

SCHEDULE.

CONDITIONS OF MANAGEMENT.

1. In these conditions the terms—

"Foreshore" means such parts of the bed, shore, or banks of the 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 jetty and shed at the site shown on the plan marked M.D. 2593.

3. All persons shall, at all reasonable times, and upon payment of the proper dues, have free and full liberty to use the above-mentioned jetty and shed, and all 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 jetty and shed without payment.

5. The Trustees shall maintain and keep the above-mentioned jetty and shed and all erections on or in connection with the jetty and shed in good order and repair; and shall at all times exhibit therefrom, and maintain at the Trustees' 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 jetty and shed by the Trustees shall be applied to keeping such jetty and shed and all erections on or in connection with such jetty and shed, in good order and repair.

7. Any person authorized by the Minister may at all reasonable times enter upon the above-mentioned jetty and shed and any buildings erected thereon 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 Trustees in New Zealand a notice in writing of any defect or want of repair in such jetty and shed or buildings, requiring the Trustees, within a reasonable time to be therein prescribed, to make good or repair the same, the Trustees shall, with all convenient speed, cause such defect to be removed or such repairs to be made.

8. The master of all vessels discharging ballast at the said jetty shall have all such ballast taken away 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.

9. The Trustees shall not erect or suffer to be erected on the said jetty and shed any buildings or structure whatever, except with the consent of the Minister first obtained.

10. The Trustees shall keep a separate account of the receipts and expenditure on account of such jetty and shed, and shall cause such account to be balanced to the thirty-first day of March in every year, and shall send a copy of such account, when balanced, to the Minister, and shall supply any particulars in reference thereto as may be required by the Minister.

11. The Trustees shall appoint all officers necessary for the working and management of the said jetty and shed.

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

13. The rights, powers, and privileges hereby conferred shall continue to be in force for fourteen years from the date hereof, unless in the meantime such rights, powers, and privileges shall be altered, modified, or revoked by competent authority; and the Trustees shall not assign, charge, or part with any such right, power, or privilege without the previous written consent of the Minister first obtained.

14. The rights, powers, and privileges conferred under or by virtue of this Order in Council may be at any time resumed by the Governor-General without payment of any compensation whatever, on giving the Trustees three 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 Trustees in New Zealand.

15. The Trustees shall be liable for any injury which may be caused by the said jetty and shed to any vessel or boat through any default or neglect on the part of the Trustees.

16. In case the Trustees shall—

(1) Commit or suffer a breach of the conditions hereinbefore set forth, or any of them; or

(2) Cease to use or occupy the said jetty and shed for a period of thirty consecutive days;

then, and in either of the said cases, this Order in Council and every license, right, power, or privilege may be revoked and determined by the Governor-General in Council without any notice to the Trustees or other proceedings whatsoever; and publication in the *Gazette* of an Order in Council containing such revocation shall be sufficient notice to the Trustees and to all persons concerned or interested that this Order in Council, and the licenses, rights, and privileges thereby granted and conferred have been revoked and determined.

17. In the event of this Order in Council being revoked for any reason whatsoever, or upon the expiry of the period for which the license is granted, the Trustees shall, if required by the Minister so to do, remove the said jetty and shed entirely from the site, and restore the site to its original condition within three months from the date of revocation or expiry, as the case may be; and if the Trustees fail so to do, the Minister may cause the said jetty and shed to be removed and the site so restored, and may recover the costs incurred by the said removal and restoration from the Trustees.

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

Vesting the Control of a Reserve in the Rotorua Borough Council.

BLEDISLOE, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 22nd day of February, 1932.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS the land described in the First Schedule hereto has been duly set apart as a reserve for a site for an aerodrome:

And whereas it is expedient that the control of the said reserve should be vested in the Rotorua Borough Council:

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 section seventeen of the Public Reserves, Domains, and National Parks Act, 1928, doth hereby vest the control of the said reserve in the Rotorua Borough Council, subject to the conditions hereinafter contained, that is to say:—

- (1) The State Forest Service shall be permitted to use the area of 20 acres 1 rood as described in the Second Schedule hereto for the purposes of a tree nursery for a period of at least two years from the date hereof.
- (2) The Minister of Lands may at any time, upon giving one month's notice in writing, resume such portion of the aerodrome-site reserve, estimated to contain 8 acres, approximately, and being the south-eastern corner of Section 80, Rotorua Suburbs, as may be required for road or railway purposes, without payment of any compensation whatsoever.

FIRST SCHEDULE.

ALL that area in the Auckland Land District, containing by admeasurement 79 acres 0 roods 12-86 perches, more or less, being Section 80, Suburbs of Rotorua: Bounded towards the north by Te Mapu Street; towards the east by Cemetery Road; towards the south by Sala Street; and towards the west by Fenton Street. As the same is more particularly delineated on the plan marked L. and S. 22/3455c, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

Also all that area in the Auckland Land District, containing by admeasurement 5 acres 2 roods 6-03 perches, more or less, being Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, and 41 of Section 82, Suburbs of Rotorua: Bounded towards the north by Maida Vale Street, 1582-2 links; towards the east by Hilda Street, 350 links; towards the south by Te Mapu Street, 1582-2 links; and towards the west by Fenton Street, 350 links. As the same is more particularly delineated on the plan marked L. and S. 22/3455d, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

Also all that area in the Auckland Land District, containing by admeasurement 4 acres 2 roods 24-6 perches, more or less, being Lots 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, and 29 of Section 82, Suburbs of Rotorua: