

Vesting the Control of Part of the Foreshore in the Bay of Plenty in the Waihi Borough Council.

CHARLES FERGUSSON, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 3rd day of May, 1929.

Present :

THE RIGHT HONOURABLE SIR J. G. WARD, PRESIDING IN COUNCIL.

WHEREAS it is enacted by section one hundred and fifty-eight of the Harbours Act, 1923 (hereinafter called "the said Act"), that where the foreshore outside the limits of a harbour is not vested in any Harbour Board or other local authority the Governor-General may, by Order in Council, grant for a period not exceeding twenty-one years the control of such part or parts thereof as he thinks fit to any local authority, Domain Board, or persons acting as trustees for the inhabitants of the locality, upon such conditions as may be prescribed in the Order :

And whereas the foreshore hereinafter described is not vested in any Harbour Board or other local authority, and the Waihi Borough Council (hereinafter called "the Council") has applied to the Governor-General in Council for the control thereof :

And whereas it is desirable that the control should be granted to the Council :

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 acting by and with the advice and consent of the Executive Council, doth hereby grant to the Council the control of the foreshore as described in the First Schedule hereto, and subject to the terms and conditions set forth in the Second Schedule hereto.

FIRST SCHEDULE.

THAT portion of the foreshore in the Bay of Plenty commencing at a point eight chains north of the north-eastern corner of Waihi No. 3 Block, in the County of Ohinemuri, and extending generally south-eastwards to the south-eastern corner of Waihi No. 5 Block, in the County of Tauranga : As the same is shown, coloured red, on plan marked M.D. 6656, and deposited in the office of the Marine Department at Wellington.

SECOND 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. IN these conditions the term "foreshore" means all land between high-water mark of ordinary spring tides and low-water mark of ordinary spring tides.

3. The concessions and privileges conferred by this Order in Council shall extend and apply only to those parts of the foreshore as shown coloured red on plan marked M.D. 6656, and deposited in the office of the Marine Department at Wellington.

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 out and over the said foreshore without payment.

5. Nothing herein contained shall authorize the Council to do or cause to be done anything repugnant to or inconsistent with any law relating to the Customs, or with any regulation of the Minister of Customs, or with any provisions of the Harbours Act, 1923, or its amendments, or any regulations made thereunder, and that are or may hereafter be in force.

6. The rights, powers, and privileges conferred by this Order in Council shall not apply to those portions of the foreshore required for securing the shore ends of any telegraph cables that are at present or may be at any time laid down within the said area of foreshore.

7. The Council may enclose any part or parts of the foreshore described in the First Schedule hereto for the purpose of holding athletic sports or games, and may by by-law fix a charge for admission to such enclosed part or parts : Provided that the total number of days on which such enclosures are made shall not exceed six in any one year.

8. The Council may, subject to the provisions of section one hundred and seventy-one of the Harbours Act, 1923, erect or license or permit the erection of bathing-sheds or boat-sheds on the foreshore described in the First Schedule hereto, and may make by-laws regulating the use thereof.

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and may fix charges for such use, provided that the funds so received shall be expended in improving the foreshore for the benefit of the public.

9. Nothing herein contained shall authorize the Council to remove, or cause to be removed, any stone, sand, shingle, or shells without the consent of the Minister being first obtained.

10. By-laws made by the Council under the said Act in respect of the foreshore shall not have effect unless and until approved in writing by the Minister.

11. The rights, powers, and privileges conferred by or under this Order in Council continue to be in force for twenty-one years from the date hereof, unless in the meantime such rights, powers, and privileges shall be altered, modified, or revoked by competent authority.

12. The said rights, powers, and privileges may be at any time resumed by the Governor-General, without payment of any compensation whatever, on giving to the Council six 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 Council in New Zealand.

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

Revoking Order in Council licensing the Stewart Island Yacht Club to use and occupy a Part of the Foreshore at Half Moon Bay, Stewart Island, as a Site for a Boatshed.

CHARLES FERGUSSON, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 3rd day of May, 1929.

Present :

THE RIGHT HONOURABLE SIR J. G. WARD, PRESIDING IN COUNCIL.

WHEREAS by Order in Council dated the twentieth day of August, one thousand nine hundred and twenty-three, and published in the *New Zealand Gazette*, No. 64, of the twenty-third day of the same month, the Stewart Island Yacht Club (hereinafter called "the licensees") were licensed to use and occupy a part of the foreshore at Half Moon Bay, Stewart Island, as a site for a boatshed :

And whereas the licensees have applied to have the hereinbefore-recited license revoked, and it is desirable to revoke the same :

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 Harbours Act, 1923, 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 revoke the hereinbefore-recited Order in Council of the twentieth day of August, one thousand nine hundred and twenty-three, as from the thirty-first day of March, one thousand nine hundred and twenty-nine.

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

Domain Board appointed to have Control of the Miller's Flat Domain.

CHARLES FERGUSSON, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 3rd day of May, 1929.

Present :

THE RIGHT HONOURABLE SIR J. G. WARD, PRESIDING IN COUNCIL.

IN pursuance and exercise of the powers conferred by section forty-four of the Public Reserves, Domains, and National Parks Act, 1928, 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 appoint

Nathaniel Campbell,
George Sheehy Dick,
Leopold Faigan,
Joseph Henry McKay,
Walter Finlay Murray, and
Alexander Forbes Ridd

to be the Miller's Flat Domain Board, having control of the land described in the Schedule hereto ; and doth hereby appoint Tuesday, the fourth day of June, one thousand nine