

Authorising Napier City Council to Sub-Lease Lands Leased to it by the Hawke's Bay Harbour Board

KEITH HOLYOAKE, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 23rd day of January 1979.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Napier Foreshore Act 1927, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby authorises the Napier City Council to sub-lease to La Ronde Restaurant (1977) Limited all that area of land on which is erected a dining room, kitchen servery and terrace in the War Memorial Building on the Marine Parade, at Napier, as described in a deed drawn up on the 20th day of December 1977, and consented to by the Hawke's Bay Harbour Board.

P. G. MILLEN, Clerk of the Executive Council.

(M.O.T. 43/6/6)

Directing the Sale of Land in Block XV, Orahiri Survey District, Waitomo District

KEITH HOLYOAKE, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 23rd day of January 1979

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 directs the sale of the land described in the Schedule hereto, such land being no longer required for the purpose for which it was acquired.

SCHEDULE

SOUTH AUCKLAND LAND DISTRICT

ALL that piece of land containing 1.9842 hectares, being Lot 1, D.P. S. 12150, and being part Section 15, Block XV, Orahiri Survey District. All certificate of title, No. 9D/186, South Auckland Land Registry.

P. G. MILLEN, Clerk of the Executive Council.

(P.W. 53/746/1; Hn. D.O. 98/3/0/5)

The Akaroa County Council Foreshore and Waters Control Order 1978

KEITH HOLYOAKE, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 23rd day of January 1979.

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, hereby makes the following order.

ORDER

1. (a) This order may be cited as the Akaroa County Council Foreshores and Water Control Order 1978.

(b) 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 Akaroa County Council;

"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 tide;

"Minister" means the Minister of Transport, 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;

(b) The control of the water specified in the Second Schedule to this order.

4. Notice is hereby given that the Akaroa Harbour Order 1968* is hereby revoked.

FIRST SCHEDULE

ALL that portion of foreshore fronting the County of Akaroa excepting thereout that portion at Big Bay which comes within Lyttelton Harbour Board harbour limits and including the foreshore of all offshore islands adjacent to the County of Akaroa as more particularly shown on plan numbered M.D. 15926 and deposited in the office of the Ministry of Transport at Wellington.

SECOND SCHEDULE

ALL those waters fronting the County of Akaroa within 200 metres of the water's edge commencing at a point on the line of high water ordinary spring tide due north of position 43° 37' south 172° 53.6' east, thence 107° true to Otohauo Head thence 109.5° true to Long Lookout Point, thence 136° true to Outer Sail Rock, thence 147° true to Pa Island, thence following the foreshore to the southern head of Ducksfoot Bay thence 156° true to the Long Boat off Steep Head, thence 167° true to a point on the foreshore southeast of Steep Head Lighthouse, thence 180° true to the Outer Rock of Putakolo Head, thence 201° true to Goat Point, thence 219.5° true to Pompey's Pillar, thence 238° true to Redcliffe Point, thence following an arc of a circle with a radius of 3 nautical miles from Long Boat Rock seawards to the Western Head of Squally Bay thence following the foreshore in a, generally, westerly direction to the County boundary at the head of Island Bay as more particularly shown on plan numbered M.D. 15926 and deposited in the office of the Ministry of Transport at Wellington.

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 waters 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 enforced.

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 First 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 First 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 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 harbour masters 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.