

Granting Control of a Part of the Foreshore at Akitio to the Akitio County Council

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 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 Akitio County Council (hereinafter called the Council) control of part of the foreshore at Akitio, 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 in Akitio County, commencing at the southern side of the mouth of the Akitio River opposite Section 25, to the northern boundary of Section 38 as is shown coloured yellow on plan marked M.D. 7547 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 defined 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 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 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 remove or cause to be removed any stone, sand, shingle, or shells without the consent of the Minister being first obtained.

9. Bylaws 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.

10. The rights, powers, and privileges conferred by or under this Order in Council shall continue to be in force for 21 years from the 3rd day of February 1958 unless in the meantime such rights, powers, and privileges shall be altered, modified, or revoked by competent authority.

11. 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. 4/3014)

Declaring Land to be a Service Lane in Block VII, Waiwera Survey District, Waitemata County

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 3 of the Public Works Amendment Act 1948, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby declares the land described in the Schedule hereto to be a service lane for the purposes of Part I of that Act.

SCHEDULE

ALL that piece of land in the North Auckland Land District containing 11.3 perches, situated in Block VII, Waiwera Survey District, Auckland R.D., and being part Lot 2, D.P. 40012, being part Allotment 65, Parish of Waiwera; as the same is more particularly delineated on the plan marked P.W.D. 156975 (S.O. 38911) deposited in the office of the Minister of Works at Wellington, and thereon coloured yellow, edged yellow.

T. J. SHERRARD, Clerk of the Executive Council.
(P.W. 54/778/57; D.O. 15/15/0)

Amending an Order in Council Appointing Five Non-elective Members of the South Canterbury Catchment Board and Appointing One Non-elective Member

COBHAM, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 10th day of September 1958

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Soil Conservation and Rivers Control Act 1941, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council—

(i) Hereby amends the Order in Council dated the 3rd day of August 1949 and published in *Gazette*, 4 August 1949, Vol. II, page 1626, appointing five non-elective members of the South Canterbury Catchment Board, as amended by Order in Council dated the 25th day of January 1956 and published in *Gazette*, 26 January 1956, Vol. I, page 64, by deleting "Senior Agronomist, Crop Research Division, Department of Scientific and Industrial Research, Lincoln"; and

(ii) Hereby appoints Henry Stephen Gair, M.Sc., Scientific Officer, Geological Survey Division, Department of Scientific and Industrial Research, Christchurch, to be a non-elective member of the South Canterbury Catchment Board for a term of three years commencing on the date of this Order in Council.

T. J. SHERRARD, Clerk of the Executive Council.
(P.W. 75/6)

Abolishing Office in the Public Service

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 subsection (2) of section 18 of the Public Service Act 1912, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby orders that the office of Director of Rehabilitation be abolished as an office in the Administrative Division of the Public Service.

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

Defining the Limits of the Whangarei Harbour Pilotage District

COBHAM, Governor-General

PURSUANT to section 211 of the Harbours Act 1950, I, Charles John, Viscount Cobham, the Governor-General of New Zealand, hereby define the limits of the Whangarei Harbour Pilotage District within which pilots may act for the purposes of the said Act to be all the waters within the harbour of Whangarei together with all other waters contained within a circle of two nautical miles radius having as its centre the light structure on Frenchman Islet at the entrance to the harbour.

As witness the hand of His Excellency the Governor-General this 29th day of August 1958.

(M. 3/13/850)

W. A. FOX, Minister of Marine.