

Excellency the Governor-General of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby consent to the Whakatane County Council stopping the portions of road described in the Schedule hereto.

SCHEDULE.

APPROXIMATE areas of the pieces of road permitted to be stopped:—

A. R. P.	Adjoining or passing through
3 0 14	Allotment 8, Blocks I and II.
0 2 34.3	" 11, Block II.

Situated in Waimana Parish, Whakatane Survey District (Auckland R.D.). (S.O. 22432.)

In the Auckland Land District; as the same are more particularly delineated on the plan marked P.W.D. 58144, deposited in the office of the Minister of Public Works at Wellington, in the Wellington Land District, and thereon coloured green.

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

Declaring Portion of the Te Kuiti - Taumarunui Road, in the Taumarunui County, to be a County Road.

JELLCOE, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 29th day of October, 1923.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

IN pursuance and exercise of the powers vested in him by the Public Works Act, 1908, and of all other powers in any-wise enabling him in this behalf, His Excellency the Governor-General of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby order and declare that the portion of road described in the Schedule hereto shall, on and after the date of this Order in Council, become a county road.

SCHEDULE.

ALL that portion of the Te Kuiti - Taumarunui Main Road, in the Auckland Land District, Taumarunui County, commencing at the Rangaroa Stream Bridge (Taumarunui Borough boundary) and proceeding thence generally in a north-westerly direction, adjoining or passing through Sections 29 and 31, Rangaroa Village Settlement, Sections 3, 16, 15, and Rangitoto Tuhua Nos. 52A and 55B 2, Block XIII, Tuhua Survey District, and terminating at its junction with the Okaihae Road near the south-western corner of the said Rangitoto Tuhua No. 55B 2, being a distance of 2 miles 10 chains, more or less. As the said portion of road is more particularly delineated on the plan marked P.W.D. 58113, deposited in the office of the Minister of Public Works at Wellington, in the Wellington Land District, and thereon coloured red.

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

Licensing Alfred Roderick Alison, of Auckland, to occupy a Part of the Foreshore and Land below Low-water Mark in Maitetea Bay, Waiheke Island, Hauraki Gulf, for the Purpose of taking Shingle and Sand.

JELLCOE, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 24th day of October, 1923.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS, there being no Harbour Board empowered to grant the license hereinafter mentioned, Alfred Roderick Alison, of Auckland (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 use and occupy a part of the foreshore and land below low-water mark in Maitetea Bay, Waiheke Island, Hauraki Gulf, for the purpose of taking away the shingle and sand deposited thereon; and, in accordance with the provisions of the said Act, has deposited a plan in the office of the Marine Department at Wellington (marked M.D. 5712) showing the area of foreshore and land below low-water mark intended to be occupied for such purpose:

And whereas it is desirable to grant the license applied for:

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 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 within a red line on the plan so deposited as aforesaid, for the purpose of taking away the shingle and sand deposited 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 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 purposes hereinbefore mentioned, as shown within a red line in the plan marked M.D. 5712, and deposited in the office of the Marine Department as aforesaid.

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 shall deposit annually the sum of £25, to be applied as hereinafter provided, payable on the 1st day of April in each year; provided that in respect of the period from the date of this Order in Council until the 31st day of March, 1924, the amount to be deposited shall be an amount proportionate to the said period at the rate of £25 per annum, to be deposited on the licensee being supplied with a copy of this Order in Council.

4. The royalty payable by the licensee in consideration of the concessions and privileges hereby granted shall be at the rate of 1s. per cubic yard on all shingle and sand taken. If in any year the licensee fails to remove any shingle or sand, the deposit hereinbefore referred to shall be appropriated by the Minister as flat rent in respect of that year; but if during any year the licensee remove any shingle or sand the said deposit shall, in proportion to the amount of shingle or sand so removed, be applied as royalty at the rate hereinbefore mentioned, but so that the minimum amount payable as combined royalty and flat rent in any one complete year shall be £25. All such payments shall be made to the Superintendent of Mercantile Marine, at Auckland, or such other person as the Minister may direct; provided that after the 16th day of July, 1926, the Governor-General in Council may prescribe the royalty thereafter to be at such rate as he thinks reasonable.

5. His Majesty or the Governor-General, 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 land aforesaid without payment.

6. 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.

7. The rights, powers, and privileges conferred by or under this Order in Council shall continue in force for the term of fourteen years, computed from the date hereof, unless in the meantime such rights, powers, and privileges are 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.

8. The rights, powers, and privileges hereby granted and conferred may be at any time resumed by the Governor-General, without payment of any compensation whatsoever, on giving to the licensee 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 licensee in New Zealand.

9. In case the licensee shall—

- (1.) Commit or suffer a breach of the conditions hereinbefore set forth, or any of them, or any breach of the Fisheries Act, 1908, or its amendments;
- (2.) Become bankrupt, or be brought under the operation of any law for the time being in force relating to bankruptcy; or
- (3.) Fail to pay the sums specified in clause 3 of these conditions,—