

*The Northern Side of Portion of Moana Road (Waikanae Beach Road) in the County of Horowhenua 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 22nd day of May, 1933.

Present :

THE RIGHT HON. J. G. COATES PRESIDING IN COUNCIL.

IN pursuance and exercise of the powers conferred by the Public Works Act, 1928, 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 approve of the following resolution passed by the Horowhenua County Council, viz. :—

“The Horowhenua County Council, being the local authority having control of the roads in the County of Horowhenua, by resolution this thirteenth day of May, one thousand nine hundred and thirty-three, declares that the provisions of section one hundred and twenty-eight of the Public Works Act, 1928, shall not apply to that portion of Moana Road adjoining part Section 78, Ngarara West A, Block V, Kaitawa Survey District, containing 16 acres 0 roods 15·5 perches, being the whole of the land in certificate of title 293, folio 68” :

subject to the condition that no building or part of a building shall at any time be erected on the land fronting the northern side of the portion of Moana Road (described in the Schedule hereto) within a distance of thirty-three feet from the centre-line of the said portion of road.

SCHEDULE.

THE northern side of all that portion of road, situated in the Wellington Land District, County of Horowhenua, known as Moana Road (Waikanae Beach Road), fronting part Section 78, Ngarara West A, Block V, Kaitawa Survey District. As the same is more particularly delineated on the plan marked P.W.D. 85572, deposited in the office of the Minister of Public Works at Wellington, and thereon coloured red.

F. D. THOMSON,

(P.W. 51/160.)

Clerk of the Executive Council.

*Vesting the Control of Part of the Foreshore at Paremata in the Hutt County Council.*

BLEDISLOE, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 15th day of May, 1933.

Present :

THE RIGHT HON. J. G. COATES 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 Hutt County 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 at Paremata, Hutt County, commencing at the boundary between the Hutt and Makara Counties near Paremata Railway-station, and extending generally northward and eastward to the mouth of the Pahautanui River.

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 defined in the First Schedule hereto.

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 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 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 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, but excepting therefrom the foreshore commencing at the railway-bridge and extending in an easterly direction for a distance of 600 yards ; 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 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 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 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.

*Vesting Management of Wharf at Harrington Point, Otago Peninsula, in the Otago Harbour Board.*

BLEDISLOE, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 15th day of May, 1933.

Present :

THE RIGHT HON. J. G. COATES PRESIDING 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 Otago Harbour Board (hereinafter called “the Board,” in which term is to be construed, unless the context requires a different construction, its successors or assigns) the management of the wharf at Harrington Point, Otago Peninsula, erected by the Public Works Department for defence purposes, on the terms and conditions hereinafter set forth :