

Authorising the Auckland Harbour Board to Reclaim Land from the Sea in the Whau Creek, Auckland Harbour

BERNARD FERGUSSON, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 20th day of December 1963

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 175 of the Harbours Act 1950, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby authorises the Auckland Harbour Board to reclaim from the sea in the Whau Creek, Auckland Harbour, 32 perches of land, more or less, as shown shaded pink on plan marked M.D. 11684 and deposited in the office of the Marine Department at Wellington.

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

(M. 4/5434)

Authorising the Mount Wellington Borough Council to Reclaim Land from the Sea in the Tamaki River at Flat Rock

BERNARD FERGUSSON, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 20th day of December 1963

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 175 of the Harbours Act 1950, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby authorises the Mount Wellington Borough Council to reclaim from the sea in the Tamaki River, at Flat Rock, 2 roods 30 perches of land, more or less, as shown shaded blue on plan marked M.D. 11687 and deposited in the office of the Marine Department at Wellington.

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

(M. 4/4700)

Authorising the Manukau County Council to Reclaim Land from the Sea in the Manukau Harbour at the Mangere Bridge Domain

BERNARD FERGUSSON, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 17th day of December 1963

Present:

THE HON. J. R. MARSHALL, PRESIDING IN COUNCIL

PURSUANT to section 175 of the Harbours Act 1950, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby authorises the Manukau County Council to reclaim from the sea in the Manukau Harbour 1 rood 9 perches of land, more or less, as shown shaded pink on plan marked M.D. 11675 and deposited in the office of the Marine Department at Wellington.

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

(M. 4/5440)

Amending Order in Council Vesting the Management of Certain Wharves in Akaroa Harbour in the Akaroa Borough Council

BERNARD FERGUSSON, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 17th day of December 1963

Present:

THE HON. J. R. MARSHALL, 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 amends the Order in Council of 31 January 1956* vesting the management of certain wharves in Akaroa Harbour in the Akaroa Borough Council (which Borough was, by Order in Council of 20 February 1957†, abolished and included in the County of Akaroa) and prescribing dues and rates to be charged and taken by the Council for the use of the said wharves, by inserting in the Second Schedule thereto, after the item relating to wool or sheepskins in bales, the following item:

"Passenger dues in respect of the Town Wharf.

"The master or owner of every launch or craft licensed to carry passengers shall pay to the Council the following dues in respect of every passenger carried to or from the Town Wharf:

For every person aged 15 years and over	6d.
For every person aged four years and under 15 years	3d."

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

*Gazette, 16 February 1956, p. 191

†Gazette, 28 February 1957, p. 316

(M. 4/88)

Granting Control of Part of the Foreshore at Porirua to the Porirua Borough Council

BERNARD FERGUSSON, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 17th day of December 1963

Present:

THE HON. J. R. MARSHALL, PRESIDING 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 Porirua Borough 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 area of the foreshore of Cook Strait and Porirua Harbour commencing at the northern boundary of Section 110, Porirua District, in the Borough of Porirua, and extending generally north-easterly, easterly, and south-westerly, to a line bearing 170° 42' from the intersection of the southern side of Onepoto Road and the eastern side of the Titahi Bay Road.

As the same is shown coloured red between points marked "E" and "F" on the plan marked M.D. 11682 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, 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 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, boatbuilding 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 regarding 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.