

Validation of Reclamation of Land at Elaine Bay, Marlborough Sounds

PAUL REEVES, Governor-General

ORDER IN COUNCIL

At Wellington this 2nd day of February 1987

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 265 of the Harbours Act 1950, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby validates the reclamation by the Marlborough Harbour Board of the land described in the Schedule hereto.

The authorising Order in Council of 15 October 1984* is hereby revoked.

SCHEDULE

ALL that reclaimed seabed of Elaine Bay, Marlborough Sounds, comprising 820 square metres, more or less, as shown on plan M.D. 16403 (S.O. 13828) deposited in the office of the Secretary for Transport at Wellington.

P. G. MILLEN,

Clerk of the Executive Council.

*New Zealand Gazette, 25 October 1984, No. 195, page 4597.

(M.O.T. 43/5/6/3)

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The Great Barrier Island County Council Foreshore, Seabed and Waters Control Order 1987

PAUL REEVES, Governor-General

ORDER IN COUNCIL

At Wellington this 2nd day of February 1987

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. Title and commencement—(1) This order may be cited as the Great Barrier Island County Council Foreshore, Seabed and Waters Control Order 1987.

(2) This order shall come into force on the 1st day of February 1987.

2. Interpretation—In this order—

“The Act” means the Harbours Act 1950;

“The council” means the Great Barrier Island County Council constituted under the Local Government Act 1974;

“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.

3. Grant of control—There is hereby granted to the council for a period of 21 years from the 1st day of February 1987 and ending with the 31st day of January 2008 control of the foreshore, seabed and waters described in the Schedule to this order.

4. Conditions of grant—The grant of control conferred by clause 3 of this order is subject to the following conditions—

(a) Suitably worded signs shall be erected at main public access ways to the foreshore, seabed and waters described in the Schedule to this order indicating that control of them has been granted to the council pursuant to sections 8A and 165 of the Act.

(b) All money received by the council in the performance or exercise of the functions, duties, or powers conferred on it by this order in respect of the foreshore, seabed and waters to which this order applies, shall, after the deduction of any expenditure incurred by the council in the performance or exercise of those functions, duties, or powers, be applied to the construction, repair or improvement of facilities in respect of that foreshore, seabed and waters and not otherwise.

5. Powers of Council—Subject to section 8A of the Act, the Council may, in respect of the foreshore, seabed and waters to which this order applies—

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

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

SCHEDULE

ALL that foreshore, seabed and waters of Port Fitzroy and Port Abercrombie enclosed by a line running 204° True from mean high water mark ordinary spring tide at Tortoise Head to the westernmost point of Kaikoura Island thence running 167° True to a point at mean high water mark ordinary spring tide being at latitude 36°11.25' S longitude 175°18.5' E as more particularly shown on plan M.D. 16138 deposited in the office of the Secretary for Transport at Wellington.

EXPLANATORY NOTE

This note is not part of the order, but is intended to indicate the area subject to the order.

The area described in the Schedule to this order includes the foreshore, seabed and waters of Port Fitzroy and Port Abercrombie, Man of War Passage, and the foreshore of Kaikoura Island.

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

(M.O.T. 54/14/89)

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The Northland Harbour Board and Bay of Islands County Council Foreshore Control Order 1987

PAUL REEVES, Governor-General

ORDER IN COUNCIL

At Wellington this 2nd day of February 1987

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL 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. Title and commencement—(1) This order may be cited as the Northland Harbour Board and Bay of Islands County Council Foreshore Control Order 1987.

(2) This order shall come into force on the 1st day of February 1987.

2. Interpretation—In this order—

“The Act” means the Harbours Act 1950;

“The Council” means the Bay of Islands County Council constituted under the Local Government Act 1974;

“The Board” means the Northland Harbour Board constituted under the Harbours Act 1950;

“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.

3. Grant of control—There is hereby jointly granted to the council and the board for a period of 21 years from the 1st day of February 1987 and ending with the 31st day of January 2008 control of the foreshore described in the Schedule to this order.

4. Conditions of grant—The grant of control conferred by clause 3 of this order is subject to the following conditions—

(a) Suitably worded signs shall be erected at main public access ways to the foreshore described in the Schedule to this order indicating that control of the foreshore has been granted to the council and the board pursuant to section 165 of the Act.

(b) All money received by the council and the board in the performance or exercise of the functions, duties, or powers conferred on them by this order in respect of the foreshore to which this order applies, shall, after the deduction of any expenditure incurred by the council and the board in the performance or exercise of those functions, duties, or powers, be applied to the construction, repair or improvement of facilities in respect of that foreshore and not otherwise.

(c) That the licensing authority for harbour works shall be the board.

SCHEDULE

ALL those areas of foreshore in the harbour of Bay of Islands described below and as more particularly shown red on plan M.D. 16295, deposited in the office of the Secretary for Transport at Wellington: