

Provided that the Council shall not erect or grant a licence or permit for the erection or continuance of any structures on foreshore adjoining land under the control of a national park board or scenic board or domain board except with the consent of such board.

6. The Council may enclose any part or parts of the foreshore described in the First and Third Schedules hereto for the purpose of holding athletic sports or games and may, by bylaws, 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 6 in any one year.

7. Nothing herein contained shall authorise the Council to remove, or cause to be removed, any stone, sand, shingle, or shells without the consent of the Minister being first obtained.

8. Subject to the provisions of section 8A of the Act, the Council for and within the area of waters described in the Second and Fourth Schedules hereto—

- (a) May by bylaw do anything which a harbour board may do by bylaw under section 232 of the Act;
- (b) May appoint harbourmasters and or officers and define or limit their powers or duties;
- (c) shall have all the powers, functions, duties, and authorities of a harbour board under the Act as if it were constituted a harbour board;
- (d) May expend money out of its general fund or account for the purpose of exercising and performing the control, power, functions, duties, and authorities conferred by this Order in Council.

9. Bylaws made by the Council under the authority of this Order in Council shall not come into force until they have been approved by the Minister, by notice in the *Gazette*.

10. The said rights, powers, and privileges may be at any time resumed by the Governor-General, without payment or any compensation whatever, on giving to the Council 6 calendar months' 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.

P. G. MILLEN, Clerk of the Executive Council.

\*N.Z. *Gazette*, 11 February 1965, p. 189

(M.O.T. 54/14/57)

*The Rodney County Foreshores and Waters Control Order 1975*

DENIS BLUNDELL, Governor-General  
ORDER IN COUNCIL

At the Government Buildings at Wellington this 6th day of November 1975

Present:

THE RIGHT HON. W. E. ROWLING PRESIDING IN COUNCIL

PURSUANT to sections 8A and 165 of the Harbours Act 1950, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, and in relation to clause 3 (b) of the Order, on the request of the Rodney County Council, hereby makes the following order.

ORDER

1. (1) This order may be cited as the Rodney County Foreshores and Waters Control Order 1975.

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

2. In this order—

“The Act” means the Harbours Act 1950;

“The Council” means the Rodney 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. There is hereby granted to the Council for a period expiring on the 13th day of June 1994, subject to the provisions of sections 8A and 165 of the Act and to the conditions specified in the Fifth Schedule to this Order—

(a) The control of the foreshore described in the First Schedule to this Order:

(b) The control of waters described in the Second Schedule to this Order:

These descriptions are of the new areas.

4. Such control is in addition to the control of the foreshore described in the Third Schedule and to the waters described in the Fourth Schedule by the Rodney County Foreshores and Waters Control Order 1973\*.

5. All the areas of foreshore described in the First and Third Schedules and the areas of waters described in the Second and Fourth Schedules to this Order are more particularly shown on plan marked M.D. 15592 and deposited in the office of the Ministry of Transport at Wellington.

FIRST SCHEDULE

(a) All that area of foreshore of the County of Rodney fronting the Hauraki Gulf commencing at the southern bank of the Waiwera River; thence in a generally southerly, easterly, southerly, westerly direction around the Whangaparaoa Peninsula to Dacre Point and including the Orewa and Weiti Rivers.

(b) All that area of foreshore adjoining the western boundary of the County of Rodney commencing at Kakanui Point within the Kaipara Harbour; thence within right lines extending from Kakanui Point to South Head and including the Makarau, Kaukapakapa, and Kaipara Rivers excepting thereout that portion of the foreshore adjoining the Borough of Helensville; thence to Papakanui Spit; thence generally westerly, southerly, easterly, southerly to the westernmost point of the northern bank of the Waitakere River.

SECOND SCHEDULE

(a) All those waters inside a line 200 yds seawards of the area of foreshore adjoining the County of Rodney commencing at the southern bank of the Waiwera River and extending to Dacre Point.

(b) All those waters inside a line 200 yds seawards of the area of foreshore adjoining the County of Rodney commencing at Kakanui Point within the Kaipara Harbour and extending to the northern bank of the Waitakere River.

THIRD SCHEDULE

(a) All that area of the foreshore of the County of Rodney fronting the Hauraki Gulf, Whangateau, and Mahurangi Harbours, Matakana, Puhoi, and Waiwera Rivers, excepting thereout foreshores within Mangawhai Harbour limits and that portion of the foreshore of Mahurangi Harbour included within the boundaries of the Warkworth Town District.

(b) All the foreshore of Kawau Island.

(c) All the foreshore of Goat Island.

FOURTH SCHEDULE

(a) All those waters fronting the County of Rodney within 200 yds of the water's edge commencing at a point on the line of high water ordinary spring tides due south of Sentinal Rock; thence generally in a south-easterly direction to Cape Rodney; thence rounding the cape and following the foreshore to Ti Point including all tidal waters of Omaha Cove; thence in a straight line from Ti Point to Karamuroa Point including all the tidal waters of the Whangateau Harbour; thence following the foreshore to Takatu Point; thence rounding the point and following the foreshore to Karangatuoro Point; thence in a straight line to the northern headland of the Matakana River; thence in a straight line across Kawau Bay to Mullet Point including all the tidal waters of the Matakana River; thence in a straight line to the southern point of Martin's Bay; thence along the foreshore to Sadler Point; thence in a straight line to the south head of Mahurangi Harbour including all the tidal waters of the Mahurangi Harbour and Mahurangi River which are situated within Rodney County; thence in a straight line to Mahurangi Island including the tidal waters of the Te Muri and Puhoi Rivers; thence in a north-westerly direction to the nearest point of land.

(b) All those waters within Kawau Harbour limits and the waters of the sea to a distance of 200 yds measured from the water's edge of the remaining coasts of Kawau Island.

(c) All those areas of inland waters commonly known as Slipper Lake, Spectacle Lake, and Tomarata Lake all being situated in Block II, Pakiri Survey District.

(d) All those waters of the sea to a distance of 200 yds measured from the water's edge of the coasts of Goat Island.