedule hereto;

(c) To the Takapuna Borough Council (hereinafter called the Council) the control of the foreshore described in the Third Schedule hereto, subject to the terms and conditions set forth in the Fourth Schedule hereto:

And hereby revokes the Order in Council of the 7th day of November 1951, published in the *Gazette*, 15 November 1951, Vol. III, page 1696, vesting the control of part of the foreshore of Hauraki Gulf in the Waitemata County Council.

FIRST SCHEDULE

1. That portion of the foreshore of the Waiwera River and Hauraki Gulf commencing at the westernmost corner of Allotment 219, Parish of Waiwera, and extending easterly and southerly to the south-eastern corner of Allotment 224, Parish of Waiwera; as the same is shown coloured red on plan marked M.D. 10318 and deposited in the office of the Marine Department at Wellington.

2. That portion of the foreshore of Hauraki Gulf commencing at the northernmost corner of Allotment 192, Parish of Waiwera, and extending easterly to the northernmost corner of Allotment 18, Parish of Waiwera; as the same is shown coloured red on plan marked M.D. 10318 and deposited in the office of the Marine Department at Wellington.

3. That portion of the foreshore of Hauraki Gulf commencing at the southernmost corner of Allotment 17, Parish of Waiwera, and extending south-westerly to the easternmost corner of Allotment 241, Parish of Waiwera; as the same is shown coloured red on plan marked M.D. 10318 and deposited in the office of the Marine Department at Wellington.

4. That portion of the foreshore of Hauraki Gulf commencing at the north-eastern corner of Allotment 24, Parish of Waiwera, and extending southerly to the southernmost point of Allotment 238, Parish of Waiwera; as the same is shown coloured red on plan marked M.D. 10318 and deposited in the office of the Marine Department at Wellington.

5. That portion of the foreshore of Hauraki Gulf commencing at the north-eastern corner of Allotment 12, Parish of Okura, and extending southerly to the south-eastern corner of Allotment 37, Parish of Okura; as the same is shown coloured red on plan marked M.D. 10318 and deposited in the office of the Marine Department at Wellington.

SECOND SCHEDULE

THAT portion of the foreshore of Hauraki Gulf commencing at the south-eastern corner of Allotment 37, Parish of Okura, and extending southerly to the north-eastern corner of Lot 3, D.P. 29875, being part of Allotment 190, Parish of Takapuna; as the same is shown coloured blue on plan marked M.D. 10319 and deposited in the office of the Marine Department at Wellington.

THIRD SCHEDULE

THAT portion of the foreshore of Hauraki Gulf commencing at the northern boundary of Lot 3, D.P. 29875, being the northern boundary of the Borough of Takapuna, and extending south to the mouth of the Wairau Creek; as the same is shown coloured blue on plan marked M.D. 10320 and deposited in the office of the Marine Department at Wellington.

FOURTH SCHEDULE

1. 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 1952, and includes any officer, person, or authority acting by or under the direction of such Minister.

2. Her Majesty or the Governor-General, and all officers of 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.

3. Nothing herein contained shall authorise 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.

4. 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.

5. The Council may enclose any part or parts of the foreshore the control of which is granted to it by this Order in Council 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.

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, boatbuilding sheds, jetties and slipways on the foreshore the control of which is granted to it by this Order in Council and may make bylaws 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.

7. Nothing herein contained shall authorise the Council to remove or cause to be removed any stone, sand, shingle, or shells without the consent of the Minister being first obtained.

8. 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.

9. 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.

(M. 4/1615)