

Reserve 3728 (in red), situate in Block XII, Rangiora Survey District, and bounded as follows: Towards the north by Reserve 807; towards the east by the Beach Reserve 20 chains distant from the high-water mark of the ocean; towards the south by the road forming the northern boundary of Rural Sections 11323 and 11361 and part of Reserve 1579; towards the west by roads forming the eastern and part of the northern boundaries of Rural Sections 16660 and 13687; again towards the west by Rural Section 13569: save and except two road-lines and a drain reserve which intersect the above-described area: and as the same is delineated on the plan marked L. and S. 1248/15A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

Also all that area in the Canterbury Land District, containing by admeasurement 137 acres 3 roods 20 perches, more or less, being Reserve 2134 (in red), situate in Block XII, Rangiora Survey District. Bounded towards the north by Reserve 807, 3050 links; towards the east by Rural Section 10695, 4010 links; towards the south by Beach Road, 3617 links; towards the west by part Rural Section 6555, 2140 links; and again towards the north and west by Rural Sections 3721, 4280, 4538, and 4539, a distance of 1550 and 1607 links respectively: be all the aforesaid linkages more or less: as the same is delineated on the plan marked L. and S. 1248/15A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

Also all that area in the Canterbury Land District, containing by admeasurement 6 acres and 23 perches, more or less, being Reserve 2539 (in red), situate in Block XI, Rangiora Survey District. Bounded on the east by Reserves 3904 and 3903, 702.5 links; on the south by Reserve 94, 683.6 links; on the south-west by the Woodend and Rangiora Road, 800 links; and on the north by a public road, 1066.1 links: be all the aforesaid linkages more or less: as the same is delineated on the plan marked L. and S. 1248/15A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

J. F. ANDREWS,
Clerk of the Executive Council.

Licensing the Barrier Reefs Gold-mining Company (Limited) to use and occupy a Part of the Foreshore of Whangaparapara Harbour, Great Barrier Island, as a Site for a Wharf.

LIVERPOOL, Governor.

ORDER IN COUNCIL.

At the Government House, at Wellington, this fourteenth day of July, 1913.

Present:

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by Order in Council dated the twelfth day of April, one thousand eight hundred and ninety-nine, and published in the *New Zealand Gazette* No. 32, of the thirteenth day of the same month, the Barrier Reefs Gold-mining Company, of Auckland (hereinafter called "the company"), were licensed to occupy a part of the foreshore and land below low-water mark of Whangaparapara Harbour, Great Barrier Island, for the purpose of using and maintaining thereon a wharf, erected in accordance with plans marked M.D. 2254 and deposited in the office of the Marine Department, at Wellington, for a period of fourteen years from the twelfth day of April, one thousand eight hundred and ninety-nine:

And whereas, the said license having expired, the company has made application for a fresh license under the Harbours Act, 1908 (hereinafter called "the said Act"), for a term of five years, computed from the expiry of the term of the said first-mentioned license, and it is expedient to grant the same for the term and subject to the conditions hereinafter expressed:

Now, therefore, His Excellency the Governor of the Dominion of New Zealand, in pursuance and exercise of the power and authority vested in him by the said Act, and of all other powers and authorities enabling him in that behalf, and by and with the advice and consent of the Executive Council of the said Dominion, doth hereby approve of the purpose or object for which the said license is required by the company as aforesaid; and, in further pursuance and exercise of the said power and authority, and by and with the like advice and consent as aforesaid, doth hereby license and permit the company to use and occupy that part of the foreshore and of the land below low-water mark immediately contiguous thereto which is particularly shown and delineated

on the plans so deposited as aforesaid, for the purpose of using the aforesaid wharf in connection therewith, such license to be held and enjoyed by the company upon and subject to the terms and conditions set out in the Schedule hereto.

SCHEDULE.

1. THE concessions and privileges conferred by this Order in Council shall extend and apply only to the parts of the foreshore and the land below low-water mark necessary for such wharf as shown on the plans marked M.D. 2254 and deposited in the office of the Marine Department as aforesaid.

2. In consideration of the concessions and privileges granted by this Order in Council the company shall, on being supplied with a copy thereof, pay to the Minister the sum of £2 10s., and thereafter an annual sum of £10, in advance, payable on the 1st day of April, dating from the 1st day of April, 1913, the first of such annual payments to be made on the company being supplied with a copy of this Order in Council.

3. His Majesty or the Governor, 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, through, and out of the said wharf without payment.

4. The company shall maintain the said wharf in good order and repair; and shall at all times exhibit therefrom, and maintain at its own cost, suitable and necessary lights for the guidance of vessels; provided that no light shall be exhibited until after it has been approved of by the Minister.

5. Any person authorized by the Minister may, at all reasonable times, enter upon the said wharf and view the state of repair thereof; and upon such Minister leaving at or posting to the last known address of the company a notice in writing of any defect or want of repair in such wharf, requiring it, within a reasonable time, to be therein prescribed, to repair the same, it shall with all convenient speed cause such defect to be removed or such repairs to be made.

6. Nothing herein contained shall authorize the company to do or cause to be done anything repugnant to or inconsistent with any law relating to the Customs, or any regulations of the Minister of Customs, or with any provisions of the Harbours Act, 1908, or its amendments, or any regulations made thereunder, and that are now or may hereafter be in force.

7. The rights, powers, and privileges conferred by or under this Order in Council shall continue in force for the term of five years, computed from the 12th day of April, 1913, unless in the meantime such rights, powers, and privileges shall be altered, modified, or revoked by competent authority; and the company shall not assign, charge, or part with any such right, power, or privilege without the previous written consent of the Minister first obtained.

8. The said rights, powers, and privileges may be at any time resumed by the Governor, without payment of any compensation whatever, on giving to the company three calendar months' previous 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 company.

9. The company shall be liable for any injury which the said wharf may cause any vessel or boat to sustain through any default or neglect on the part of the company.

10. In case the company shall—

- (1.) Commit or suffer a breach of the conditions hereinbefore set forth, or any of them;
- (2.) Cease to use or occupy the said wharf for a period of thirty days;
- (3.) Be in any manner wound up or dissolved; or
- (4.) Fail to pay the sums specified in clause 2 of these conditions,—

then and in any such case this Order in Council, and every license, right, power, or privilege thereby conferred, may be revoked and determined by the Governor in Council without any notice to the company or other proceeding whatsoever; and publication in the *New Zealand Gazette* of an Order in Council containing such revocation shall be sufficient notice to the company, and to all persons concerned or interested, that this Order in Council, and the license, right, and privileges thereby granted and conferred, have been revoked and determined.

11. In these conditions the term "Minister" means the Minister of Marine as defined by the Shipping and Seamen Act, 1908, and includes any officer, person, or authority acting by or under the direction of such Minister.

J. F. ANDREWS,
Clerk of the Executive Council.