

Licensing William John Roberts, of Dargaville, to use and occupy Part of the Foreshore and Land below Low-water Mark in the Wairoa River, Kaipara Harbour, as a Site for a Wharf.

JELLICOE, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 20th day of March, 1922.

Present :

THE RIGHT HONOURABLE W. F. MASSEY, P.C., PRESIDING IN COUNCIL.

WHEREAS, there being no Harbour Board empowered to grant the license hereinafter mentioned, William John Roberts, of Dargaville (hereinafter called "the licensee"), has applied to the Governor-General 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 in the Wairoa River, Kaipara Harbour, in order to erect and maintain a wharf thereon; and, in accordance with the one-hundred-and-fiftieth section of the said Act, has deposited a plan, marked M.D. 5408, in the office of the Marine Department at Wellington, showing the place where it is intended to erect such wharf, 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-General in Council that the proposed wharf will not be or tend to the injury of navigation; and the said plan has, prior to the making of this Order in Council, been approved by the Governor-General in Council:

And whereas it is expedient that a license under the said Act for the purpose aforesaid should be granted and issued to the licensee on the terms and conditions hereinafter expressed:

Now, therefore, His Excellency the Governor-General of the Dominion of New Zealand, in pursuance and exercise of the power and authority vested in him by the said Act, 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 which is particularly shown and delineated on the plan so deposited as aforesaid, for the purpose of constructing and maintaining a wharf thereon, such license to be held and enjoyed by the licensee upon and subject to the following terms and conditions.

CONDITIONS.

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 necessary for the erection of the wharf, as shown on plan M.D. 5408.

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

4. The rights, powers, and privileges conferred by this Order in Council shall continue in force for fourteen years computed from the date of this Order in Council, 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 previous written consent of the Minister first obtained.

5. The said rights, powers, and privileges may be at any time resumed by the Governor-General, and the licensee may be required to remove the wharf at his own cost, without payment of any compensation whatever, on giving to the licensee three 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.

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 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. The licensee shall be liable for any injury which may be sustained by any vessel or boat in passing the wharf, or by contact therewith, and which may be occasioned by any default or neglect on his part.

9. In case the licensee 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.) Fail to pay the sums specified in clause 3 of these conditions; or
- (4.) Become bankrupt, or be in any manner brought under the operation of any law in force for the time being relating to bankruptcy.—

then and in any of the said cases this Order in Council, and every right, power, and privilege, may be revoked and determined by the Governor-General in Council, without any notice to the licensee 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 licensee, and to all persons concerned or interested, that this Order in Council, and the rights and privileges thereby conferred, have been revoked and determined; and upon such revocation the Minister may cause the said wharf to be removed, and may recover the costs incurred by any such removal from the licensee.

10. The construction of the wharf shall be deemed to be an acceptance by the licensee of the conditions of this Order in Council.

F. D. THOMSON,
Clerk of the Executive Council

Licensing Eric Gratton Habershon to use and occupy Part of the Foreshore of Half-moon Bay, Stewart Island, as a Site for a Boat-shed.

JELLICOE, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 20th day of March, 1922.

Present :

THE RIGHT HONOURABLE W. F. MASSEY, P.C., PRESIDING IN COUNCIL.

WHEREAS, there being no Harbour Board empowered to grant the license hereinafter mentioned, Eric Gratton Habershon, of Half-moon Bay, Stewart Island (hereinafter called "the licensee"), has applied to the Governor-General in Council for a license under the Harbours Act, 1908 (hereinafter called "the said Act"), to occupy a part of the foreshore at Half-moon Bay, Stewart Island, in order to erect thereon a boat-shed in accordance with the plan marked M.D. 5427, sheet 1 (in duplicate), and in the position shown on plan bearing the same number marked sheet 2, and deposited in the office of the Marine Department at Wellington:

And whereas it has been made to appear to the Governor-General in Council that the proposed work will not be or tend to the injury of navigation, and it is desirable that a license should be granted and issued to the licensee under the said Act for the purpose aforesaid:

Now, therefore, His Excellency the Governor-General 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 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 on which the said boat-shed is erected, as shown on the aforesaid plan so deposited as aforesaid, for the purpose of maintaining the said structure thereon; 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 authority of such Minister.

2. The concessions and privileges conferred by this Order in Council shall extend and apply only to that part of the