

The Southern Side of Portion of Kakariki Road, in the Oroua County, exempted from the Provisions of Section 117 of the Public Works Act, 1908, subject to a Condition as to the Building-time.

CHARLES FERGUSSON, Governor-General.
ORDER IN COUNCIL.

At the Government House at Wellington, this 23rd day of August, 1926.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

IN pursuance and exercise of the powers conferred by the Public Works Act, 1908, and of all other powers in anywise 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 approve of the following resolution passed by the Oroua County Council on the twelfth day of May, one thousand nine hundred and twenty-six, viz:—

“That the provisions of section one hundred and seventeen of the Public Works Act, 1908, and its amendments shall not apply to all that portion of the south-western side of the Kakariki Road near Halcombe upon which the following land at present standing in the names of William Malcolm McLennan and William Fergusson, of Halcombe, Farmers, as registered proprietors by transmission abuts—namely, all that piece of land containing by admeasurement five hundred and forty-two acres three roods five perches (542 acres 3 roods 5 perches), be the same a little more or less, being Sections 15, 16, and 17, on the plan of Subdivision B, Manchester Block, Township of Sandon, and the balance of the land comprised in certificate of title, Register-book, Volume 8, folio 117”;
subject to the condition that no building or part of a building shall at any time be erected on the land fronting the southern side of the portion of Kakariki Road (described in the Schedule hereto), within a distance of forty-six feet from the centre-line of the said portion of road.

SCHEDULE.

The southern side of all that portion of road situated in the Wellington Land District, Oroua County, known as Kakariki Road, fronting Part of Lot 1, and Lots 2, 3, and 4, D.P. 7557, of Sections 15, 16, and 17, of Subdivision B, Manchester Block, Township of Sandon. As the said portion of road is more particularly delineated on the plan marked P.W.D. 66183, deposited in the office of the Minister of Public Works at Wellington, in the Wellington Land District, and thereon coloured red.

F. D. THOMSON,
(P.W. 41/435/1.) Clerk of the Executive Council.

Vesting Portion of a Reserve in the Russell Town Board.

CHARLES FERGUSSON, Governor-General.
ORDER IN COUNCIL.

At the Government House at Wellington, this 23rd day of August, 1926.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS the land described in the Schedule hereto forms portion of a reserve duly set apart for a site for public buildings: And whereas it is expedient to vest such land in the Russell Town Board:

Now, therefore, 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, and in exercise of the powers and authorities conferred upon him by the fourth section of the Public Reserves and Domains Act, 1908, doth hereby declare that, from and after the day of the date hereof, the land described in the Schedule hereto shall become vested in the Russell Town Board, in trust, for a site for public buildings.

SCHEDULE.

All that area in the North Auckland Land District, containing by admeasurement 9 perches, more or less, being Section 24, Block IX, Town of Russell, Bay of Islands County. As the same is more particularly delineated on plan marked L. and S. 22/3185A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red. (North Auckland plan 23697.)

F. D. THOMSON,
Clerk of the Executive Council.

Vesting the Management of the Metal-landings at Dargaville, Kaihu Creek, and Mount Wesley, in Kaipara Harbour, in the Dargaville Borough Council.

CHARLES FERGUSSON, Governor-General.
ORDER IN COUNCIL.

At the Government House at Wellington, this 23rd day of August, 1926.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS by section one hundred and eighty-six of the Harbours Act, 1923 (hereinafter called “the said Act”), it is enacted that the Governor-General in Council may vest the management of any wharf the property of His Majesty the King in any local authority upon such terms and conditions as the Governor-General in Council thinks fit:

And whereas it is thought desirable to vest in the Dargaville Borough Council (hereinafter called “the Council,” in which term is to be construed, unless the context requires a different construction, its successors or assigns) the management of the metal-landings at Dargaville, Kaihu Creek, and Mount Wesley, in Kaipara Harbour, erected in accordance with the plan marked M.D. 5621, and deposited in the office of the Marine Department at Wellington, on the terms and conditions hereinafter set forth; and to prescribe the dues and rates which shall be charged and taken for the use of the said metal-landings:

Now, therefore, 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, and 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, doth hereby vest the management of the said metal-landings in the Council, subject to the conditions set forth in the First Schedule hereto, and doth prescribe that the dues and rates set forth in the Second Schedule hereto shall be charged and taken by the Council for the use of the said metal-landings.

FIRST SCHEDULE.

CONDITIONS OF MANAGEMENT.

1. In these conditions the term—

“Foresore” means such parts of the bed, shore, or banks of a tidal water as are covered and uncovered by the flow and ebb of the tide at ordinary spring tides:

“Low-water mark” means low-water mark at ordinary spring tides:

“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 adjacent thereto, necessary for the maintenance of the said metal-landings, at the sites shown on the plan marked M.D. 5621.

3. All His Majesty's subjects shall at all reasonable times, and upon payment of the proper dues, have free and full liberty to use the above-mentioned metal-landings, and rights of ingress and egress thereto and therefrom.

4. 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, over, and out of the said metal-landings without payment.

5. The Council shall maintain and keep the above-mentioned metal-landings and all erections on or in connection with the metal-landings in good order and repair; and shall at all times exhibit therefrom, and maintain at the Council's own cost, suitable and necessary lights for the guidance of vessels: provided that no new light shall be exhibited until after it has been approved by the Minister.

6. All dues and rates received on account of the said metal-landings by the Council shall be applied to keeping the said metal-landings and all erections on or in connection with such metal-landings in good order and repair.

7. Any person authorized by the Minister may at all reasonable times enter upon the said metal-landings and any buildings erected on the metal-landings or in connection therewith, and view the state of repair thereof; and upon the Minister leaving at or posting to the last known address of the Council in New Zealand a notice in writing of any defect or want of repair in such metal-landings or buildings, requiring the Council, within a reasonable time, to be therein prescribed, to make good or repair the same, the Council shall, with all convenient speed, cause such defect to be removed or such repairs to be made.