

*Domain Board appointed to have Control of the Waipahi Domain.*

LIVERPOOL, Governor.

ORDER IN COUNCIL.

At the Government House at Wellington, this twenty-sixth day of September, 1916.

Present :

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by section forty of the Public Reserves and Domains Act, 1908 (hereinafter termed "the said Act"), it is enacted that the Governor may from time to time, with respect to any public domain, appoint such persons (not exceeding nine) as he thinks fit to be a Domain Board having, subject to Part II of the said Act, control of such domain :

And whereas by an Order in Council made on the seventh day of June, one thousand nine hundred and nine, and published in the *New Zealand Gazette* of the tenth day of June, one thousand nine hundred and nine, a Domain Board was appointed to control the Waipahi Domain :

And whereas the period for which the said Board was appointed expired on the sixth day of June, one thousand nine hundred and sixteen :

And whereas it appears expedient to again appoint a Domain Board to control the domain :

Now, therefore, His Excellency the Governor of the Dominion of New Zealand, in exercise of the powers conferred by the said Act, and acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby appoint

ROBERT MELROSE,  
PHILIP HENRY JONES,  
ANDREW MURRAY,  
FRANCIS BANKS, and  
JAMES CAMPBELL

to be the Waipahi Domain Board, having control of the land described in the Schedule hereto for the purposes of and subject to the provisions of the said Act; and doth hereby appoint Monday, the sixteenth day of October, one thousand nine hundred and sixteen, at eight o'clock p.m., as the time when, and the Schoolhouse, Waipahi, as the place where, the first meeting of the Board shall be held.

SCHEDULE.

WAIPAHI DOMAIN, CLUTHA COUNTY.

ALL that area in the Otago Land District, containing by admeasurement 5 acres 2 roods 16 perches, more or less, being Section No. 14, Block VII, Town of Waipahi. Bounded towards the north-east by Sections Nos. 12 and 13, Block VII, Town of Waipahi, 500 links, and by Derwent Street, 231 links; towards the south-east by a road-line, 878 links and 210.3 links; towards the south-west by said road, 180.5 links; and towards the north-west by said road, 264.5 links, 315.1 links, and by railway reserve, 410.2 links: be all the aforesaid linkages more or less. As the same is delineated on the plan marked L. 1199, 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 Walter Bazendale Giesen to use and occupy a Part of the Foreshore and Land below Low-water Mark at Horehore, Kaipara Harbour, as a Site for a Wharf.*

LIVERPOOL, Governor.

ORDER IN COUNCIL.

At the Government House at Wellington, this twenty-sixth day of September, 1916.

Present :

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS, there being no Harbour Board empowered to grant the license hereinafter mentioned under the Harbours Act, 1908 (hereinafter called "the said Act"), Walter Bazendale Giesen, of Horehore (hereinafter called "the licensee"), has applied to the Governor in Council for a license under the said Act to use and occupy a part of the foreshore and land below low-water mark at Horehore, Kaipara Harbour, as shown on plan marked M.D. 2519, and deposited in the office of the Marine Department at Wellington, in order to maintain a wharf thereon: And whereas it has been made to appear to the Governor in Council that the said wharf will not be or tend to the injury of navigation,

and the said plan marked M.D. 2519 has, prior to the making of this Order in Council, been approved of by the Governor in Council: And whereas it is desirable that a license under the said Act, for the purpose aforesaid, should be granted and issued to the licensee 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 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 licensee 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 licensee to use and occupy that part of the foreshore and land below low-water mark adjacent thereto necessary for the maintenance of the said wharf, such license to be held and enjoyed by the licensee upon and subject to the terms and conditions set forth in the Schedule hereto.

SCHEDULE.

1. 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.

2. The concessions and privileges conferred by this Order in Council shall extend and apply only to that part of the foreshore and land below low-water mark occupied by the said wharf as shown on plan marked M.D. 2519.

3. In consideration of the concessions and privileges granted by this Order in Council the licensee shall pay to the Minister the sum of £2 10s., and thereafter an annual sum of £1 in advance, dating from the 1st August, 1916, the first of such annual payments to be made on the licensee being supplied with a copy of this Order in Council.

4. 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.

5. 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.

6. The licensee shall maintain the above-mentioned wharf in good order and repair, and shall at all times exhibit therefrom and maintain at his 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.

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 licensee in New Zealand a notice in writing of any defect or want of repair in such wharf, requiring him, within a reasonable time, to be therein prescribed, to repair the same, he shall with all convenient speed cause such defect to be removed or such repairs to be made.

8. Nothing herein contained shall authorize the licensee to do or cause to be done anything repugnant to or inconsistent with any law relating to the Customs, or any regulation 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.

9. The ballast of all vessels loading at the said wharf shall be taken away by the licensee and deposited above high-water mark, or at such place as may be approved of 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 shall continue to be in force for fourteen years from the 1st August, 1916, unless in the meantime such rights, powers, and privileges shall be altered, modified, or revoked by competent authority; and the licensee shall not assign, charge, or part with any such right, power, or privilege without the written consent 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 licensee 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 licensee in New Zealand.

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