

(b) This order shall come into force 28 days after its publication in the *New Zealand Gazette*.

2. Interpretation—In this order:

'The Act' means the Harbours Act 1950;

'The Council' means the Porirua City Council;

'Porirua Harbour' means Porirua Harbour, the limits of which are defined by Order in Council, dated the 24th day of March 1969*, or by an Order in Council made in amendment thereof or in substitution therefore.

'Waters, Foreshore and Seabed of Porirua Harbour' means that part of the sea as described in the First Schedule to this Order.

**New Zealand Gazette*, 2 April 1969, page 609.

3. Grant of Control—There is hereby granted to the Council, for a period of 21 years from the commencement of this order, the control of the waters, foreshore and seabed described in the First 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 Schedules to this order, indicating that control 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 natural values and/or 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 waters to which this order applies—

(1) by bylaw do anything which a Harbour Board may do by bylaw under section 232 of the Act;

(2) appoint harbourmasters and other officers, and define or limit their powers and duties.

Schedule

That portion of sea fronting and within the Porirua City Council commencing at a point on the shore north of Porirua Harbour 1.75 nautical miles from Peg XXIV on the western boundary of Lot 23, D.P. 2093, in Block VIII, Paekakariki Survey District (being the limit of the harbour of Porirua as described in *New Zealand Gazette*, 2 April 1969, page 609); and extending generally southerly along the shore following the line of mean high-water spring tides, such line being deemed to cross the mouths of all rivers, streams, and creeks, excluding therefrom Section 8, Block IX, Paekakariki Survey District, the deviation of No. 58 State Highway across the said harbour at Duck Creek as shown on S.O. Plan 18926 to the north-western side of the railway embankment on the south side of the Paremata Railway Bridge; thence south-westerly along that north-western side of the railway embankment and generally northerly along the generally western shore of Porirua Harbour to a point at Rocky Bay, being 1.75 nautical miles from Peg XXIV aforesaid as shown on Plan DOC (CM) Wn. 00012.

M. SHROFF, Clerk of the Executive Council.

In12039

The Porirua City Council Waters Control Order 1990

PAUL REEVES, Governor-General

ORDER IN COUNCIL

At Wellington this 23rd day of October 1990

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

Pursuant to sections 8A of the Harbours Act 1950, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council.

O r d e r

1. Title and commencement—(a) This order may be cited as the Porirua City Council Water Control Order 1990.

(b) This order shall come into force 28 days after its publication in the *New Zealand Gazette*.

2. Interpretation—In this order:

'The Act' means the Harbours Act 1950;

'The Council' means the Porirua City Council;

'Porirua Harbour' means Porirua Harbour, the limits of which are defined by Order in Council, dated the 24th day of March 1969*, or by an Order in Council made in amendment thereof or in substitution therefore.

'Waters' means that part of the sea as described in the First Schedule to this Order.

3. Grant of Control—There is hereby granted to the Council, for a period of 21 years from the commencement of this order, the control of the waters described in the First 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 Schedules to this order, indicating that control 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 natural values and/or 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 waters to which this order applies—

(1) by bylaw do anything which a Harbour Board may do by bylaw under section 232 of the Act;

(2) appoint harbourmasters and other officers, and define or limit their powers and duties.

Schedule

The waters adjacent to the part of the coastline within the Porirua City boundaries not being part of the Porirua Harbour, to a 200m seaward limit, the coordinates of the city boundaries at mean high water mark being as follows:

for the Paekakariki/Horokiri Ward
NZMS 6 020 724 : 2 672 488
Latitude 41° 0' 20", Longitude 174° 46' 40"

for Titahi Bay/Northland Ward
NZMS 6 005 453 : 2 659 239
Latitude 41° 18' 44", Longitude 174° 46' 40"
as shown on Plan DOC (CM) Wn. 00012.