

*Amending a Condition as to Setting Back the Building Line of Portions of Bain Street, Riverton Road, and Valley Road, in the Borough of Mount Maunganui, Imposed by Order in Council under the Municipal Corporations Act 1933 and the Public Works Act 1928*

ARTHUR PORRITT, Governor-General

#### ORDER IN COUNCIL

At the Government House at Wellington this 3rd day of November 1969

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, Vol. II, p. 981, and deposited in the Land Registry Office at Hamilton 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 that no building or part of a building shall at any time be erected on the land fronting the said streets within a distance of 48 ft from the centre lines of the said streets, by varying the said restriction of 48 ft from the centre lines of the said streets to a distance of 40 ft from the said centre lines in respect of the land contained and comprised in Lots 3 to 10 inclusive, Lots 29 to 64 inclusive, Lots 67 to 81 inclusive, and Lots 83 to 95 inclusive, D.P. 28975, Lots 4, 5, and 6, D.P. S. 1785, and Lot 3, D.P. S. 7630, South Auckland Land Registry.

P. J. BROOKS, Clerk of the Executive Council.  
(P.W. 51/2413; D.O. 43/7/0)

#### *The Riverton Harbour Foreshore Control Order 1969*

ARTHUR PORRITT, Governor-General

#### ORDER IN COUNCIL

At the Government Buildings at Wellington this 20th day of October 1969

Present:

THE RIGHT HON. KEITH HOLYOAKE, C.H., 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 makes the following order.

#### ORDER

1. (1) This order may be cited as the Riverton Harbour Foreshore Control Order 1969.

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

2. In this order—

“The Board” means the Riverton Harbour Board;

“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 and includes any officer, person, or authority acting by or under the direction or authority of the Minister;

“Act” means the Harbours Act 1950.

3. There is hereby granted to the Board for a period of 21 years from the commencement of this order the control of the foreshores described in the First Schedule to this order and is not as any part or parts thereof legally vested in the Board, subject to the provisions of section 165 of the Harbours Act 1950 and to the conditions specified in the Second Schedule to this order.

#### SCHEDULES

##### FIRST SCHEDULE—DESCRIPTION OF AREA

ALL that area in the Southland Land District being the foreshores of the Riverton Harbour and commencing at a point opposite Section 51, Block I, Jacobs River Hundred, being distant 2 nautical miles west of Trig. Station, Riverton; and extending thence along the coast around Howells Point and along the shores of the Jacobs River Estuary, east of a line being the extension of the southern boundary of Section 57, Block I, Jacobs River Hundred, across the Pourakino River, and south of a line being the extension of the southern boundary of Section 59, Block III, Jacobs River Hundred, across the Aparima River; and extending again along the coast to a point opposite part Section 80, Block XXV, Jacobs River Hundred, being distant 2 nautical miles north-east of Trig. Station, Riverton; excluding from the above description the Riverton Harbour endowment described in the Schedule attached to the Riverton Harbour Endowment and Borrowing Act 1878.

##### SECOND 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 described in the First Schedule to this order, without payment.

2. Nothing herein contained shall authorise the Board 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.

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 of foreshore described in the First Schedule to this order.

4. The Board may enclose any part or parts of the foreshore described in the First Schedule to this order for the purpose of holding athletic sports or games and may, by bylaws, 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 Board to remove or cause to be removed any stone, sand, shingle, or shells without the consent of the Minister being first obtained.

6. The said rights, powers, and privileges may be at any time resumed by the Governor-General, without payment or any compensation whatever, on giving to the Board 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 Board in New Zealand.

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

(M. 43/61/3)

#### *Notice of Intention to Issue a Proclamation Vesting Land in the Town of Charleston in Her Majesty the Queen as Crown Land, Subject to the Land Act 1948*

ARTHUR PORRITT, Governor-General

PURSUANT to section 10 of the Reserves and Other Lands Disposal Act 1962, I, Sir Arthur Espie Porritt, Baronet, the Governor-General of New Zealand, hereby give notice that it is my intention, after the expiration of 3 months from the date hereof, to issue a Proclamation declaring the land described in the Schedule hereto to be vested in Her Majesty as Crown land, subject to the Land Act 1948.

A plan showing this land is deposited in the office of the Commissioner of Crown Lands, Nelson, and the Head Office, Department of Lands and Survey, Wellington, where it may be inspected during office hours free of charge.

Any objections to the proposal, either in general terms or by the registered proprietor or licensee or any other person having any estate or interest in the land specified in the Schedule hereto, are to be made in writing addressed to the Commissioner of Crown Lands, Nelson, on or before the 31st day of January 1970.

#### SCHEDULE

##### NELSON LAND DISTRICT—TOWN OF CHARLESTON—BULLER COUNTY

##### *Land to be Vested in Her Majesty*

				Land to be vested in Her Majesty		
Part Sections			Area		Certificate of Title (Nelson Land Registry)	Registered Proprietor
			A.	R. P.		
117 and 236	..	..	..	0 0 9	1G/173	James William Fair.

As witness the hand of His Excellency the Governor-General this 3rd day of November 1969.

(L. and S. H.O. 22/5163; D.O. 3/360/1)

DUNCAN MACINTYRE, Minister of Lands.