

Consenting to Land being taken for the Purposes of a Road in Block II, Whakatane Survey District, Whakatane County.

BLEDISLOE, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 10th day of December, 1934.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

IN pursuance and exercise of the powers and authorities 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 consent to the land described in the Schedule hereto being taken for the purposes of a road.

SCHEDULE.

APPROXIMATE area of the piece of land permitted to be taken : 2.85 perches.

Being portion of Allotment 260A, Section 5, Parish of Waimana, situated in Block II, Whakatane Survey District (Auckland R.D.). (S.O. 27644.)

In the Auckland Land District; as the same is more particularly delineated on the plan marked P.W.D. 88427, deposited in the office of the Minister of Public Works at Wellington, and thereon coloured yellow.

A. W. MULLIGAN,
Acting Clerk of the Executive Council.

(P.W. 35/507.)

Directing Sale of Railway Land between Wyndham and Glenham under the Public Works Act, 1928.

BLEDISLOE, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 10th day of December, 1934.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS by the thirty-fifth section of the Public Works Act, 1928 (hereinafter termed "the said Act"), it is enacted that if it is found that any land held, taken, purchased, or acquired at any time under this or any other Act or Provincial Ordinance, or otherwise, howsoever, for any public work, is not required for such public work, the Governor-General may, by Order in Council publicly notified and gazetted, cause the same to be sold under the conditions set forth in the said Act :

Now, therefore, His Excellency the Governor-General of the Dominion of New Zealand, in pursuance and exercise of the powers and authorities conferred upon him by the said Act, and acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby order and direct the sale of the said land described in the Schedule hereto.

SCHEDULE.

APPROXIMATE areas of the pieces of land :—

A.	R.	P.	
1	1	33	Part railway land (Section 8).
1	1	23	" (Section 40).
3	0	24	" (Section 18).

Situated in Block IV, Wyndham Survey District, Southland County.

In the Southland Land District; as the same are more particularly delineated on the plan marked L.O. 3313, deposited in the office of the Government Railways Board at Wellington, and thereon coloured blue and red.

A. W. MULLIGAN,
Acting Clerk of the Executive Council.

(L.O. 14858.)

Licensing Philip Hereford to use and occupy a Part of the Foreshore and Land below Low-water Mark at School Bay, Waikawa, Queen Charlotte Sound, as a Site for a Wharf.

BLEDISLOE, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 10th day of December, 1934.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

PURSUANT to the Harbours Act, 1923, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby license and permit Philip Hereford, of Wellington (hereinafter called "the licensee," which term shall include his executors, administrators, and assigns unless the context requires a different construction), to use and occupy all that part of the foreshore and land below low-water mark at School Bay, Waikawa, Queen Charlotte Sound, shown on plan marked M.D. 5256, and deposited in the office of the Marine Department at Wellington, for the purpose of the use of the wharf as shown on the said plan, for a term of fourteen years computed from the twenty-ninth day of November, one thousand nine hundred and thirty-four, such license to be held and enjoyed by the licensee upon and subject to the terms and conditions set forth in the Schedule hereto.

SCHEDULE.

1. IN these conditions the terms—

"Foreshore" 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 wharf at the site shown on plan marked M.D. 5256.

3. In consideration of the concessions and privileges granted by this Order in Council the licensee shall pay to the Minister the sum of £1, and thereafter an annual sum of £1 in advance, payable on the 1st day of April in each year, the proportionate part of such rental in respect of the period from the 29th day of November, 1934, until the 31st March following to be paid on the licensee being supplied with a copy of this Order in Council.

4. All persons shall, at all reasonable times, upon payment of the proper dues, have free and full liberty to use the said wharf and all rights of ingress and egress thereon and therefrom.

5. 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, through, and out of the said wharf without payment.

6. The licensee shall maintain the above-mentioned wharf in good order and repair and shall at all times exhibit from the wharf and maintain at the licensee's own cost suitable and necessary lights for the guidance of vessels : Provided that no light shall be exhibited until after it has been approved of by the Minister.

7. Any person authorized by the Minister may, at all reasonable times, enter upon the said wharf and view the state of repair thereof, and upon such Minister leaving at or posting to the last known address of the licensee in New Zealand a notice in writing of any defect or want of repair in such wharf requiring the licensee within a reasonable time, to be therein prescribed, to repair the same, the licensee shall with all convenient speed cause such defect to be removed or such repairs to be made.

8. Nothing herein contained shall authorize the licensee to do or cause to be done anything repugnant to or inconsistent with any law relating to the Customs or 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 now or may hereafter be in force.

9. The master of all vessels discharging ballast at the said wharf 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.