

*Granting Control of Part of the Foreshore to Thames County Council*

COBHAM, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 27th day of August 1958

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL 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 Thames County Council (hereinafter called the Council) control of part of the foreshore as described in the First Schedule hereto, subject to the terms and conditions set forth in the Second Schedule hereto.

FIRST SCHEDULE

DESCRIPTION OF AREA

ALL that part of the foreshore of the Whangamata Harbour fronting Beach Road and extending from the line of the production of the boundary between Lots 2 and 4 on D.P. 30953, being parts of Section 13, Block XVI, Tairua Survey District, on the west to the line of the production of the north-western side of Wharf Road on the east as shown edged red on plan marked M.D. 10449 and deposited in the office of the Marine Department at Wellington.

SECOND SCHEDULE

CONDITIONS

1. In these conditions the term—

“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:

“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 described in the First Schedule hereto.

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 into, out of, and over the said foreshore without payment.

4. 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 provisions 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 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 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 bylaw, 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 authorise 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. Bylaws made by the Council under the Harbours Act 1950 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 21 years from the 1st day of September 1958 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' 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. 4/989)

B

*Consenting to Raising of Loans by Certain Local Authorities*

COBHAM, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 27th day of August 1958

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Local Authorities Loans Act 1956, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby consents to the borrowing by the local authorities mentioned in the Schedule hereto by way of loan of the whole or any part of the respective amounts specified in that Schedule.

SCHEDULE

Local Authority and Name of Loan	Amount Consented to £
Auckland Metropolitan Drainage Board: Loan No. 23 1957, £3,000,000	1,000,000
Banks Peninsula Electric Power Board: Development Loan 1957, £44,000	14,000
Dunedin City Council: Reserves Development Loan 1958	20,000
Huntly Borough Council: Sewerage and Waterworks Improvement Loan 1954, £71,000	25,000
Hutt Valley Drainage Board: Sewage Disposal Loan (No. 2) 1958, £398,000	40,000
Kaikoura County Council: Water Supply Loan 1958	47,000
Malvern County Council: Kimberley Water Race Loan 1958, £75,000	35,000
North Auckland Electric Power Board: Reticulation Loan 1958, £150,000	50,000
Otorohanga Borough Council: Fire Engine Loan 1958	2,500
Waimairi County Council: Water Supply Supplementary Loan 1958	14,500
Waimairi County Council: Water Supply Extension Loan No. 1 Supplementary Loan 1958	5,000
Waimairi County Council: Water Supply Extension Loan No. 2 Supplementary Loan 1958	6,000
Waimairi County Council: Water Supply Extension Loan No. 3 Supplementary Loan 1958	5,700
Wellington City Council: Adelaide Road and King Street Development Loan No. 2 1958	50,000

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

*Declaring Road in Block VI, Takahue Survey District, to be Government Road*

COBHAM, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 3rd day of September 1958

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 112 of the Public Works Act 1928, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby orders and declares that the portions of road described in the Schedule hereto shall, on and after the date of this Order in Council, become Government road.

SCHEDULE

ALL those pieces of road in the North Auckland Land District, situated in Block VI, Takahue Survey District, Auckland R.D., described as follows:

A. R. P.	Adjoining or passing through
0 2 6.2	Okerimene B Block.
1 0 33.8	Okerimene B Block.
2 0 30.1	Okerimene A Block.
1 3 5.8	Rangitihui Block.
0 0 27.9	Rangitihui Block.
0 1 31	Rangitihui Block.
0 1 4.3	Lot 4, D.P. 17307, being part Te Konoti A 3 Block and Allotment 152, Mangatete Parish, and Lot 5, D.P. 17307, being Allotment 153, Mangatete Parish.

As the same are more particularly delineated on the plan marked P.W.D. 155445 (S.O. 39881) deposited in the office of the Minister of Works at Wellington, and thereon coloured green.

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

(P.W. 70/1/1/0; D.O. 1/1/0).