

The Christchurch Harbour Order 1968

ARTHUR PORRITT, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 16th day of September 1968

Present:

THE RIGHT HON. KEITH HOLYOAKE, C.H., PRESIDING IN COUNCIL
PURSUANT to sections 8A and 165 of the Harbours Act 1950, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, and in relation to clause 3 (a) of this order, on the request of the Christchurch City Council, hereby makes the following order.

ORDER

1. (1) This order may be cited as the Christchurch Harbour Order 1968.

(2) This order shall come into effect on the date of its publication in the *Gazette*.

2. In this order—

“The Act” means the Harbours Act 1950;

“The Council” means the Christchurch City Council;

“Foreshore” means such part 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, and includes any officer, person, or authority acting by or under the direction or authority of the Minister.

3. There is hereby granted to the Council, for a period of 21 years from the commencement of this order, subject to the provisions of sections 8A and 165 of the Act and to the conditions specified in the Third Schedule to this order—

(a) The control of the waters described in the First Schedule to this order;

(b) The control of the foreshore described in the Second Schedule to this order.

FIRST SCHEDULE

ALL the waters of such harbour or area of the sea or lake or river, not being under the control or management of the Lyttelton Harbour Board, as

(a) is contained within the district of the City of Christchurch and is not as any part or parts thereof legally vested in the Council or for the time being under the control of the Council pursuant to any special Act or grant from the Crown, whether by grant by the Governor-General by Order in Council or otherwise; or

(b) is coastal water of the said district seawards to a distance of 200 yd measured from the water's edge, southwards of an extension of the centre line of Beach Road to a line extended due east from a point being the northern intersection at high-water mark of the arc of a circle of 3 nautical miles having as its origin the northernmost point of Adderley Head.

SECOND SCHEDULE

ALL such foreshore or bed of lake to a distance of not more than 66 ft from the margin of the lake, not being inside the limits of the harbour of Lyttelton, as

(a) is contained within the district of the City of Christchurch and is not as to any part or parts thereof legally vested in the Council or any other person or for the time being under the control of the Council pursuant to any special Act or grant from the Crown, whether by grant by the Governor-General by Order in Council or otherwise;

(b) is foreshore of the coast of Christchurch southwards of an extension of the centre line of Beach Road to a point being the northern intersection at high-water mark of an arc of a circle of 3 nautical miles having as its origin the northernmost point of Adderley Head.

THIRD SCHEDULE

CONDITIONS

1. 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 waters and foreshore described in the First and Second Schedules to this order without payment.

2. 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 regulations of the Minister of Customs, or with any provisions of the Harbours Act 1950 or its amendments, or any regulations made thereunder that are or may hereafter be in force.

3. 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 area described in the First Schedule to this Order.

4. The Council may enclose any part or parts of the foreshore described in the Second Schedule to this order for the purpose of holding athletic sports or games, and may by resolution 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.

5. 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.

6. Suitably worded signs shall be erected at main public access ways to the foreshore described in the Second Schedule to this order, indicating that control has been granted to the Council pursuant to sections 8A and 165 of the Act, and that bylaws are in force.

7. Subject to the provisions of section 8A of the Act, the Council for and within the area of water described in the First Schedule to this order—

(a) May by bylaw do anything which a harbour board may do by bylaw under section 232 of the Act.

(b) May appoint harbourmasters and other officers, and define or limit their powers and duties.

(c) Shall have all the powers, functions, duties, and authorities of a harbour board under the Act, as if it were constituted a harbour board.

8. 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 6 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.

P. J. BROOKS, Clerk of the Executive Council.

(M. 43/32/3)

Amending Order in Council Granting Control of Foreshore and Waters to Waitemata County Council

ARTHUR PORRITT, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 9th day of September 1968

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 amends the Order in Council of 10 June 1968, published in the *Gazette* of 18 July 1968, at p. 1195, granting control of parts of the foreshore and waters of Waitemata County to Waitemata County Council, by adding the words “and Manukau Harbour limits” to the First Schedule and the Second Schedule to the order.

P. J. BROOKS, Clerk of the Executive Council.

(M. 54/14/47)

The Taranaki Electric Power Board Water Power and Electric Lines Licence 1968, Amendment No. 1

ARTHUR PORRITT, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 16th day of September 1968

Present:

THE RIGHT HON. KEITH HOLYOAKE, C.H., PRESIDING IN COUNCIL
PURSUANT to the Public Works Act 1928 and the Electric Power Boards Act 1925, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following order.

ORDER

1. This order may be cited as the Taranaki Electric Power Board Water Power and Electric Lines Licence 1968, Amendment No. 1, and shall be read together with, and deemed part of the Taranaki Electric Power Board Water Power and Electric Lines Licence 1968* (hereinafter referred to as “the principal order”).

2. The principal order is hereby amended by adding to the First Schedule thereto the heading “Line Authorised” and the words, “A line commencing from the New Zealand Electricity Department's substation, Huirangi, and proceeding in a generally northerly direction to the western boundary of the Taranaki Electric Power Board; such line being more particularly shown, coloured blue, on the plan marked N.Z.E.D. 768 deposited in the office of the New Zealand Electricity Department at Wellington”.

P. J. BROOKS, Clerk of the Executive Council.

(N.Z.E.D. 10/49/1)

**Gazette*, 13 June 1968, p. 995