

Setting apart Reserve under the Kauri-gum Industry Act, 1908.

JELLICOE, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 19th day of December, 1922.

Present :

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

WHEREAS by the Kauri-gum Industry Act, 1908 (hereinafter termed "the said Act"), it is enacted that the Governor-General in Council is authorized under the said Act to set apart any specified area of Crown lands within a kauri-gum district to be a kauri-gum reserve under the said Act:

And whereas it is expedient to create and set apart the kauri-gum reserve hereinafter mentioned:

Now, therefore, I, John Rushworth, Viscount Jellicoe, Governor-General of the Dominion of New Zealand, in pursuance and exercise of the power and authority conferred upon me by the said Act, and acting by and with the advice and consent of the Executive Council of the said Dominion, do hereby set apart the area of Crown land described in the Schedule hereto as a kauri-gum reserve, with the name set over the description of such reserve in the said Schedule.

SCHEDULE.

OMAPERE KAURI-GUM RESERVE FOR KAIKOHE AND OKAIHAU SETTLEMENT.

ALL that area in the North Auckland Land District, containing by admeasurement 322 acres, more or less, being Allotment 39, Parish of Omaperu, and formerly being part of the Omaperu Kauri-gum Reserve, as described in the *New Zealand Gazette* No. 11, of the 12th February, 1914, page 534.

C. A. JEFFERY,
Acting Clerk of the Executive Council.

Recreation Reserve in Taranaki Land District brought under Part II of the Public Reserves and Domains Act, 1908.

JELLICOE, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 19th day of December, 1922.

Present :

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

BY virtue of the powers and authorities vested in me by the twenty-sixth section of the Public Reserves and Domains Act, 1908, I, John Rushworth, Viscount Jellicoe, Governor-General of the Dominion of New Zealand, by and with the advice and consent of the Executive Council of the said Dominion, do hereby order and declare that the reserve for recreation in the Taranaki Land District described in the Schedule hereto shall be and the same is hereby brought under the operation of and declared to be subject to the provisions of Part II of the said Act; and such reserve shall hereafter form part of the Ongarue Domain, and be managed, administered, and dealt with as a public domain by the Ongarue Domain Board.

SCHEDULE.

TARANAKI LAND DISTRICT.

SECTION 2, Block X, Tangitu Survey District: Area, 4 acres 2 roods.

C. A. JEFFERY,
Acting Clerk of the Executive Council.

Licensing Adolphus Loughlin O'Brien and Eugene Gerald O'Brien to use and occupy a Part of the Foreshore and Land below Low-water Mark of Omiha Bay, Waiheke Island, as a Site for a Wharf.

JELLICOE, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 19th day of December, 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 under the Harbours Act, 1908 (hereinafter called "the said Act"),

Adolphus Loughlin O'Brien and Eugene Gerald O'Brien, of Putihi Bay, Waiheke (hereinafter called "the licensees"), have applied to the Governor-General 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 Omiha Bay, Waiheke Island, in order to erect and maintain a wharf thereon; and, in accordance with the one-hundred-and-fiftieth section of the said Act, have deposited a plan in the office of the Marine Department at Wellington (marked M.D. 5597), showing the area of foreshore and land below low-water mark intended to be occupied, and the manner in which it is proposed to erect the said wharf:

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 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 should be granted and issued to the licensees under the said Act, for the purposes aforesaid, 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 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 licensees 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 licensees to use and occupy that part of the foreshore and land below low-water mark on which the said wharf is to be erected, as shown on the plan M.D. 5597 so deposited as aforesaid, for the purpose of erecting and maintaining the said wharf; such license to be held and enjoyed by the licensees 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 the part of the foreshore and land below low-water mark necessary for the erection of the said wharf, as shown on the plan marked M.D. 5597.

3. In consideration of the concessions and privileges granted by this Order in Council the licensees shall, on being supplied with a copy thereof, pay to the Minister the sum of £2 10s., and thereafter an annual sum of £2 in advance, payable on the 1st day of April in each year, the proportionate part of such rental in respect of the period from the date hereof until the 31st day of March following to be paid on the licensees being supplied with a copy of this Order in Council.

4. All persons shall, at all reasonable times, 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-General, 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 without payment.

6. The licensees shall maintain the above-mentioned wharf in good order and repair; and shall at all times exhibit therefrom, and maintain at their 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 licensees in New Zealand a notice in writing of any defect or want of repair in such wharf, requiring them, within a reasonable time, to be therein prescribed, to repair the wharf, they shall with all reasonable speed cause such defect to be removed or such repairs to be made.

8. Nothing herein contained shall authorize the licensees 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 licensees 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 in force for