

ORDER

1. (1) This order may be cited as the Taranaki Agricultural and Pastoral Society Authorisation Order 1972.

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

2. The Taranaki Agricultural and Pastoral Society, duly incorporated under the Agricultural and Pastoral Societies Act 1908, is hereby authorised to sell those lands derived from the Crown set out in the Schedule to this order.

TARANAKI LAND DISTRICT

ALL that parcel of land being an estate in fee simple containing 1.09 perches, more or less, being Lot 1 on D.P. 10470, and being part St. Germain's Square, Town of New Plymouth, and part of the land comprised and described in certificate of title, Volume 111, folio 223, Taranaki Land Registry, subject to Order in Council No. 13, and subject to Taranaki Trust Ordinance 1875.

J. M. K. HILL, for Clerk of the Executive Council.

Authorising the Gisborne Harbour Board to Reclaim Tidal Land at Taruheru River, Gisborne

ARTHUR PORRITT, Governor-General
ORDER IN COUNCIL

At the Government Buildings at Wellington this 13th day of March 1972

Present:

THE RIGHT HON. J. R. MARSHALL PRESIDING IN COUNCIL
PURSUANT to section 175 (3) 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 Gisborne Harbour Board to reclaim from the Taruheru River at Gisborne an area of 2 acres 2 roods 8.4 perches, more or less, of endowment land, as shown edged in red on plan M.D. 14534 (S.O. 6087) and deposited in the office of the Marine Department at Wellington.

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

(M. 43/2/6/4)

Granting Control of Part of the Foreshore of Bay of Plenty to the Ohope Domain Board

ARTHUR PORRITT, Governor-General
ORDER IN COUNCIL

At the Government Buildings at Wellington this 6th day of March 1972

Present:

THE RIGHT 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 Ohope Domain Board (hereinafter called the Board) control 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 being that portion of the foreshore of the Bay of Plenty between the northern headland of Otawairere Bay and the easternmost extremity of the Ohope Land Spit, being a point on the western shore of the entrance to the Ohiwa Harbour.

As the same is more particularly delineated on the plan marked M.D. 9070 deposited in the Head Office of the Marine Department at Wellington, and thereon edged 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 Board 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 or its amendments, or any regulations made thereunder that are or may hereafter be in force.

5. The rights, powers, and privileges conferred by the 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 Board may make such bylaws as are necessary for the proper preservation and control of the said foreshore and for the proper conduct and clothing of persons bathing on that foreshore or in the vicinity of that foreshore.

7. The Board 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 these uses.

Provided that the Board shall not erect or grant a licence or permit for the erection or continuance of any structures on foreshore, adjoining land under the control of a national park board, or scenic board, or domain board except with the consent of such board.

8. The Board 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 6 in any 1 year.

9. Nothing herein contained shall authorise the Board to remove or cause to be removed any stone, sand, shingle, boulders, silt, mud, or other material from the foreshore, without the consent of the Minister being first obtained.

10. 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*.

11. The rights, powers, and privileges conferred by or under this Order in Council shall be in force for 21 years from the 5th day of July 1971, unless in the meantime such rights, powers, and privileges shall be altered, modified, or revoked by competent authority.

12. 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 Board 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 Board in New Zealand.

J. M. K. HILL for Clerk of the Executive Council.

(M. 54/14/58)