

privileges thereby conferred, have been revoked and determined.

11. The erection of the said boat-slip shall be sufficient evidence of the acceptance by the Council of the terms and conditions of this Order in Council.

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

*Licensing the Akaroa County Council to use and occupy a Part of the Foreshore and Land below Low-water Mark of Robinson's Bay, Akaroa Harbour, as a Site for a Wharf and Reclamation for a Road.*

LIVERPOOL, Governor.

ORDER IN COUNCIL.

At the Government House at Wellington, this sixteenth day of November, 1914.

Present :

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS, there being no Harbour Board empowered to grant the license hereinafter mentioned, the Akaroa County Council (hereinafter called "the Council"), has applied to the Governor in Council for a license under the Harbours Act, 1908 (hereinafter called "the said Act"), to occupy a part of the foreshore and land below low-water mark of Robinson's Bay, Akaroa Harbour, as a site for a wharf and also for reclamation to construct a road; and, in accordance with the one-hundred-and-fiftieth section of the said Act, has deposited plans in the office of the Marine Department at Wellington (marked M.D. 4304 and 4305) showing the wharf to be erected and the reclamation to be constructed, the places where it is intended to erect and construct the same, and the area of foreshore and land below low-water mark intended to be occupied for such purpose: And whereas it has been made to appear to the Governor in Council that the proposed work will not be or tend to the injury of navigation, and the said plans have, prior to the making of this Order in Council, been approved by the Governor in Council: And whereas it is expedient that a license under the said Act, for the purposes aforesaid, should be granted and issued to the Council on the terms and conditions hereinafter expressed:

Now, therefore, His Excellency the Governor of the Dominion of New Zealand, in pursuance and exercise of the power and authority conferred upon him by the said Act, and of all other powers and authorities enabling him in that behalf, and acting 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 Council as aforesaid; and, in further pursuance and exercise of the said power and authority, and with the like advice and consent as aforesaid, doth hereby license and permit the Council to use and occupy those parts of the foreshore and land below low-water mark which are more particularly shown and delineated on the plans so deposited as aforesaid, for the purpose of erecting the said wharf and constructing the said reclamation, such license to be held and enjoyed by the Council upon and subject to the terms and conditions set forth in the Schedule hereto.

SCHEDULE.

1. In these terms and 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.

2. The concessions and privileges conferred by this Order in Council shall extend and apply only to those parts of the foreshore and land below low-water mark necessary for the erection of the said wharf and the construction of the said reclamation, as shown on the said plans M.D. 4304 and 4305, and deposited in the office of the Marine Department at Wellington.

3. His Majesty or the Governor, and all persons in the Government service acting in the execution of their duty, shall at all times have free ingress, passage, and egress, into, through, over, and out of the said wharf and reclamation without payment.

4. The Council shall at all times maintain the said wharf and reclamation in good order and repair, and shall at all times exhibit from the wharf 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 by the Minister.

5. All persons shall, at all reasonable times, and upon payment of the proper dues, have free and full liberty to use the said wharf, and all rights of ingress and egress thereon and therefrom.

6. All revenue derived from the said wharf shall be applied to the maintenance and upkeep of the said wharf, and all erections on or in connection with the same.

7. 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 Council a notice in writing of any defect or want of repair in such wharf, requiring the Council 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, as the case may be.

8. Nothing herein contained shall authorize the Council to do or cause to be done anything repugnant to or inconsistent with any law for the time being in force relating to the Customs, or with any regulation of the Minister of Customs, or with any provision of the Harbours Act, 1908, or its amendments, or with any regulation made thereunder, and that is now or may hereafter be in force.

9. The ballast of all vessels loading at the said wharf shall be taken away by the Council, and deposited above high-water mark, or at such place as may be approved by the Minister, or by any person appointed by the Minister for that purpose.

10. The rights, powers, and privileges conferred by or under this Order in Council in respect of the said wharf shall continue in force for fourteen years from the date hereof, unless in the meantime such rights, powers, and privileges shall be altered, modified, or revoked by competent authority; and the Council shall not assign, charge, or part with any such right, power, or privilege without the written authority of the Minister first obtained.

11. 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 Council three calendar months' previous notice in writing. Such notice shall be sufficient if given by the Minister and delivered at or posted to the last known address of the Council.

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

13. In case the Council shall—

(1.) Commit or suffer a breach of the conditions hereinbefore set forth, or any of them; or

(2.) Cease to use or occupy the said wharf or reclamation for a period of thirty days,—

then and in either of the said cases 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 Council 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 Council, and to all persons concerned or interested, that this Order in Council, and the license, rights, and privileges thereby granted and conferred, have been revoked and determined.

14. The erection of the said wharf or the construction of the said reclamation shall be sufficient evidence of the acceptance by the Council of the terms and conditions of this Order in Council.

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

*Lincoln Street, in the City of Auckland, exempted from the Provisions of Section 117 of the Public Works Act, 1908.*

LIVERPOOL, Governor.

ORDER IN COUNCIL.

At the Government House at Wellington, this twenty-third day of November, 1914.

Present :

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by subsection one of section one hundred and seventeen of the Public Works Act, 1908, it is, *inter alia*, provided that the said section shall not apply in any case where the local authority having control of any road or street by resolution declares that the provisions thereof shall not apply to any specified road or street, or any specified part thereof, and such resolution is approved by the Governor in Council:

And whereas by subsection two of section one hundred and seventeen of the Public Works Act, 1908, it is provided that such approval may be either absolute or subject to such conditions with respect to the building line as the Governor, by Order in Council, thinks fit to impose:

And whereas the Auckland City Council, being the local authority having control of the street described in the