

*Declaring Road in the Borough of Mount Maunganui to be a Government Road and to be Stopped*

ARTHUR PORRITT, Governor-General  
ORDER IN COUNCIL

At the Government House at Wellington this 6th day of October 1969

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

- (a) declares the pieces of road described in the Schedule to be a Government road; and
- (b) stops the said road.

SCHEDULE

SOUTH AUCKLAND LAND DISTRICT

ALL that piece of road containing 2 acres 1 rood 28.7 perches situated in Block VII, Tauranga Survey District, Borough of Mount Maunganui, adjoining or passing through part Section 25, Sections 26, 27, and 29, Block VII, Tauranga Survey District, and Mount Maunganui Branch Railway (Proclamation 3237); as the same is more particularly delineated on the plan marked M.O.W. 23515 (S.O. 44778) deposited in the office of the Minister of Works at Wellington, and thereon coloured green.

P. J. BROOKS, Clerk of the Executive Council.  
(P.W. 82/16/1; D.O. 6/58/1/0)

*The Karitane Harbour Order 1969*

ARTHUR PORRITT, Governor-General  
ORDER IN COUNCIL

At the Government House at Wellington this 29th day of September 1969

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL 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 (b) of this order, on the request of Waikouaiti County Council, hereby makes the following order.

ORDER

1. (1) This order may be cited as the Karitane Harbour Order 1969.

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

2. In this order—

“The Act” means the Harbours Act 1950.

“The Council” means the Waikouaiti County Council.

“Foreshore” means such parts of the bed, shore, or banks of a tidal water as are covered and uncovered by the ebb and flow 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 foreshore described in the First Schedule to this order; and
- (b) the control of the waters specified in the Second Schedule to this order.

4. The Order in Council made on the 8th day of July 1953\*, granting to the Karitane Domain Board the control of part of the foreshore described in the First Schedule to this order, is hereby revoked.

\**Gazette*, 16 July 1953, p. 1137

FIRST SCHEDULE

DESCRIPTION OF FORESHORES

THAT portion of the foreshore of the sea fronting the County of Waikouaiti commencing at a point on the sea coast south of the Waikouaiti River, 1 nautical mile from Trig. Station G., Block VI, Hawkesbury Survey District, and proceeding generally northerly along the sea coast and generally north-

westerly along the right bank of the Waikouaiti River to the seaward side of the bridge on State Highway No. 1; thence north-easterly along the seaward side of that bridge to the left bank of the Waikouaiti River; thence generally south-easterly along that bank and generally northerly along the sea coast to a point 1 nautical mile from Trig. Station G., aforesaid.

SECOND SCHEDULE

DESCRIPTION OF WATERS

ALL that area of waters of the Waikouaiti River and Pacific Ocean having as its seawards limit the arc of a circle commencing at the landward boundary of the foreshore of the coast northwards of the said river; thence into the Pacific Ocean; thence to the landward boundary of the foreshore of the coast southwards of the said river, such arc being the arc of a circle of 1 nautical mile radius having as its centre Triangulation Station G., Hawkesbury Survey District, and having as its inner limit the line of the seaward side of the State Highway No. 1 bridge across the Waikouaiti River.

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

2. Nothing in this order 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 provision of the Harbours Act 1950 that is or may hereafter be in force.

3. The rights, powers, and privileges conferred by this order shall not apply to those portions of the foreshore described in the First Schedule to this order required for securing the shore ends of any telegraph cables that are at the commencement of this order or may be at any time subsequently laid down within that foreshore.

4. The Council may enclose any part or parts of the foreshore described in the First Schedule to this order for the purpose of holding sports meetings or games, and may, by bylaws, fix a charge for admission to any such enclosed part or parts:

Provided that the total number of days on which any particular part of that foreshore is so enclosed shall not exceed six in any one calendar year.

5. Nothing in this order shall authorise the Council to remove or cause to be removed from the foreshore described in the First Schedule to this order any stone, sand, shingle, or shells without the consent in writing of the Minister being first obtained.

6. Subject to the provisions of section 8A of the Act, the Council for and within the area of waters described in the Second 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/or officers, and define or limit their powers or duties; and
- (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.

7. The powers, functions, duties, and authorities conferred on the Council by this order may be at any time resumed by the Governor-General, without payment or any compensation whatever, on giving to the Council at least 6 calendar months' notice in writing. Any such notice shall be sufficient if given by the Minister and delivered at or posted to the Council at its public office.

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

(M. 43/95/3)

*Declaring Portion of Crown Land to be Excluded from the Provisions of the Tourist Hotel Corporation Act 1955*

ARTHUR PORRITT, Governor-General  
ORDER IN COUNCIL

At the Government House at Wellington this 29th day of September 1969

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 11 of the Tourist Hotel Corporation Act 1955, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby declares that the lands described in the Schedule hereto shall,