

along the western side of that road line and the western side of No. 5 State Highway to a point in line with the southern side of a road line in Tarawera No. 5A Block situated in Block XI, Tarawera Survey District; thence proceeding easterly across the afore-mentioned No. 5 State Highway, the southern side of that road line and its production, to the middle of the Waipunga River; thence down the middle of that river to the middle of the Mohaka River; thence up the middle of that river to a point, being a production of a right line between Trig. Stations 68A in Block XIII, Kaweka Survey District, and 65A in Block XXI, Kaweka Survey District; thence south-westerly along that right line to Trig. Station 65A aforesaid; thence westerly along a right line between Trig. Stations 26 (Tauwhekete-whango) and 65A to the point of commencement.

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

*Granting Control of Part of the Foreshore at Kawhia to the Otorohanga County Council*

BERNARD FERGUSSON, Governor-General  
ORDER IN COUNCIL

At the Government House at Wellington this 13th day of February 1963

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 165 of 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 Otorohanga 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

THAT portion of the foreshore of the Kawhia Harbour in the South Auckland Land District, Otorohanga County, as shown on N.Z.M.S. 1, Sheet N. 73, commencing at Tauratahi in Block IX, Kawhia North Survey District, Grid Reference 310107, and extending north-easterly to a point on the said foreshore in Block X, Kawhia Survey District, Grid Reference 355140.

As the same is more particularly delineated on the plan marked M.D. 11456 deposited in the Marine Department at Wellington, and thereon bordered red.

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, over, and out of 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, 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 sections 176 to 182 of the Harbours Act 1950—

- (a) Erect or license or permit the erection or continuance on the foreshore described in the First Schedule hereto, or on the bed of the harbour or of the sea immediately contiguous to that foreshore, of baths, bathhouses, boatsheds, boat-building sheds, jetties, slipways, or, with the approval of the Minister, any structures relating to the convenience of shipping or of the public or to any local enterprise or object;
- (b) Use or license or permit the use of the foreshore described in the First Schedule hereto, or the bed of the harbour or of the sea immediately contiguous to that foreshore, for any purpose approved by the Minister relating to the convenience of shipping or of the public or to any local enterprise or object;
- (c) Make bylaws regulating the use of any things erected or continued pursuant to clause (a) of this condition and the use for any purpose approved pursuant to clause (b) of this condition, and fixing charges for those uses.

7. The Council may enclose any part or parts of the foreshore 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 stones, sand, shingle, or shells without the consent of the Minister being first obtained.

9. Bylaws made by the Council under the authority of this Order in Council shall not come into force until they have been approved by the Minister by notice in the *Gazette*.

10. The rights, powers, and privileges conferred by or under this Order in Council shall be in force for 21 years from the day following the date of its notification in the *Gazette*, 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' 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. 4/5292)

*Government Railways Appeal Board—Appointment of Chairman*

BERNARD FERGUSSON, Governor-General

PURSUANT to section 91 of the Government Railways Act 1949, I, Brigadier Sir Bernard Edward Fergusson, the Governor-General of New Zealand, hereby appoint as a member and as Chairman of the Government Railways Appeal Board

Raymond Ferner,

of Christchurch, to hold office from and including the 1st day of February 1963 to and including the 31st day of January 1966.

As witness the hand of His Excellency the Governor-General this 11th day of February 1963.

JOHN McALPINE, Minister of Railways.

*Appointments, Promotions, and Terminations of Appointment in the Royal New Zealand Navy*

His Excellency the Governor-General has, pursuant to the Navy Act 1954, approved the following appointments, promotions, and terminations of appointment in the Royal New Zealand Navy:

Surgeon Captain E. S. McPhail, C.B.E., V.R.D., M.B., CH.B. (N.Z.), F.R.C.S.(EDIN.), Q.H.S., released (age), to date 24 December 1962, and placed on the Retired List, to date 25 December 1962.

Commander W. N. Waite, LL.B., M.COM., promoted to rank of Captain and reappointed, to date 31 December 1962.

Commander C. F. Cutts, to be placed on the Retired List (age) and to be re-employed on the Active List for 12 months from 7 February 1963.

Surgeon Commander J. MacDonald, M.B., CH.B., granted the acting rank of Surgeon Captain whilst holding present appointment, to date 19 December 1962.

Lieutenant Commander G. B. W. Johnson, advanced to Assistant Surveyor, First Class, with seniority of 1 July 1962.

Lieutenant Commander J. G. Williamson, promoted to rank of Commander and reappointed, to date 31 December 1962.

Surgeon Lieutenant Commander J. D. Read, M.B., CH.B., granted the acting rank of Surgeon Commander whilst holding present appointment, to date 19 December 1962.

Engineer Lieutenant Commander G. Mitchell, M.B.E., M.I.M.A.R.E., placed on the Retired List (age) and re-employed on the Active List for five years from 21 January 1963.

Supply Lieutenant Commander P. E. N. Day, released (age), to date 28 December 1962, and placed on the Retired List, to date 29 December 1962.

Lieutenant I. W. Munro, advanced to Assistant Surveyor, First Class, to date 1 July 1962.

Lieutenant H. R. Hume, advanced to Assistant Surveyor, Third Class, to date 1 July 1962.

Lieutenant A. McK. Graham, advanced to Assistant Surveyor, Third Class, to date 7 January 1963.

Sub-Lieutenant R. C. C. Pearce, promoted to rank of Lieutenant and reappointed, to date 1 January 1963.

Acting Sub-Lieutenant G. C. Wright, confirmed in rank, to date 1 February 1963.

Acting Engineer Sub-Lieutenant R. Scarborough, confirmed in rank, to date 13 November 1962.

Acting Sub-Lieutenant F. G. George, confirmed in rank, to date 22 November 1962.

Alastair Nigel Sidney Stokes, B.D.S., N.Z., 828654, LSBA(D), entered in rank of Acting Surgeon Lieutenant (D), to date 9 January 1963.

Reginald Goddard, P/MX 857693, C.O.A., entered in the rank of Acting Engineer Sub-Lieutenant, to date 9 January 1963.

Clive Paul Charles Calkin, entered in the rank of Cadet, Supplementary List, to date 2 January 1963.

Dated at Wellington this 7th day of February 1963.

DEAN J. EYRE, Minister of Defence.