

## FIRST SCHEDULE

THE Wellington City Council, being the local authority having control of the streets in Wellington City, by resolution declares that the provisions of section 128 of the Public Works Act 1928 shall not apply to the northern side of portion of Douglas Street, adjoining D.P. 12161 and part Town Section 730, being all (or part) of the land in certificate of title, Volume 402, folio 289, and Volume 529, folio 240, Wellington Registry, as is more particularly shown on the plan annexed hereto.

## SECOND SCHEDULE

## WELLINGTON LAND DISTRICT

THE northern side of all that portion of street situated in the City of Wellington known as Douglas Street, fronting part Section 730, Town of Wellington; as the same is more particularly delineated on the plan marked M.O.W. 911 deposited in the office of the Minister of Works at Wellington and thereon coloured red.

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

(P.W. 5/1790; D.O. 9/738)

*Canceling a Condition as to Setting Back the Building Line of Portion of Bain Street in the Borough of Mount Maunganui, Imposed by Order in Council Under the Municipal Corporations Act 1933 and the Public Works Act 1928*

COBHAM, Governor-General

## ORDER IN COUNCIL

At the Government House at Wellington this 17th day of August 1960

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 131 of the Public Works Act 1928, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby amends the Order in Council dated the 23rd day of April 1940, published in *Gazette*, 2 May 1940, Volume II, page 981, and deposited in the Land Registry Office at Auckland as No. 10235, authorising the Mount Maunganui Town Board to permit the laying off of Bain Street, Valley Road, and Riverton Road, subject to a condition as to the building line by cancelling the building line condition imposed by the said Order in Council in so far as it affects the land described in the Schedule hereto.

## SCHEDULE

ALL those pieces of land containing together 26.9 perches situated in the Borough of Mount Maunganui, being Lots 2, 3, and 4, D.P. S. 1674, being part Section 9, Block VIII, Tauranga Survey District. All certificates of title, Volume 1050, folio 57, Volume 1204, folio 242, and Volume 1094, folio 166, Auckland Land Registry.

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

(P.W. 51/2413; D.O. 43/7/0)

*Appointing a Commission to Inquire Into Purchase of Canberra Aircraft*

COBHAM, Governor-General

## ORDER IN COUNCIL

To all to whom these presents shall come, and to:

The Honourable SIR GEORGE PANTON FINLAY, Knight Bachelor, retired Judge of the Supreme Court of New Zealand.

GREETING:

PURSUANT to the Commissions of Inquiry Act 1908, I, Charles John, Viscount Cobham, the Governor-General of New Zealand, acting by and with the advice and consent of the Executive Council, hereby appoint you, the said

THE HONOURABLE SIR GEORGE PANTON FINLAY,

to be a Commission to inquire into and report upon the following matters:

1. When, on the 14th day of August 1957, Cabinet authorised the purchase of eleven Canberra aircraft with spares and ancillary equipment, was that authority given upon the footing that the purchase authorised was the purchase of aircraft with new engines and not reconditioned engines?

2. (1) Was the Minister of Defence informed before Cabinet authorised the purchase that new engines were neither available nor procurable?

(2) If he was so informed, was he so informed in any manner which could reasonably be described as formal?

If so, when, where, by whom, and in what manner?

(3) If he was so informed but not formally, in what manner was he so informed?

When, where, how, and by whom? Was such a manner of informing him adequate or sufficiently informative, having regard to the nature of the purchase and the nature and magnitude of the interests involved?

3. (1) Was the Minister of Defence informed at any time after Cabinet authorised the purchase that new engines were neither available nor procurable?

(2) If he was so informed, was he so informed in any manner which could reasonably be described as formal?

If so, when, where, by whom, and in what manner?

(3) If he was so informed but not formally, in what manner was he so informed?

When, where, how, and by whom? Was such a manner of informing him adequate or sufficiently informative, having regard to the nature of the purchase and the nature and magnitude of the interests involved?

4. Was any officer of the Government advised at any time that reconditioned engines would be supplied?

If so, when, where, by whom, and in what manner?

5. Was there any failure in the proper performance of his duty in relation to the purchase of the aircraft by any officer of the Royal New Zealand Air Force or any other servant of the Crown?

If so, by whom, and in what respect?

6. Are there any further facts, and if so what, arising from and related to the inquiry into the foregoing questions which, in the opinion of the Commission, should be brought to the attention of the Government?

And for the better enabling you to carry these presents into effect you are hereby authorised to conduct any inquiry under these presents at such times and places as you deem expedient, with power to adjourn from time to time and from place to place as you think fit, and so that these presents shall continue in force and the inquiry may at any time and place be resumed although not regularly adjourned from time to time or from place to place:

And it is hereby further declared that you have liberty to report your proceedings and findings under this Commission from time to time as you judge it expedient so to do:

And you are hereby strictly charged and directed that you shall not at any time publish or otherwise disclose, save to me in pursuance of these presents or by my direction, the contents or purport of any report so made or to be made by you, or any evidence or information obtained by you in the exercise of the powers hereby conferred upon you except such evidence or information as is received in the course of a sitting open to the public:

And, using all diligence, you are required to report to me in writing under your hand not later than the 31st day of October 1960, your findings and opinions on the matters aforesaid, together with such recommendations as you think fit to make in respect thereof.

Given in Executive Council under the hand of His Excellency the Governor-General this 31st day of August 1960.

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

*Consenting to the Assignment to Duncan Leonard Ensor, of Mount Hutt, Sheepfarmer, Rose Eveline Todhunter, of Mount Hutt, married woman, and Russell D'Renzy Mitchell, of Christchurch, Public Accountant, of the Rights, Powers, and Privileges Under an Order in Council Authorising Joseph Robert Todhunter, of Lake Heron, Ashburton, to Use Water for the Purpose of Generating Electricity*

COBHAM, Governor-General

## ORDER IN COUNCIL

At the Government House at Wellington this 31st day of August 1960

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL 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 consents to the assignment to Duncan Leonard Ensor, of Mount Hutt, sheepfarmer, Rose Eveline Todhunter, of Mount Hutt, married woman, and Russell D'Renzy Mitchell, of Christchurch, public accountant, of the rights, powers, and privileges under an Order in Council dated the 6th day of February 1957, and published in the *Gazette* on the 14th day of the same month, at page 211, authoring Joseph Robert Todhunter, of Lake Heron, Ashburton, to use water for the purpose of generating electricity.

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

(N.Z.E.D. 11/20/2727)