

ORDER

1. Title and commencement—(1) This order may be cited as the Waiheke County Foreshore Order 1972.

(2) This order shall come into force on the date of its publication in the *Gazette*.

2. Interpretation—In this order—

“The Act” means the Harbours Act 1950:

“The Council” means the Waiheke County Council:

“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:

“Minister” means the Minister of Transport; and includes any officer, person, or authority acting by or under the direction or authority of the Minister.

3. Control of foreshore—Subject to section 165 of the Act and to the conditions specified in the Second Schedule to this order, there is hereby granted to the Council, for a period of 21 years from the commencement of this order, the control of the foreshore described in the First Schedule to this order.

FIRST SCHEDULE

DESCRIPTION OF FORESHORE

ALL the foreshore adjoining the Waiheke County.

SECOND SCHEDULE

CONDITIONS

1. Her 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 foreshore described in the First Schedule to this order (hereinafter referred to as the said foreshore), without payment.

2. Nothing in this order shall authorise the Council to do or cause to be done anything repugnant to or inconsistent with any law relating to the Customs, or any provision of the Harbours Act 1950, or any regulations made thereunder which are or may hereafter be in force.

3. The rights, powers, and privileges conferred by this order shall not apply to those portions of the said foreshore required for securing the shore ends of any telegraph cables that are at the commencement of this order or may be at any time subsequently laid down within that foreshore.

4. The County may enclose any part or parts of the said foreshore for the purpose of holding sports meetings or games, and may, by bylaws, fix a charge for admission to any such enclosed part or parts:

Provided that the total number of days on which such enclosures are made shall not exceed 6 in any 1 year.

5. Nothing in this order shall authorise the Council to remove or cause to be removed from the said foreshore any stone, sand, shingle, or shells without the consent in writing of the Minister being first obtained.

6. Where the Council makes bylaws under section 165 of the Harbours Act 1950 for the control of the said foreshore, then the Council shall first obtain the written consent of the Auckland Harbour Board to the proposed bylaws before submitting them to the Minister of Transport in accordance with subsection 9 of the said section.

7. The rights, powers, and privileges conferred on the Council by this order may be at any time resumed by the Governor-General, without payment or any compensation whatever, on giving to the Council at least 6 months' notice in writing. Any such notice shall be sufficient if given by the Minister and delivered at or posted to the Council at its public office.

P. J. BROOKS, Clerk of the Executive Council.

(M. 54/14/62)

Declaring an Access Way to be Vested in the Corporation of the City of Manukau and to be Under the Control and Management of the Manukau City Council

DENIS BLUNDELL, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 20th day of December 1972

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 11 of the Housing Act 1955, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby orders

and declares that the access way described in the Schedule hereto shall, on and after the date of this Order in Council, vest in the Mayor, Councillors, and Citizens of the City of Manukau, and be under the control and management of the Manukau City Council.

SCHEDULE

NORTH AUCKLAND LAND DISTRICT

ALL that piece of land containing 5.2 perches situated in the City of Manukau, North Auckland R.D., and being Lot 116, D.P. 62471. Part certificate of title, Volume 500, folio 19 (limited as to parcels), North Auckland Land Registry.

P. J. BROOKS, Clerk of the Executive Council.

(P.W. 54/778/29; Ak. D.O. X/311/10/0)

Directing the Sale of Land in Block X, Coromandel Survey District, Coromandel County

DENIS BLUNDELL, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 18th day of December 1972

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 35 of the Public Works Act 1928, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby directs the sale of the land described in the Schedule hereto, such land being no longer required for the purpose for which it was acquired.

SCHEDULE

SOUTH AUCKLAND LAND DISTRICT

ALL those pieces of land containing together 5 acres 2 roods 1.7 perches, being part Section 39 and Section 40, Block X, Coromandel Survey District. Balance certificate of title, Volume 887, folio 116, South Auckland Land Registry.

P. J. BROOKS, Clerk of the Executive Council.

(P.W. 53/31; Hn. D.O. 49/0)

Adding Land to Mount Aspiring National Park

DENIS BLUNDELL, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 18th day of December 1972

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 10 of the National Parks Act 1952, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby declares that the land described in the Schedule hereto shall, as from the date hereof, be added to and form part of Mount Aspiring National Park and shall hereafter be managed, administered, and dealt with by the Mount Aspiring National Park Board in accordance with the provisions of the said Act.

SCHEDULE

OTAGO LAND DISTRICT—LAKE COUNTY

ALL that area of provisional State forest in the Otago Land District, Lake County, containing 500 acres, more or less, bounded by a line commencing at the intersection of the right bank of Slip Stream with the right bank of the Dart River, Humbolt Survey District, and proceeding generally southerly along the right bank of that river to a point due west of the intersection of the right bank of the Cascade Stream with the left bank of the Dart River; thence due west to the generally western boundary of Provisional State Forest; thence generally northerly along that boundary to its intersection with the right bank of the Slip Stream; thence generally easterly along that bank to the point of commencement, being part of that area of forest numbered 37 and described in *New Zealand Gazettes*, 1919, p. 1291, and 1930, p. 1463.

P. J. BROOKS, Clerk of the Executive Council.

(L. and S. H.O. 4/1068; D.O. 8/3/11)