

*The South-western Side of Portion of Bangor Terrace and the North-western Side of Portion of Middleton Road, in the City of Dunedin exempted from the Provisions of Section 128 of the Public Works Act, 1928, subject to a Condition as to the Building-line.*

BLEDISLOE, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 7th day of June, 1932.

Present:

THE RIGHT HON. G. W. FORBES, PRESIDING IN COUNCIL.

IN pursuance and exercise of the powers conferred by the Public Works Act, 1928, 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 Dunedin City Council on the thirtieth day of March, one thousand nine hundred and thirty-two, viz.:—

“That the Dunedin City Council, being the local authority having control of the streets in the City of Dunedin, by resolution declares that the provisions of section one hundred and twenty-eight of the Public Works Act, 1928, shall not apply to the undermentioned portions of streets in the said City of Dunedin, viz.:—

“(a) Portion of the south-western side of Bangor Terrace abutting on part Lot 33, Block II, Township of Kew; and

“(b) Portion of the north-western side of Middleton Road abutting on parts Lots 31 and 33, Block II, Township of Kew;

“as the said portions of streets are more particularly shown on the plan annexed hereto and are thereon coloured brown and edged with red to their respective centre-lines”; subject to the condition that no building or part of a building shall at any time be erected on the land fronting the south-western side of the portion of Bangor Terrace or the north-western side of the portion of Middleton Road (described in the Schedule hereto) within a distance of thirty-three feet from the centre-lines of the said portions of streets.

SCHEDULE.

THE south-western side of all that portion of street situated in the Otago Land District, City of Dunedin, known as Bangor Terrace, fronting part Lot 33, Block II, Township of Kew.

Also the north-western side of all that portion of street in the said land district and city known as Middleton Road, fronting parts Lots 31 and 33, Block II, Township of Kew.

As the said portions of streets are more particularly delineated on the plan marked P.W.D. 84064, deposited in the office of the Minister of Public Works at Wellington, and thereon edged red.

F. D. THOMSON,

Clerk of the Executive Council.

(P.W. 51/1735.)

*Vesting the Control of Part of the Foreshore at Karitane, Otago, in the Karitane Domain Board.*

BLEDISLOE, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 7th day of June, 1932.

Present:

THE RIGHT HON. G. W. FORBES, 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 Karitane Domain Board (hereinafter called “the Board”) 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 Board:

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 Board the control of those portions 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.

FIRSTLY, that portion of the foreshore of the Waikouaiti River commencing at the junction of Holburn and Heyskar Streets, and extending to the eastern side of Kilda Street; and, secondly, that portion of the foreshore of the Pacific Ocean commencing at the south-western corner of the Recreation Reserve and extending three-quarters of a mile south-westwards to the southern end of the Puketeraki Beach. As the same is shown, coloured red, on plan marked M.D. 7061, 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 that part of the foreshore as shown, coloured red, on plan marked M.D. 7061, 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 Board 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 provision 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 Board 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 Board may, subject to the provisions of section 171 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, 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 Board 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 Board 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 shall 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 Board 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 Board in New Zealand.

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

*Declaring Land in the North Auckland Land District to be subject to the Land for Settlements Act, 1925.*

BLEDISLOE, Governor-General.

IN pursuance and exercise of the powers conferred by section one hundred and five of the Land for Settlements Act, 1925, I, Charles, Baron Bledisloe, Governor-General of the Dominion of New Zealand, do hereby declare that the area of Crown land described in the Schedule hereto shall be subject to the provisions of the Land for Settlements Act, 1925, and shall hereafter form part of the Parahi Settlement.