

Validation of Reclamation of Lands in Onehunga Bay, Manukau Harbour

PAUL REEVES, Governor-General

ORDER IN COUNCIL

At Wellington this 11th day of December 1989

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 in the name of the Auckland Harbour Board, the reclamation of land in Onehunga Bay, Manukau Harbour and more particularly described in the attached Schedule, a condition of the reclamation being validated is that the area so reclaimed shall be open to public walking access at all times.

Schedule

All that reclaimed sea bed being Auckland Harbour Endowment of the Manukau Harbour comprising 2180 square metres, more or less, situated in North Auckland Land District, and more particularly shown as Lot 1 on plan DOC (CM) H 00034, sheet (2) of (4), deposited in the Auckland Conservancy office of the Department of Conservation.

MARIE SHROFF, Clerk of the Executive Council.

go22853

Authorising the Milford Sound Development Consortium to Reclaim Land in Freshwater Basin, Milford Sound

PAUL REEVES, Governor-General

ORDER IN COUNCIL

At Wellington this 11th day of December 1989

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

Pursuant to section 175 (3) of the Harbours Act 1950, His Excellency the Governor-General, acting on the recommendation of the Minister of Conservation and the Minister of Lands and with the approval of the Minister of Transport and by and with the advice and consent of the Executive Council, hereby authorises the Milford Sound Development Consortium to reclaim an area of 2.395 hectares of land in Freshwater Basin, Milford Sound more particularly described in the Schedule below.

This authorisation is subject to the following conditions:

(i) The area reclaimed is to be open for public access except for those areas where public safety would be compromised.

(ii) All environmental protection measures described in the EIA are to be implemented. Variations in these measures may be agreed to by the Director-General of Conservation where they will not compromise environmental protection.

(iii) The section 178 application is to provide details of steps which will be taken to minimise the environmental impacts of dredging.

(iv) A work plan is to be lodged fortnightly with the Department of Conservation field station manager, Te Anau, detailing the work proposed for the following fortnight to enable the field station manager to plan field inspections.

(v) At the discretion of the regional conservator (Southland) a Department of Conservation officer may be present at the site to monitor the works and in particular environmental protection. The project staff are to provide such explanations and assistance as are reasonably requested by the officer.

(vi) The facilities currently at Milford Sound are to remain operational except where public safety is compromised.

(vii) If any facilities are to be temporarily closed the regional conservator (Southland) is to be notified in writing of the

closure and reasons for it at least 10 working days in advance, except where closure at less notice is necessitated for public safety or other public interest reasons.

(viii) A bond is to be lodged with the Department of Conservation. The amount and details of the bond will be set out in the conditions of the section 178 approval. Non compliance with any consent conditions may result in the loss of all or part of the bond. If any environmental rehabilitation work is required, and is not done to the satisfaction of the regional conservator, the work may be carried out by the department and funded from the bond.

(ix) The breakwater is to be landscaped to the satisfaction of the regional conservator (Southland). The shape and cross-section of the breakwater is to be irregular as shown in figure 2 of the EIA to avoid any unnatural geometric appearance.

(x) The consortium is to consult with the Southland Regional Council and the regional conservator (Southland) to determine a monitoring regime for the discharge of supernatant water from the reclamation.

(xi) This reclamation authorisation shall lapse 2 years after the date of the Order in Council unless:

(a) effect has been given to this consent; or

(b) the Minister of Conservation has, on an application made within 3 months of the expiry date, by the Milford Sound Development Consortium or its legal successor, determined that substantial progress has been made in the construction of the reclamation and that progress is continuing, and has agreed to a further extension.

(xii) The consortium is required to undertake such maintenance work as is necessary to prevent the closure of the Freshwater Basin marginal embayment. Such work is to be approved by the regional conservator, Southland.

(xiii) Before commencing any works, the consortium must satisfy the Director-General of Conservation that sufficient funding is available to complete the project within 2 years.

Schedule

All that parcel of land containing 2.395 hectares, more or less, situated in the Southland Land District and more particularly shown marked (A), (B) and (C) on plan D.O.C. (CM) DU197, (SO 11545), sheet (1) to (1), deposited in the Southland Conservancy Office of the Department of Conservation at Invercargill.

MARIE SHROFF, Clerk of the Executive Council.

go22854

Amendment of Authority to Takapuna City Council to Reclaim Land

PAUL REEVES, Governor-General

ORDER IN COUNCIL

At Wellington this 11th day of December 1989

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

Pursuant to section 175 (4) of the Harbours Act 1950, the Governor-General, acting on the recommendation of the Minister of Conservation, and with the advice and consent of the Executive Council, hereby amends the Order in Council authorising the Takapuna City Council to reclaim approximately 830 square metres of Crown land at Greenhithe, Waitemata Harbour, *New Zealand Gazette*, 16 October 1975, No. 87, page 2275) by:

(a) deleting the words "30 perches" and substituting the words "570 square metres"

(b) deleting the words "as shown on plan M.D. (N) 96 and deposited in the office of the Ministry of Transport at Auckland" and substituting the words "more particularly described in the Schedule below."