

Box	Name and Subject	File Number	ID
EKMT-00007	54/2/459 - A F Brown - Coromandel - Boatshed & Slipway - Oamaru Bay (1969-1975)	15 47 01	11049



MARINE DIVISION

MINISTRY OF TRANSPORT



Telephone No: 31-656

Private Bag
AUCKLAND

54/20/38

54/2/198

Date 11/4/75

Mrs. A. F. Brown
110 Elliott Road
Hamilton

Dear Sir,

COROMANDEL COUNTY COUNCIL
WATERS & FORESHORES CONTROL ORDER 1975

Please be advised that resulting from the control of the Foreshores of Coromandel and Whitianga Harbour being vested into the control of the Coromandel County Council pursuant to the Coromandel County Council Waters and Foreshore Control Order 1975, the Permit authorising your maintaining a structure will be passed over to the Coromandel County Council for administration, therefore all enquiries regarding your Permit should be addressed to the Council, who will also in future issue and collect the annual rental fees.

Yours faithfully,

P. P. M. Davies

D. Greig
for: Regional Secretary for Transport

REFERENCE

54/9/325

54/2/459

Permit

Nº 1404

Licensing ALBERT FREDERICK BROWN to Use
 and Occupy a Part of the Foreshore and/or Bed of the Harbour or of the Sea
 at OMARU BAY, in COROMANDEL PENINSULA Harbour
 as a Site for BOATSHED & RAMP

Whereas it is provided by section 164 of the Harbours Act 1950 that the Minister of Marine may, with respect to any part of the foreshore or of the bed of any harbour or of the sea vested in the Crown, grant to any person a permit to occupy that part and to erect thereon and use a boat shed, landing place, slipway, or wharf, as set out in the permit; and may with respect to the permit impose such terms and conditions and fix such rental or other charge as he thinks fit:

And whereas the Minister has delegated to me his said powers under section 164:

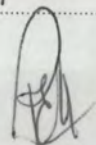
And whereas ALBERT FREDERICK BROWN, of HAMILTON (hereinafter called the "licensee"), has applied for a permit under the said section to occupy a part of the foreshore and/or bed of the harbour or of the sea at OMARU BAY, in COROMANDEL Harbour, as shown on plan marked M.D. 14010 and deposited in the office of the Marine Department at Wellington (hereinafter referred to as "the said land"), and to erect thereon, for his private use only, the BOATSHED & RAMP shown on the said plan (hereinafter referred to as "the said structure"):

And whereas I am satisfied that the said structure will not unduly interfere with or restrict the public right of navigation, and that no public inconvenience will result, and that the said structure is required solely for the private use of the licensee:

PETER EDWARD MUERS, DEPUTY OF THE

Now, therefore, I, Secretary for Marine, in exercise of the hereinbefore-recited power and authority, and of all other powers and authorities enabling me in that behalf, do hereby permit the licensee to occupy the said land for the purpose of erecting and using the said structure; such permit to be held and enjoyed by the licensee to the extent and upon and subject to the terms and conditions set out in the Schedule hereon endorsed.

Dated at Wellington, this 15th day of December 1967


 for Secretary for Marine.

CONDITIONS OF PERMIT

1. In these conditions the term—
 - "The Act" means the Harbours Act 1950;
 - "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;
 - "Harbour" has the meaning defined in the Act and in particular includes a navigable lake or river;
 - "Minister" means the Minister of Marine as defined by the Shipping and Seamen Act 1952, and includes any officer, person, or authority acting by or under the direction of such Minister, and in particular includes the Secretary for Marine and his deputy.
2. The rights, powers, and privileges conferred by this licence shall extend and apply only to so much of the said land as is occupied by the said structure when erected.
3. The rights, powers, and privileges conferred by this licence shall continue in force for ~~fourteen~~ ^{seven} years from **1 December 1970**, unless in the meantime the licence or any such concessions and privilege are altered, modified, or revoked as herein provided or otherwise by competent authority.
4. In consideration of the rights, powers, and privileges granted by this licence the licensee shall pay to the Minister the sum of **\$7 : 50**, and thereafter an annual sum of **\$3 : 00** in advance, payable on the 1st day of **December** each year.
5. The licensee shall not assign, charge, or part with this licence or with the rights, powers, and privileges hereby conferred, or any of them, without the written consent of the Minister first obtained, which consent it shall be in the absolute discretion of the Minister to grant unconditionally or to grant subject to such conditions as he thinks fit or to refuse.
6. (a) The licensee shall at all times during the continuance of this licence maintain the said structure in good order and repair.
- (b) Any person authorised by the Minister may at all reasonable times enter upon the said structure and view the state of repair thereof; and upon the Minister's delivering to the licensee a notice in writing of any defect or want of repair in the said structure requiring the licensee within a reasonable time to be therein prescribed to repair the same, the licensee shall with all reasonable speed cause the defect to be removed or the repairs to be made.
7. All persons in the service of the Government acting in the execution of their duties shall at all times, without payment, have free ingress, passage, and egress into, through, over, and out of the said structure.
8. The licensee shall at all times during the continuance of this licence during hours of darkness exhibit thereupon and maintain at the cost of the licensee suitable and necessary lights for the guidance of vessels:

Provided that no such light, and no light capable of being taken by mariners as a light for the guidance of vessels, shall be so exhibited until after it has been approved by the Minister.
9. Neither the granting of this licence nor anything herein contained shall affect the liability of the licensee for any injury caused by the said structure to any vessel or boat through any default or neglect on the part of the licensee.
10. Nothing herein contained shall authorise 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 Act, or any amendment thereof now or hereafter in force, or any regulations made thereunder now or hereafter in force.
11. (a) The rights, powers, and privileges conferred by this licence may be resumed and the licence be revoked at any time by the Minister without liability for compensation after at least three calendar months' previous notice in writing has been given by the Minister to the licensee notifying the intention of the Minister to effect the resumption and revoke the licence.
- (b) Without prejudice to the discretionary power reserved by subclause (a) of this clause, if at any time—
 - (i) The licensee commits or suffers a breach of any provision expressly contained in the licence or implied therein; or
 - (ii) The licensee ceases to use or occupy the said structure for any period of 30 consecutive days; or
 - (iii) The licensee makes default for a period of 30 days after the due date in payment of any sum of money payable to the Minister under this licence; or
 - (iv) The licensee, or any one of licensees more than one in number, being an individual, becomes bankrupt or makes a composition with his creditors or is in any manner brought under the operation of any Act for the time being in force relating to bankruptcy; or
 - (v) The licensee, or any one of licensees more than one in number, being a corporate body is the subject of an effective winding-up resolution or order for liquidation or is in any manner wound up or dissolved—
 then, and in any such case, it shall be lawful for the Minister, without the necessity of any previous notice to the licensee, to revoke this licence, and the rights, powers, and privileges thereby conferred shall thereupon cease and determine.
- (c) Any revocation of this licence shall take effect upon publication in the *Gazette* of a copy of the instrument of revocation, and that publication shall be sufficient notice to the licensee and to all persons concerned or interested that this licence is revoked and the rights, powers, and privileges hereby granted are determined.
12. In the event of this licence being revoked, or upon the expiry of the period for which this licence is granted, the licensee shall, if required by the Minister so to do, remove the said structure entirely from the site and restore the site to its original condition within the period of notice of revocation or within such period subsequent to the revocation as may be notified by the Minister or within three months from the date of expiry, as the case may be; and, if the licensee fails so to do, the Minister may cause the said structure to be removed and the site so restored, and may recover the costs incurred by the said removal and restoration from the licensee as a debt due to the Crown.
13. Any notice to be given to the licensee shall be sufficient if signed by or on behalf of the Minister and served by being delivered personally to the licensee or sent by registered-post letter addressed to the licensee at the usual or last-known place of abode or business of the licensee in New Zealand or by being affixed upon the said structure.
14. Use or occupation of any part of the said land for the purpose of erecting the said structure shall be sufficient evidence of the acceptance by the licensee of the terms and conditions of this licence.

The said structure shall not be occupied as either temporary or permanent living quarters under any circumstances.

Condition 15:

24 October 1972

Messrs Miller & Poulgrain,
Barristers and Solicitors,
P.O. Box 411,
THAMES.

Attention: Mr R. Randall

Dear Sir,

BOATSHEDS AND SLIPWAYS : OAMARU BAY -
COROMANDEL

Our District Officer, Auckland, has referred to me your letter of 12 September enclosing a petition, organised by your client Mr B.T. Park asking for the removal of all boatsheds in front of camping grounds and tourist flats at Oamaru Bay. I presume that this matter refers to the six structures on the foreshore at the northern end of the bay.

These structures are authorised by permit pursuant to section 164 of the Harbours Act 1950 granted by the Minister of Marine at that time. The adjoining land is a public road and in each case the consent of the local authority, the Coromandel County Council, was obtained before such permits were granted.

The permits referred to above are as follows:-

<u>Grantee</u>	<u>Structure</u>	<u>Approved Plan</u>
Park, B.T.	Boatshed/Slipway/Jetty	M.D. 12352
Housley, P.B. and C.M.	Boatshed/Slipway	M.D. 13217
Whitford, D.A.	Jetty/Boatshed	M.D. 13218
Walmsley, S.A. and W.B.	Pontoon/Jetty/Slip	M.D. 13996
Bathurst, W.J.	Boatshed/Ramp	M.D. 13906
Brown, A.F.	Boatshed/Ramp	M.D. 14010

You will note that Mr Park himself is one of the permit holders. This Crown foreshore is legally occupied by these permit holders with the knowledge and approval of the local authority and I have no present intention of asking the Minister to have these structures removed.

.../2

2.

It is noticeable that not one of the petitioners gives a local address and it is not clear what their interest is in this matter other than their opinion that the boatsheds "seriously impair and detract from the natural beauty of Oamaru Bay". There is no authority under the Harbours Act 1950 or the Foreshore Licence Regulations 1960 to revoke permits on aesthetic grounds. This is more a matter for planning by the elected local authority which has, in this case, stated ".... there are many places where such structures can be placed without doing harm to the pleasures of others. Oamaru Bay is such a place. The sheds are tucked away under a steep bank covered with trees and natural growth, etc."

Thus it can be seen that the local authority was not only consulted beforehand but has considered that where persons require these facilities there are areas available which do not affect the enjoyment of other persons and in such circumstances I do not consider that it is necessary to invest further the petition presented by your client.

Yours faithfully,

(O.J. Conway)
for Acting Director

12 October 1972

I rang Mr de Boer, County Clerk
 Coomandul to ascertain what local
 feelings were in respect of these
 boatsheds, having explained that we
 were being asked to supply information
 for Mr Schultz. MR.

The C/C guessed it was Mr Portt writing
 (this I confirmed (CONFIDENTIAL)) and he
 said he had a "bee in his bonnet" over
 these boatsheds

His personal opinion was that while
 these sheds were no longer new they were
 virtually out of sight although the locals
 and some casual passersby knew of them
 etc. He said that the structures were
 reasonable.

Representations have been made to the
 C/C Council and they have not been prepared
 to take the matter further - (no direct complaint
 to the Dept.) They would like to see them
 (or some at least) painted in more MUTED
 colours - browns dark green, or greys

The New Council has asked the C/C
 to be advised of matters not dealt with or
 which were not proceeded with by the
Old County & the question of J's home
 council will therefore be brought back

to Council (My impression was
that the EPC would be happy with
taking control provided it was not the
whole coastline as orig. suggested
by the Council - the EPC could be
important in presenting a case to his
Council & we could probably give him
some good "ammunition" - eg. bylaws

Back to the Boatsheds

- (1) A road runs around the bay & rises
slightly about 20' feet & the sheds
are therefore obscured from view.
- (2) If persons want to get past the
sheds (particularly at high tide) all
they have to do is to use the road for
less than 100 yards.



MARINE DEPARTMENT

54/9/325

HEAD OFFICE: Aurora House, 62 The Terrace, Wellington, New Zealand. P.O. Box 10142. Telephone 71 759. Telegrams and Cables: "Secymarine".

M R A. F. BROWN,
110 ELLICOTT ROAD,
HILLSIDE,
HAMILTON.



2 / 4 / 71

Dear Sir/~~Madam~~,

Further to my letter dated 18 JANUARY 1971 I now
... enclose numbered plate and screws for attaching to the
structure approved under plan M.D. 14010... This should be
fixed in a prominent position, without delay, so that it can
be readily seen when inspected by our staff.

... Also enclosed is stamped and addressed envelope for
returning the slip below which requires to be completed for
our records.

Yours faithfully,

R.N. KERR
Secretary for Marine
per: AB Simmons

Encl.
.....

Marine Dept. Ref. M 54/9/325

Secretary for Marine
WELLINGTON.

Dear Sir,

I wish to advise that on..... Plate No.....
identifying structure approved on plan M.D. was
attached.

B/U 4-5-71 X

Yours faithfully,

Signed
Date

M54/9/325

ENCJ*

18 January 1971

Mr A.F. Brown,
110 Ellicott Road,
Hillsdale,
HAMILTON.

DISPATCHED

19 JAN 1971

by

Dear Sir,

FORESHORE PERMIT FOR A BOATSHED AND
RAMP - OMARU BAY, COROMANDEL PENINSULA

This is to tell you that on 15 December 1970, Permit No.1404 was signed pursuant to section 164 of the Harbours Act 1950, authorising you to occupy a foreshore site for a boatshed and ramp for a period of 7 years.

... Enclosed is your copy of the permit, which is subject to the schedule of conditions on the reverse side. Your attention is particularly drawn to condition 6, relating to repair. Renewal of the permit at the end of the 7 year term will only be considered if the structures are maintained in a satisfactory condition.

... I also enclose your plans stamped "Copy of M.D.14010"; the originals being retained for my records.

You will shortly receive an account for \$7:50, being \$4:00 for the preliminary work involved in the issue of the permit, \$3:00 annual rental payable in advance, and 50 cents for the structure number plate to be sent to you soon for attachment in a prominent position to one of the structures.

Yours faithfully,

R.N. KERR
Secretary for Marine

per:

(R.P. Taylor)

Encls. DET:

1.0. BOX 1
COLONNAGEY COMPLY COMPLY
THE COMPLY DIRECT

PLEASE TUMBLE

DISPATCHED

Mrs Whelan -
pre send
account.

12/1/71

ENCLOSURE SENT

The County Clerk,
Coromandel County Council,
P.O. Box 1,
COROMANDEL.



Copy for your information. Your reference 5.8.1.



R.N. KERR
Secretary for Marine

per:

(R.P. Taylor)

DISPATCHED

19 JAN 1971

by

The District Commissioner of Works,
Ministry of Works,
Private Bag,
HAMILTON.

Copy for your information. Your 43/108 memorandum of
24 February 1970 refers.

R.N. KERR
Secretary for Marine

per:

(R.P. Taylor)

DISPATCHED

19 JAN 1971

by

The District Officer,
Marine Department,
P.O. Box 1254,
AUCKLAND.

Copy for your information. Your reference 54/2/459.

... Enclosed is your copy of the Permit. Please enter as
Item No.270 in your district permit register.

R.N. KERR
Secretary for Marine

per:

(R.P. Taylor)

Encl.

MINUTE SHEET

Department:

Subject:

File No.

Date:

To—

Mess Miller — per send letters to Messrs
Ballhurst & Brown re Permits.

Note Permits are for 7 yrs only.
~~Stress to apply~~ + that licensees
must keep structures in good
repair. Renewal will only be
considered if ~~the~~ structures
maintained satisfactorily.

Weyl.
17/12

THE SECRETARY FOR MARINE: The following application is submitted for your decision or execution pursuant to the Harbours Act 1950.

- (a) Name of applicant: Albert Frederick Brown of Hamilton
 (b) Location of foreshore: Omaru Bay, Coromandel Peninsula
 (c) Structure, or purpose for which foreshore required: Boatshed + Ramp
 (d) Plan number M.D. 14010
 (e) Report from Marine Engineer is unnecessary/OK : see folio 24
 (f) Report from Transport Dept. is unnecessary/OK : see folio _____
 (g) Report from Nautical Adviser is unnecessary/OK : see folio _____
 (h) Approvals from Harbour Board have been received/are unnecessary: see folio _____
 (i) ~~In the case of transfer, transferer's and transferee's letters : see folios _____~~

REMARKS: Recommend you sign attached Permit 1404. This structure, like W.J. Bathurst's, was a limited useful life, without major repairs.

- See photographs F.6.

It has been decided to issue the Permit for a 7-year period. At this time the situation can be reviewed, unless Coromandel County Council accept foreshore control in the meantime.

DECISION:

Signature: [Signature]

Date 15.12.70.

Under Section 178

(In respect of Foreshore licence/permit (to be) issued by the Minister
 (_____ Harbour Board or _____ plan M.D. _____
 (_____ sheets in _____) is approved and has been signed by me.

Under Section 164, or assignment of licence:

Permit Number 1404)
 New Permit (in lieu of Permit No. _____ expired) Approved
 Extension of Permit _____) and
 Assignment of Permit/Licence from _____) Signed
 Cancellation of Permit _____)

Under Order in Council of 15.12.31

(holding of Motor Cycle races on _____ Beach by _____
 (On _____ approved, subject to the (usual) conditions.

Signature: [Signature] for Secretary for Marine Date: 15/12/70

Accounts Action

- (1. Foreshore card prepared/noted
 (2. Account for rent/premium/~~renewal fee~~/transfer fee prepared.
 Account No. 1852 herewith. Initials: [Initials] Date: 27 JAN 1971

Harbours Section Action

- (1. Site plan (if any) noted. _____
 (2. Plan despatched & Permit. ✓
 (3. ~~Power lines file M54/0/24~~ noted _____
 (4. Number plate ordered Q
 (5. District permit list noted 270 15/12/70.
 Initials: [Initials] Date: 18.1.71

Records Action

Transfer noted:

Initials: _____ Date: _____

M. 1789 File M. 54/9/325

Marine Department
Wellington

30/11/1970

Boat Shed + Slipway
Omamu Bay -
Coromandel.

I certify that the construction of Boat shed + slipway
Omamu Bay, Coromandel
reclamation

by A. F. Brown

if in accordance with plan marked M.D. 14010

will not in my opinion be or tend to the injury of navigation,
provided the structures are maintained in good repair.

[Signature]
Marine Works Engineer

1. ~~Mr. Tyson~~
2. ~~Plan Records.~~ Please record plan (folio. 9...) and insert
~~number above~~
3. Section Clerk (Civil)
4. Harbours Section. Mr _____

PLAN
RECORDED: No. M.D. 14010
Date: 1 / 12 / 70

MINUTE SHEET

Department:

23

Subject:

File No.

34/9/325

Date:

To—

→ Marine Works Engineer - (MOW)

DCW report at Folio 11-12.

Please issue certificate. It has been decided to licence this site for a limited period, thereby keeping the situation under review. Under the terms of the Permit to be issued, Mr. Brown will be required to maintain the structure in good repair, & in the event of it falling into disrepair, power exists for the Department to require that the site be cleared.

Mgh. (TAYLOR)

FOR SECRETARY FOR WORKS
26/11/70.

68049-09 D

54/9/325
54/9/336
54/9/300
54/9/301
54/9/47

18 December 1970

The County Clerk,
Coromandel County Council,
P.O. Box 1,
COROMANDEL.

Dear Sir,

(3) *apply same
principles to others
until County decides
etc.*

FORESHORE STRUCTURES - OAMARU BAY

Mr Taylor.
(1) *Put through renewal*
(2) *7 yrs (in view of
condition) but advise further
extension if suitably repaired
up to standard etc.*

The question of continuing to licence existing structures at Oamaru Bay and future approvals for new facilities appears to be at a standstill.

In your letter of 21 August you made suggestions for the charging of licence fees to enable development of public facilities for boating and to ensure that the number of jetties, sheds and the like be restricted. One of course would depend on the other, in other words if there ^{are} ~~is~~ very few structures there would be insufficient income to support public facilities unless your County was prepared to make substantial contributions both initially and for future maintenance. The grant of control by this Department to your County is the only way that monies received in respect of licence fees for private structures on the foreshore or bed of the sea can be given over to a local authority.

There are two methods only which are available to licence structures. Either your County, in its wish to regulate the appropriate siting of structures within this area, accepts control of the foreshore and all applications would then be handled by you with the Department only required to approve the plans themselves. Your County could charge licence fees which could be higher than the Department's but which should not be expensive. We are always desirous of a local authority assuming such control as obviously it has a better appreciation of local matters and public feeling.

If your County does not wish to accept control then this Department must continue to allow persons to erect structures on Crown foreshore and seabed subject to various requirements in connection with navigation, that such structures are built to required standards and are maintained in good condition. The local authority can still be consulted in respect of new applications but the importance of its views in the overall planning of an area is not so effective, as the conditions of maintaining structures are endorsed on the reverse side of permits and failure to comply may result in action to have the occupier remove the structure at his own expense

I would appreciate your further comments but I would like a definite answer on the question of whether your County is prepared to assume control of the foreshore and consequently the licensing of any structures thereon. If on reconsideration you accept this proposal then details can be conveyed to you in order that the appropriate course of action can be taken.

Yours faithfully,

C.W. FRANKS
Acting Secretary for Marine

per:

(O.J. Conway)

District Officer,
Marine Department,
P.O. Box 1254.
AUCKLAND.

For your information. Your reference 54/2/459 refers to an application by Mr Brown.

C.W. FRANKS
Acting Secretary for Marine

per:

(O.J. Conway)

54/2/459

P.O. Box 1254,
AUCKLAND.

6th November, 1970.

Mr. A.F. Brown,
110 Ellicott Road,
Hillsdale,
HAMILTON.

Dear Sir,

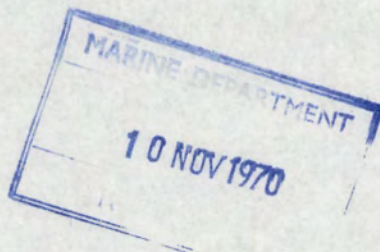
BOAT SHED AND SLIPWAY
OAMARU BAY - COROMANDEL

Receipt of your letter of enquiry of 4/11/70 is acknowledged. Some delay in processing applications in Oamaru Bay due to objections to their siting has been encountered.

An enquiry will be made of my Head Office and you will be informed of progress in due course.

Yours faithfully,

B.E. TURNER
District Officer.



Per : D. Greig.

Secretary for Marine,
WELLINGTON.

Your file 54/9/325 refers.

Please advise if this proposal has received consideration as Mr. Brown wishes to do some work on the structure.

B.E. TURNER
District Officer.

see F18

see above

Per : D. Greig.

D. Greig

→ M54/9/325

Copies for: M54/9/336
M54/9/300
M54/9/301
M54/9/47

2 September 1970

The County Clerk,
Coromandel County Council,
P.O. Box 1,
COROMANDEL.

Dear Sir,


FORESHORE STRUCTURES - OAMARU BAY

Your letter 5/8/1 of 21 August 1970 refers.

As the department's District Officer at Auckland has received a similar letter from you dated 14 August 1970 and will be contacting you further regarding the whole question of foreshore structures in this area, I shall delay comment on this matter until I learn of the results of any discussions ~~he~~ may have with you.

Yours faithfully,

R. N. KERR
Secretary for Marine


per: 

(R. P. Taylor)

The District Officer,
Marine Department,
P.O. Box 1254,
AUCKLAND.

Copy for your information. Your reference 54/2/490. Further to my memorandum of 26 August 1970 the above is in reply to a letter from the County, along the same lines as that written to you on 21 August 1970.

R. N. KERR
Secretary for Marine

per: 

(R. P. Taylor)

B/u 2.11.70
W. Taylor

B/u 2.2.71
W. Taylor

COROMANDEL COUNTY COUNCIL

Please address letters to

COUNTY CLERK,
P.O. BOX 1,
COROMANDEL

24 AUG 1970

The Secretary for Marine,
Marine Department,
P.O. Box 10142,
WELLINGTON.

COROMANDEL, 483
P.O. Box 1 — Telephone 889

21st August 1970. 17

When calling or ringing please
ask for Mr.

de Boer

Your Reference M54/9/366

Your Letter 23.6.70

Our Reference 5.8.1

Subject FORESHORE STRUCTURES - OAMARU BAY.

54/9/325

Dear Sir,

I am sorry that owing to sickness among the staff a reply to your letter of 23 June was so long delayed.

The council made an inspection of the area and discussed the question of boatramps and slipways very fully. The council is of the opinion that the sea is there to be used and that boatsheds and slipways are a natural adjunct to such use, and that there are many places where such structures can be placed without doing harm to the pleasures of others. Oamaru Bay is such a place. The sheds are tucked away under a steep bank covered with trees and natural growth and the slipways cover a rocky seabed which has little attraction to the public generally. One of the sheds could do with some repairs but generally speaking the buildings are close to what they pretend to be - just boatsheds exposed to wind, rain and seaspray.

The council recommends that the leases should run for a normal 14 year term, subject to the following conditions:

1. The structures must be maintained in an orderly condition and in good repair (which includes the application of creosote or similar inconspicuous preserving material)
2. The licence fee should be calculated -
 - (a) to cover administrative cost, and
 - (b) to produce a rental, equal to 6% of the site value of the area occupied, and
 - (c) to produce a general charge equal to the general county rate on the area occupied if the area had been rateable.

The recommended fee is designed to ensure that no citizen has a free, or almost free, advantage over another in the use of public land. If the department could make the rental and general charge content of the fee available to the local authority for the purpose of public boatramps and slipways, private amenities would subsidise public ones. The higher fee would also tend to reduce the demand for private facilities.

Yours faithfully,

B.H. de Boer
B.H. de Boer,
COUNTY CLERK.

Copies for 54/9/336 ✓
9/300 ✓
9/301 ✓
9/144 ✓

M54/9/336

Copies on 54/9/300

301

47

325

23 June 1970

The County Clerk,
Coromandel County Council,
P.O. Box 1,
COROMANDEL.

DISPATCHED

24 JUN 1970

by

Dear Sir,

FORESHORE STRUCTURES - OAMARU BAY, COROMANDEL

As you are aware, there are a number of existing boatsheds with slipways and a jetty on the foreshore in Oamaru Bay. Your letter of 2 September 1966 to the Department's Inspector of Fisheries at Coromandel indicated that the Council had no objection to these structures owned by Messrs Barry, Notman, Housley, Thordurn, Davies and Richards, but your letter of 11 March 1966 to Mr B.T. Park indicated that Council had no objection to the legalisation of Mr Park's structure provided that it would not be substantially repaired or reconstructed, and also that Council was not in favour of any new structures being erected there.

The Department has, so far, issued three permits for existing structures M12352, M13217 and M13218, currently owned by Messrs B.T. Park, B.P. and C.M. Housley, and D.A. Whitford in Oamaru Bay, and has before it two further applications from Messrs W.J. Bathurst, and A. F. Brown.

A complaint has now been received from a local resident that the structures are "unsightly, half rotten sheds, built mainly of low grade materials that obviously despoil an otherwise attractive public foreshore", and that an officer inspecting the area has reported that "the present condition and siting of the buildings detracts from the natural scenic aspect of Oamaru Bay" and that all the structures have a limited useful life without extensive repairs and could be programmed for total removal in five to eight years.

In view of the above comments the Department is reconsidering its original decision in granting permits for foreshore sites in this Bay and it appears that there are several alternative solutions to this problem, i.e.:

B lu 24.8.70

Mr Taylor.

.../2

- (a) Whether the five existing structures which have either been licensed or being considered for licences should remain in their current state of repair and be removed in five to eight years time (this would be contrary to condition 6 in the Schedule of Conditions to these permits, this condition requiring all structures to be maintained in good order and repair).
- (b) The five structures should be permitted to remain on the foreshore subject to extensive repairs being made by the owners.
- (c) The respective permits should run for the normal 14 year term, the structures to be maintained in an orderly condition, and on the expiry of these permits the structures should be removed; or
- (d) The status quo should be maintained, but no more permits should be issued for proposed new structures.

Please indicate Council's current feelings on this matter, as the territorial authority for this area, to enable a decision to be made on the best course of action to adopt.

Bel:

Yours faithfully,

R.N. KERR

R.N. KERR

Secretary for Marine

per:

(R.P. Taylor)

DISPATCHED

24 JUN 1970

by

The Resident Engineer,
Ministry of Works,
P.O. Box 123,
PAEROA.

Copy for your information. Your memo 7/1 of 18 February 1970 to the District Commissioner of Works at Hamilton refers and also your two memos 7/1 (J. Barry, B.P. and C.M. Housley) of 23 October 1968.

DISPATCHED

R.N. KERR
Secretary for Marine

per:

(R.P. Taylor)

PLEASE TUMBLE

DISPATCHED

District Commissioner of Works,
Ministry of Works,
Private Bag,
HAMILTON.

DISPATCHED

24 JUN 1970

by

Copy for your information. Your memo 13/108 of 13 July 1966
and 24 February 1970 refers.

DISPATCHED

24 JUN 1970

by

R.N. KERR
Secretary for Marine

per:

(R.F. Taylor)

The District Officer,
Marine Department,
P.O. Box 1254,
AUCKLAND.

Your memo 54/2/459 of 26 February 1970 and further memo 13/2/379
and 13/2/380 of 29 August 1968, and 13/14 of 16 May 1966 and 54/2/483
of 1 May 1970 refer. Further action on the applications of A.F. Brown
and W.J. Bathurst is being withheld pending the reply from the County
Clerk.

R.N. KERR
Secretary for Marine

per:

(R.F. Taylor)

Subject:

Department:

File No.

Date:

To—

Mr Taylor.

Agree with your notes and the course of action which could be taken:

- (a) Structures to remain "as is"
- (b) " " " but upgraded
- (c) " " remain until permit expires
- (d) No structure to be erected in future.

The Coromandel LfC should be approached for their current views (because of different opinions in the past). The Council should be advised of our Tech. Officer's report and what we could do. (Copy to Auckland) & H.O.W. Mark

When reply received we can make a decision on these 5 structures.

D.J.C. s/s.

Subject:

54/9/325.
9/300
9/301
9/47

Department:

File No.

Date:

To—

Mr Conway—

Mr. A.F. Brown has applied for the issue of a Permit for a private boatshed and slipway at Oamaru Bay, Coromandel and both the Resident Engineer and Mr. B.T. Park (a local resident) have drawn our attention to its rather dilapidated appearance, as has the D.O. Auckland.

There are also a number of other existing slipways and boatsheds in the Bay, in a similar condition.

The Council appears to be inconsistent, as on 54/9/325, 300 + 301 they offer no objection to the existence of foreshore structures at this ^{area} point, but on 54/9/47 the Council states that ~~it~~ they are not in favour of structures on the foreshore, Mr. Park's structure being allowed as it is existing & subject to it not being repaired.

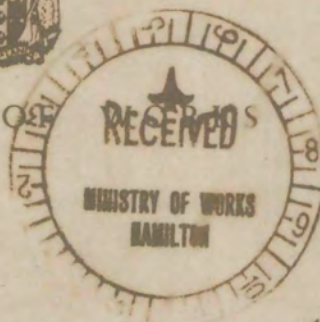
It appears from the comments made on these files that a decision should be made as to whether they should be allowed to remain, whether they should be repaired, or whether they should remain in their present state of repair until the expiry of current permits — Note that the Resident Engineer considers removal to be necessary in 5-8 years time.

24/4/50.

13/108



MINISTRY OF



7/1

Telephone: 8725

P.O. BOX 123,
PAEROA

18 February 1970

Dist. Commr. of Works,
M.O.W., HAMILTON.

Boat Shed and Slipway
Omaru Bay : Coromandel

Your 13/108 of 21 November 1969 refers.

1. The boat shed and slipway was built many years ago and is structurally part of boat shed M-13217. Both structures have a limited life of three to five years without extensive repairs.
2. The shed does not comply with the sketch specifications in that the studs are more than two feet apart and the floor joists are only 4" x 2".
3. The shed and slipway is at the base of a bush-clad 25 foot slope below the roadway on the north side of the bay with four other similar structures, M-12352, 13217, 13218, A.F. Brown's, and another 18 x 8 shed recently rebuilt with some new timber and second hand corrugated iron. They present no hazards to navigation or restriction to access along the foreshore but the present condition and siting of the buildings detracts from the natural scenic aspect of Omaru Bay.
4. All these structures have a limited useful life without extensive repairs and could be programmed for total removal in five to eight years. I would recommend approval of A.F. Brown's application 'as is' under these conditions.

A.W. STEWART,
RESIDENT ENGINEER

per

M.H. Keegan

M.H. KEEGAN

Encls. 2 plans

Keegan

DG:CH

TELEPHONE

EXTENSION



PLEASE QUOTE

Marine 2599

OUR REFERENCE

54/2/459

YOUR REFERENCE

54/9/325



MARINE DEPARTMENT.

P.O. Box 1254,
AUCKLAND.

13th February, 1970.

Secretary for Marine,
WELLINGTON.

A.F. BROWN
BOAT SHED AND RAMP
OMARU BAY - COROMANDEL

Your 54/9/325 of 25.11.69 refers.

Please find a letter of comment as requested. It is admitted that the structures in the Bay are not of a high standard but are situated in an area well off the beaten track and used seasonally only. Photographs are enclosed.

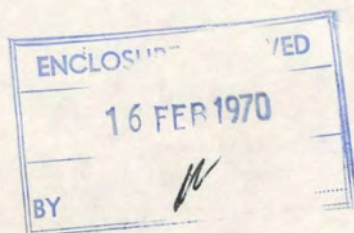
The County Council is the actual owner of the land between roadway and sea, this being a road severance, the Council not being aware that cottages were built there until I drew their attention to them.

B.E. TURNER
District Officer.

D Greig

Enclos:

Per : D. Greig.



SEE ALSO 54/9/47 for letters of
complaint. 6/8/70.

[your Ref. 54/2/459]

Oamaru Bay
Cororandel

2-2-70

The Secretary
Marine Department
P.O. Box 1254.
Auckland

Dear Sir,

I received a letter from you dated 16/12/69 in which you ask for the address of M/s. W.T. & V.T. Nicholls; and I understand that you desire to obtain their consent ~~of~~ on the foreshore structures adjacent to their property.

I have to advise that I cannot assist with the first part of your enquiry, as Mr. W.T. Nicholls is now deceased. I presume that in your enquiry you refer to the boat sheds erected at the North end of Oamaru Bay. In which case I would point out that these sheds are closely adjacent to my residential freehold property, and my Motel cabins; and therefore my comments on the matter would appear to be quite valid for the purpose of your enquiry.

54/2/47 Mainly, I would point out that even tho I have a boat shed here, I consider that all these structures are unsightly, half-rotten sheds built mainly of low grade materials.

Three photographs of the sheds are enclosed which clearly indicate that these buildings obviously despoil an otherwise attractive public foreshore; and in my opinion should all be removed as soon as possible.



Yours faithfully

B. T. Park.



54/2 / 459

~~Crested~~



site changed hands
and this building erected
Sat. 24th Jan.

Daman Bay 1969.

E. F. Rowland

1113217



54/2/459.

Oamaru Bay
1969



Oamaru Bay
1969



54/2/459

5
M 54/9/325

25 November 1969

The District Officer,
Marine Department,
P.O. Box 1254,
AUCKLAND.



A. F. BROWN - BOATSHED AND RAMP - OAMARU BAY,
COROMANDEL.

Your minuted memorandum 54/2/459 of 18 November 1969 refers.

I note that the letter of consent from the County Clerk of Coromandel County Council refers to applications from Messrs Barry, Notman, Housley, Thorburn, Davies, and Richards, but makes no reference to Mr A. F. Brown.

Please advise if the letter covers Mr Brown's application and, if not, please arrange for this approval to be obtained.

... I also note that there is a large area marked "7796" shown on the attached location plan and the owner's consent or comments should be obtained as required in paragraph 9 on the application form M 2559.

The Coromandel County Council's consent relates only to the road immediately behind the boatshed site.

Please return the plan in due course

R. N. KERR
Secretary for Marine

per: 

(R. P. Taylor)

Enc:

ENCLOSURE
SENT

2/11

1-2-70 ✓

Mr Taylor

2/11

1-3-70 ✓

Mr Taylor

Our Ref. 54/2/459 ⁴
Your Ref.

Marine Department,
P.O. Box 1254,
AUCKLAND.

18/11/69

MR A. F. BROWN
... 110. ELLISOTT ROAD
... HILLSDALE
... HAMILTON

Dear Sir,

BOAT SHED & SLIPWAY - OMARU BAY - COROMANDEL

Receipt of your PAPER for your proposed
BOAT SHED & SLIPWAY is acknowledged.

Technical reports are now being obtained on the proposal, these may take some little time to prepare, but as soon as a decision has been reached, you will be advised by my Head Office, Wellington.

Yours faithfully,

B.E. TURNER,
District Officer. *D/J Greig*

Per : D.J. Greig.

DISC Commissioner of works,
Ministry of Works,
P.O. Box
..... HAMILTON

Copy for your information and action.

Would you please make a report on the proposed BOAT SHED & SLIPWAY in terms of the Harbours Act, 1950, to the Commissioner of Works, Wellington.

The Following papers are enclosed:-

- (1) STRUCTURAL PLAN
- (2) LOCATION PLAN
- (3)
- (4)



Secretary for Marine,
WELLINGTON.

B.E. TURNER,
District Officer. *D/J Greig*

Per : D.J. Greig.

Copy for your information and action.

Enclosed are :-

- (1) APPLICATION FORM
- (2) STRUCTURAL PLAN
- (3) LOCATION PLAN
- (4) L & S MAP
- (5) CONSENT (1)



B.E. TURNER,
District Officer. *D/J Greig*
Per : D.J. Greig.

M.2559 (7/1966)

APPLICATION FOR LICENCE TO OCCUPY LAND BELOW HIGH WATER MARK OR
THE SEA OR LAKE BED OR RIVER BED UNDER THE HARBOURS ACT 1950

The Secretary for Marine: I hereby apply for the issue of a licence or permit to occupy a site as below.

1. Name of applicant:..... BROWN ALBERT FREDERICK
(IN BLOCK LETTERS) (surname) (christian names)
2. Address: 110 KELLICOTT RD. HILLSDALE HAMILTON
Telephone Number 49986
3. Purpose site required for (i.e. jetty, boatshed, slipway, etc):
..... BOATSHED & SLIPWAY
4. Is proposed structure for (i) private or (ii) ~~commercial~~ use (see paragraph (a) of notes below)?
5. Date at which structure will be completed COMPLETED
6. Locality of site: OTAMARU BAY CORROMANDEL
7. Is the land which adjoins immediately to rear of site applied for (see paragraph (b) of notes below)-
(i) a public road? YES CORROMANDEL COUNTY COUNCIL
(ii) ~~a public reserve~~?
(iii) ~~private land~~?
8. Name of controlling authority of public road or reserve (if any) adjoining immediately to rear of site applied for (see paragraph (b), of notes below):
CORROMANDEL COUNTY COUNCIL
9. Name of owner and survey District and Block number and Section number of private land adjoining immediately to rear of site applied for or separated from it by public road or a strip of public reserve (see paragraph (c), of notes below):
PUBLIC ROAD CORROMANDEL COUNTY COUNCIL
10. I enclose: (i) ✓ Plan in duplicate of structure and
(ii) - Plans in duplicate of locality and
(iii) - One Lands & Survey map as listed in paragraph d of notes below.
(iv) - Consents of Harbour Board or of adjacent owners as listed in paragraphs b & e of notes below.

Date: 16-7-69 ABrown

Signature of applicant

NOTES

- (a) Private use is where a structure is to be used solely for the private use of the person applying for the permit. If for Yacht or Boat Club or commercial fishermen the structure would

be for commercial use.

(b) If the land immediately landward of highwater mark of the sea or edge of the lake or river is not owned by the applicant the following consents in writing to the proposed use of the site should accompany the application. If the consents are not obtainable the comments in writing of the landowners immediately landwards or authorities are required, or if the landowner refuses to comment, advice that comments are unobtainable are required. The consents of occupiers or authorities on either side of the proposed site are not required.

(i) If the site abuts a public road, the consent or comments of the Local Authority.

(ii) If the site abuts a public reserve, the consent or comments of the body administering the reserve, (e.g. Local Authority, Commissioner of Crown Lands, or Domain Board etc).

(iii) If the site abuts privately owned land - the consent or comments of the owner.

(iv) If the site abuts a public road or road reserve and the land on the opposite side is not owned by the applicant, the consent or comments of that landowner.

(c) Block and Section numbers and name of owner of private land may be obtained if necessary by reference to the local office of the Department of Lands and Survey.

(d) This form of application must be accompanied by a plan of the structure and a plan of the locality and map.

(i) Plans in duplicate and to scale of structure on good quality paper measuring at least 12" x 8" (larger size preferred) showing measurements, details of construction and materials used. Water levels at approximate high and low ordinary spring tides must be shown.

(ii) Sketch plan in duplicate of locality on good quality paper measuring at least 12" x 8" (larger size preferred) showing structure site clearly fixed in relation to some definite permanent mark. Measurements to be in feet. Neighbouring boatsheds and other structures are to be shown with their owners named. Most structures display a number plate; these numbers should also be shown. Show adjacent public road or public reserve strip, and section and block numbers of private land immediately landwards of the site.

(iii) Lands and Survey map of area with site marked clearly and neatly thereon. Map may be obtained from local office of Department of Lands and Survey.

(e) When the site is vested in a local body, this form is not used and application is not made to the Marine Department but to the local body which will itself seek the approval of the Marine Department but the written consent of the Harbour Board to the granting of the application should accompany it.



PLEASE QUOTE

M.—2545

2

OUR REFERENCE

YOUR REFERENCE

MARINE DEPARTMENT

Comandet County Council
2 September 1966

MEMORANDUM for

E.N. MACDONALD

COMOMANDEL.

Blanket Approval.

Dear Sir,

Your letter regarding shipway, etc applications by ^{1.} Barry, ^{2.} Notman, ^{3.} Housley, ^{4.} Thorburn, ^{5.} Davies, ^{6.} Richards come to me only the other day so that the Council did not consider them until last week, I am sorry for the delay.

The council has no objection to the application being granted.

Yours faithfully

B. H. de Boer

County Clerk.

1. 54/2/300

2.

3. 54/2/301

4.

5.

6.

REFERENCE

54/9/325

Permit

N^o 1404

Licensing ALBERT FREDERICK BROWN to Use
 and Occupy a Part of the Foreshore and/or Bed of the Harbour or of the Sea
 at OMARU BAY, in COROMANDEL PENINSULA ~~Harbour~~
 as a Site for BOATSHED & RAMP

Whereas it is provided by section 164 of the Harbours Act 1950 that the Minister of Marine may, with respect to any part of the foreshore or of the bed of any harbour or of the sea vested in the Crown, grant to any person a permit to occupy that part and to erect thereon and use a boat shed, landing place, slipway, or wharf, as set out in the permit; and may with respect to the permit impose such terms and conditions and fix such rental or other charge as he thinks fit:

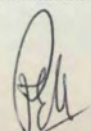
And whereas the Minister has delegated to me his said powers under section 164:

And whereas ALBERT FREDERICK BROWN, of
HAMILTON (hereinafter called the "licensee"), has applied for a
 permit under the said section to occupy a part of the foreshore and/or bed of the
 harbour or of the sea at OMARU BAY, in COROMANDEL ~~Harbour~~,
 as shown on plan marked M.D. 14010 and deposited in the office of the Marine
 Department at Wellington (hereinafter referred to as "the said land"), and to
 erect thereon, for his private use only, the BOATSHED & RAMP
 shown on the said plan (hereinafter referred to as "the said structure"):

And whereas I am satisfied that the said structure will not unduly interfere with or restrict the public right of navigation, and that no public inconvenience will result, and that the said structure is required solely for the private use of the licensee:

Now, therefore, I, PETER EDWARD MUERS, DEPUTY OF THE,
 Secretary for Marine, in exercise of the hereinbefore-recited power and authority, and of all other powers and authorities enabling me in that behalf, do hereby permit the licensee to occupy the said land for the purpose of erecting and using the said structure; such permit to be held and enjoyed by the licensee to the extent and upon and subject to the terms and conditions set out in the Schedule hereon endorsed.

Dated at Wellington, this 15th day of December 1967


 Secretary for Marine.

CONDITIONS OF PERMIT

1. In these conditions the term—

“The Act” means the Harbours Act 1950;

“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;

“Harbour” has the meaning defined in the Act and in particular includes a navigable lake or river;

“Minister” means the Minister of Marine as defined by the Shipping and Seamen Act 1952, and includes any officer, person, or authority acting by or under the direction of such Minister, and in particular includes the Secretary for Marine and his deputy.

2. The rights, powers, and privileges conferred by this licence shall extend and apply only to so much of the said land as is occupied by the said structure when erected.

3. The rights, powers, and privileges conferred by this licence shall continue in force for ~~fourteen~~ ^{seven} years from **1 December 1970**, unless in the meantime the licence or any such concessions and privilege are altered, modified, or revoked as herein provided or otherwise by competent authority.

4. In consideration of the rights, powers, and privileges granted by this licence the licensee shall pay to the Minister the sum of **\$7 : 50**, and thereafter an annual sum of **\$3 : 00** in advance, payable on the 1st day of **December** each year.

5. The licensee shall not assign, charge, or part with this licence or with the rights, powers, and privileges hereby conferred, or any of them, without the written consent of the Minister first obtained, which consent it shall be in the absolute discretion of the Minister to grant unconditionally or to grant subject to such conditions as he thinks fit or to refuse.

6. (a) The licensee shall at all times during the continuance of this licence maintain the said structure in good order and repair.

(b) Any person authorised by the Minister may at all reasonable times enter upon the said structure and view the state of repair thereof; and upon the Minister's delivering to the licensee a notice in writing of any defect or want of repair in the said structure requiring the licensee within a reasonable time to be therein prescribed to repair the same, the licensee shall with all reasonable speed cause the defect to be removed or the repairs to be made.

7. All persons in the service of the Government acting in the execution of their duties shall at all times, without payment, have free ingress, passage, and egress into, through, over, and out of the said structure.

8. The licensee shall at all times during the continuance of this licence during hours of darkness exhibit thereupon and maintain at the cost of the licensee suitable and necessary lights for the guidance of vessels:

Provided that no such light, and no light capable of being taken by mariners as a light for the guidance of vessels, shall be so exhibited until after it has been approved by the Minister.

9. Neither the granting of this licence nor anything herein contained shall affect the liability of the licensee for any injury caused by the said structure to any vessel or boat through any default or neglect on the part of the licensee.

10. Nothing herein contained shall authorise 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 Act, or any amendment thereof now or hereafter in force, or any regulations made thereunder now or hereafter in force.

11. (a) The rights, powers, and privileges conferred by this licence may be resumed and the licence be revoked at any time by the Minister without liability for compensation after at least three calendar months' previous notice in writing has been given by the Minister to the licensee notifying the intention of the Minister to effect the resumption and revoke the licence.

(b) Without prejudice to the discretionary power reserved by subclause (a) of this clause, if at any time—

(i) The licensee commits or suffers a breach of any provision expressly contained in the licence or implied therein; or

(ii) The licensee ceases to use or occupy the said structure for any period of 30 consecutive days; or

(iii) The licensee makes default for a period of 30 days after the due date in payment of any sum of money payable to the Minister under this licence; or

(iv) The licensee, or any one of licensees more than one in number, being an individual, becomes bankrupt or makes a composition with his creditors or is in any manner brought under the operation of any Act for the time being in force relating to bankruptcy; or

(v) The licensee, or any one of licensees more than one in number, being a corporate body is the subject of an effective winding-up resolution or order for liquidation or is in any manner wound up or dissolved—

then, and in any such case, it shall be lawful for the Minister, without the necessity of any previous notice to the licensee, to revoke this licence, and the rights, powers, and privileges thereby conferred shall thereupon cease and determine.

(c) Any revocation of this licence shall take effect upon publication in the *Gazette* of a copy of the instrument of revocation, and that publication shall be sufficient notice to the licensee and to all persons concerned or interested that this licence is revoked and the rights, powers, and privileges hereby granted are determined.

12. In the event of this licence being revoked, or upon the expiry of the period for which this licence is granted, the licensee shall, if required by the Minister so to do, remove the said structure entirely from the site and restore the site to its original condition within the period of notice of revocation or within such period subsequent to the revocation as may be notified by the Minister or within three months from the date of expiry, as the case may be; and, if the licensee fails so to do, the Minister may cause the said structure to be removed and the site so restored, and may recover the costs incurred by the said removal and restoration from the licensee as a debt due to the Crown.

13. Any notice to be given to the licensee shall be sufficient if signed by or on behalf of the Minister and served by being delivered personally to the licensee or sent by registered-post letter addressed to the licensee at the usual or last-known place of abode or business of the licensee in New Zealand or by being affixed upon the said structure.

14. Use or occupation of any part of the said land for the purpose of erecting the said structure shall be sufficient evidence of the acceptance by the licensee of the terms and conditions of this licence.

Condition 15: The said structure shall not be occupied as either temporary or permanent living quarters under any circumstances.

54/9/325
54/9/336
54/9/300
54/9/301
54/9/47

18 December 1970

The County Clerk,
Coromandel County Council,
P.O. Box 1,
COROMANDEL.

Dear Sir,

FORESHORE STRUCTURES - OAMARU BAY

The question of continuing to licence existing structures at Oamaru Bay and future approvals for new facilities appears to be at a standstill.

In your letter of 21 August you made suggestions for the charging of licence fees to enable development of public facilities for boating and to ensure that the number of jetties, sheds and the like be restricted. One of course would depend on the other, in other words if there is very few structures there would be insufficient income to support public facilities unless your County was prepared to make substantial contributions both initially and for future maintenance. The grant of control by this Department to your County is the only way that monies received in respect of licence fees for private structures on the foreshore or bed of the sea can be given over to a local authority.

There are two methods only which are available to licence structures. Either your County, in its wish to regulate the appropriate siting of structures within this area, accepts control of the foreshore and all applications would then be handled by you with the Department only required to approve the plans themselves. Your County could charge licence fees which could be higher than the Department's but which should not be expensive. We are always desirous of a local authority assuming such control as obviously it has a better appreciation of local matters and public feeling.

If your County does not wish to accept control then this Department must continue to allow persons to erect structures on Crown foreshore and seabed subject to various requirements in connection with navigation, that such structures are built to required standards and are maintained in good condition. The local authority can still be consulted in respect of new applications but the importance of its views in the overall planning of an area is not so effective. The conditions of maintaining structures are endorsed on the reverse side of permits and failure to comply may result in action to have the occupier remove the structure at his own expense

I would appreciate your further comments but I would like a definite answer on the question of whether your County is prepared to assume control of the foreshore and consequently the licensing of any structures thereon. If on reconsideration you accept this proposal then details can be conveyed to you in order that the appropriate course of action can be taken.

Yours faithfully,

C.W. FRANKS
Acting Secretary for Marine

per:

(O.J. Conway)

District Officer,
Marine Department,
P.O. Box 1254.
AUCKLAND.



For your information. Your reference 54/2/459 refers to an application by Mr Brown.

C.W. FRANKS
Acting Secretary for Marine

per:

(O.J. Conway)

A large, stylized handwritten signature in black ink is written over the typed name "(O.J. Conway)". The signature appears to be "O.J. Conway" with a long, sweeping flourish at the end.

54/2/459

P.O. Box 1254,
AUCKLAND.

6th November, 1970.

Mr. A.F. Brown,
110 Ellicott Road,
Hillsdale,
HAMILTON.

Dear Sir,

BOAT SHED AND SLIPWAY
OAMARU BAY - COROMANDEL

Receipt of your letter of enquiry of 4/11/70 is acknowledged. Some delay in processing applications in Oamaru Bay due to objections to their siting has been encountered.

An enquiry will be made of my Head Office and you will be informed of progress in due course.

Yours faithfully,

B.E. TURNER
District Officer.

Per : D. Greig.

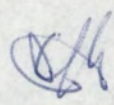
Secretary for Marine,
WELLINGTON.

Your file 54/9/325 refers.

Please advise if this proposal has received consideration as Mr. Brown wishes to do some work on the structure.

B.E. TURNER
District Officer.

Per : D. Greig.



A. F. BROWN

110 ELLICOTT RD



4-11-70

Marine Dept

Dear Sirs

Approx 12 months ago I sent in an application to have my boatshed, situated in Omaru Bay Coromandel, to be registered. Apart from a note to say that I had to put in explain & specification, which I did, I have had no more word regards to the said registra.

Would you please check up for me as I am anxious to get things in order as soon as possible

Thank you
A. F. Brown

23 June 1970

~~The County Clerk,
Coromandel County Council,
P.O. Box 1,
COROMANDEL.~~

Dear Sir,

FORESHORE STRUCTURES - OAMARU BAY, COROMANDEL

As you are aware, there are a number of existing boatsheds with slipways and a jetty on the foreshore in Oamaru Bay. Your letter of 2 September 1966 to the Department's Inspector of Fisheries at Coromandel indicated that the Council had no objection to these structures owned by Messrs Barry, Notman, Housley, Thordurn, Davies and Richards, but your letter of 11 March 1966 to Mr B.T. Park indicated that Council had no objection to the legalisation of Mr Park's structure provided that it would not be substantially repaired or reconstructed, and also that Council was not in favour of any new structures being erected there.

The Department has, so far, issued three permits for existing structures M12352, M13217 and M13218, currently owned by Messrs B.T. Park, B.P. and C.M. Housley, and D.A. Whitford in Oamaru Bay, and has before it two further applications from Messrs W.J. Bathurst, and A. F. Brown.

A complaint has now been received from a local resident that the structures are "unsightly, half rotten sheds, built mainly of low grade materials that obviously despoil an otherwise attractive public foreshore", and that an officer inspecting the area has reported that "the present condition and siting of the buildings detracts from the natural scenic aspect of Oamaru Bay" and that all the structures have a limited useful life without extensive repairs and could be programmed for total removal in five to eight years.

In view of the above comments the Department is reconsidering its original decision in granting permits for foreshore sites in this Bay and it appears that there are several alternative solutions to this problem, i.e.:

- (a) Whether the five existing structures which have either been licensed or being considered for licences should remain in their current state of repair and be removed in five to eight years time (this would be contrary to condition 6 in the Schedule of Conditions to these permits, this condition requiring all structures to be maintained in good order and repair).
- (b) The five structures should be permitted to remain on the foreshore subject to extensive repairs being made by the owners.
- (c) The respective permits should run for the normal 14 year term, the structures to be maintained in an orderly condition, and on the expiry of these permits the structures should be removed; or
- (d) The status quo should be maintained, but no more permits should be issued for proposed new structures.

Please indicate Council's current feelings on this matter, as the territorial authority for this area, to enable a decision to be made on the best course of action to adopt.

Yours faithfully,

R.N. KERR
Secretary for Marine

per:

(R.P. Taylor)

The District Officer,
Marine Department,
P.O. Box 1254,
AUCKLAND.



Your memo 54/2/459 of 26 February 1970 and further memos 13/2/379 and 13/2/380 of 29 August 1968, and 13/14 of 16 May 1966 and 54/2/483 of 1 May 1970 refer. Further action on the applications of A.F. Brown and W.J. Bathurst is being withheld pending the reply from the County Clerk.

R.N. KERR
Secretary for Marine

per:

(R.P. Taylor)



MINISTRY OF WORKS

Telephone: 65099

~~P.O. BOX~~

Private Bag
HAMILTON

24 February 1970

The District Officer,
Marine Department,
P.O. Box 1254,
AUCKLAND.



BOAT SHED AND SLIPWAY :
OMARU BAY : COROMANDEL

Your reference 54/2/459 of 18 November 1969.

... Attached is a copy of the Resident
Engineer's report relevant to the above, delay in
replying to this is regretted.

Your plans are enclosed herewith.

R.E. Hermans
District Commissioner of Works

Per:

(D.A. Conybeer)

Encl.

13/108



7/1

MINISTRY OF WORKS

Telephone: 8725



P.O. BOX 123,
PAEROA

18 February 1970

Dist. Commr. of Works,
M.O.W., HAMILTON.

Boat Shed and Slipway
Omaru Bay : Coromandel

Your 13/108 of 21 November 1969 refers.

1. The boat shed and slipway was built many years ago and is structurally part of boat shed M-13217. Both structures have a limited life of three to five years without extensive repairs.
2. The shed does not comply with the sketch specifications in that the studs are more than two feet apart and the floor joists are only 4" x 2".
3. The shed and slipway is at the base of a bush-clad 25 foot slope below the roadway on the north side of the bay with four other similar structures, M-12352, 13217, 13218, A.F. Brown's, and another 18 x 8 shed recently rebuilt with some new timber and second hand corrugated iron. They present no hazards to navigation or restriction to access along the foreshore but the present condition and siting of the buildings detracts from the natural scenic aspect of Omaru Bay.
4. All these structures have a limited useful life without extensive repairs and could be programmed for total removal in five to eight years. I would recommend approval of A.F. Brown's application 'as is' under these conditions.

A.W. STEWART,
RESIDENT ENGINEER

per

M.H. Keegan

M.H.KEEGAN

Encls. *2 plans*

D.S.O. Mrs Longher

54/2/459

54/9/325

P.O. Box 1254,
AUCKLAND.

13th February, 1970.

Secretary for Marine,
WELLINGTON.

A.F. BROWN
BOAT SHED AND RAMP
OMARU BAY - COROMANDEL

Your 54/9/325 of 25.11.69 refers.

Please find a letter of comment as requested. It is admitted that the structures in the Bay are not of a high standard but are situated in an area well off the beaten track and used seasonally only. Photographs are enclosed.

The County Council is the actual owner of the land between roadway and sea, this being a road severance, the Council not being aware that cottages were built there until I drew their attention to them.

B.E. TURNER
District Officer.



Enclos:

Per : D. Greig.

[your Ref. 54/2/459]

Oamaru Bay
Corrandel

2-2-70

The Secretary
Marine Department
P.O. Box 1254.
Auckland.

Dear Sir,

I received a letter from you dated 16/12/69 in which you ask for the address of M/s. W.T. & V.T. Nicholls; and I understand that you desire to obtain their comment ~~of~~ on the foreshore structures adjacent to their property.

I have to advise that I cannot assist with the first part of your enquiry, as Mr. W.T. Nicholls is now deceased. I presume that in your enquiry you refer to the boat sheds erected at the North end of Oamaru Bay. In which case I would point out that these sheds are closely adjacent to my residential freehold property, and my Motel Cabins; and therefore, my comments on the matter would appear to be quite valid for the purpose of your enquiry.

Mainly, I would point out that even tho I have a boat shed here, I consider that all these structures are unsightly, half-rotten sheds built mainly of low grade materials.

Three photographs of the sheds are enclosed which clearly indicate that these buildings obviously despoil an otherwise attractive public foreshore; and in my opinion should all be removed as soon as possible.



Yours faithfully

B. T. Park.

54/2/459

P.O. Box 1254,
AUCKLAND.

16 December 1969

Mr F.M. Park,
Omaru Bay,
COROMANDEL

Dear Sir,

FORESHORE STRUCTURES OMARU BAY


I would be obliged if you would advise this office the address of Messrs W.T. & V.T. Nicholls who own the property which you occupy.

I am anxious to obtain their comment on the foreshore structures erected adjacent to their ~~po~~ property.

Yours faithfully,

B.E. TURNER,
District Officer.

Per : D. Greig.



54/2/459

P.O. Box 1254,
AUCKLAND.

3rd December, 1969.

The County Clerk,
Coromandel County Council,
P.O. Box 1,
COROMANDEL.

Dear Sir,

A.F. Brown
Boat Shed and Slipway
Omaru Bay

Mr. Brown has requested approval and registration of his boat shed and slipway situated at Omaru Bay. Please urgently advise your Council's consent.

It would also be helpful if you would also inform me of name and address of the owner of the land on the other side of the road, shown on the attached tracing and numbered 7796.

Yours faithfully,

B.E. TURNER,
District Officer.

B/E

Per : D. Greig.

COROMANDEL COUNTY COUNCIL

99

Please address letters to
COUNTY ENGINEER,
P.O. BOX 1,
COROMANDEL

When calling or ringing please
ask for Mr.

The District Officer,
Marine Department,
P.O. Box 1254,
AUCKLAND.

COROMANDEL,
P.O. Box 1 — Telephone 859
12/12/69

Your Reference 54/2/459 Your Letter 3/12/69 Our Reference 5:8:1

Subject RE BOAT SHED AND SLIPWAY: A.F. BROWN, OMARU BAY.

Anstiss

Dear sir,

With reference to your 54/2/459 of 3/12/69:

Council will consent to the location and registration of these
existing structures at Omaru Bay, at the next Council Meeting on 17/12/69.

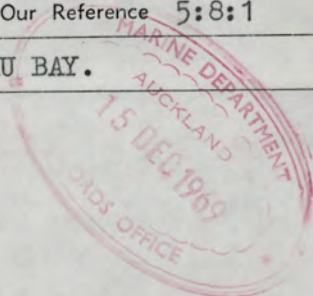
The land on the other side of the road, opposite the boat shed,
being Lot 7796 is occupied by Frederick Mace Park, Omaru Bay, Coromandel
but is owned by William T. Nicholls and Vivian T. Nicholls per Parr &
Blomfield, Solicitors, Auckland.

Yours faithfully,

M.O. Anstiss

M.O. Anstiss,
COUNTY ENGINEER.

NO SUE FIRM



COROMANDEL COUNTY COUNCIL

Please address letters to
COUNTY ENGINEER,
P.O. Box 1,
COROMANDEL

When calling or ringing please
ask for Mr.

*District Officer
Marine Department
P.O. Box 1254
Auckland*

COROMANDEL,
P.O. Box 1 — Telephone 3

5 December 1969

Your Reference	<i>54/2/459</i>	Your Letter	<i>3.12.69</i>	Our Reference
Subject	<i>A.F. Brown - Boatshed and Slipway - Tenuare Bay</i>			



Dear Sir/~~Madam~~,

Thank you for your letter regarding the above mentioned subject, receipt of which is hereby acknowledged.

The Coromandel County Council operates a system whereby inward correspondence is distributed to the County Clerk and County Engineer according to the subject matter. Each officer then deals with it as he sees fit according to standing instructions.

Your letter, which was addressed to me, was passed on to the County Engineer with the request to attend to it. I would be pleased if you would address any further correspondence or calls concerning this subject to him.

Yours faithfully,

B.H. de Boer

B.H. de Boer,
COUNTY CLERK.

M 54/9/325



MARINE DEPARTMENT

HEAD OFFICE: Aurora House, 62 The Terrace, Wellington, New Zealand. P.O. Box 10142. Telephone 71 759. Telegrams and Cables: "Secymarine".

25 November 1969

The District Officer,
Marine Department,
P.O. Box 1254,
AUCKLAND.



A. F. BROWN - BOATSHED AND RAMP - OAMARU BAY,
COROMANDEL.

Your minuted memorandum 54/2/459 of 18 November 1969 refers.

I note that the letter of consent from the County Clerk of Coromandel County Council refers to applications from Messrs Barry, Notman, Housley, Thorburn, Davies, and Richards, but makes no reference to Mr A. F. Brown.

Please advise if the letter covers Mr Brown's application and, if not, please arrange for this approval to be obtained.

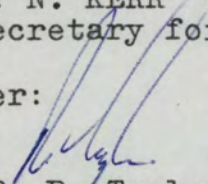
... I also note that there is a large area marked "7796" shown on the attached location plan and the owner's consent or comments should be obtained as required in paragraph 9 on the application form M 2559.

The Coromandel County Council's consent relates only to the road immediately behind the boatshed site.

Please return the plan in due course.

R. N. KERR
Secretary for Marine

per:


(R. P. Taylor)

Enc:

Our Ref. 34/2/489
Your Ref.

Marine Department,
P.O. Box 1254,
AUCKLAND.

Mr. A. H. Brown
112 ELLIOTT ROAD
HILLDALE
HAMILTON

15/11/69
.....

Dear Sir,

BOAT SLID & SLIPWAY - OMARU BAY - COROMANDEL

Receipt of your for your proposed
..... is acknowledged.

Technical reports are now being obtained on the proposal, these may take some little time to prepare, but as soon as a decision has been reached, you will be advised by my Head Office, Wellington.

Yours faithfully,

B.E. TURNER,
District Officer. *D.J. Greig*

Disc Commissioner of Works,
Ministry of Works,
P.O. Box
..... HAMILTON

Per : D.J. Greig.

Copy for your information and action.
Would you please make a report on the proposed BOAT SLID & SLIPWAY in terms of the Harbours Act, 1950, to the Commissioner of Works, Wellington.

The Following papers are enclosed:-

- (1) .. STRUCTURAL PLAN
- (2) .. LOCATION PLAN
- (3) ..
- (4) ..

B.E. TURNER,
District Officer. *D.J. Greig*

Per : D.J. Greig.

Secretary for Marine,
WELLINGTON.

Copy for your information and action.
Enclosed are :-

- (1) .. APPLICATION FORM
- (2) .. STRUCTURAL PLAN
- (3) .. LOCATION PLAN
- (4) .. L & S MAP
- (5) .. CONSENT (1)

B.E. TURNER,
District Officer. *D.J. Greig*

Per : D.J. Greig.

54/2/459

P.O. Box 1254,
AUCKLAND.

30 October 1969

Mr A.F. Brown,
110 Ellicott Road,
Hillsdale,
HAMILTON.

Dear Sir,

BOAT SHED AND SLIPWAY OMARU BAY
COROMANDEL.

Thank you for the plans and papers supplied through Mr MacDonald.

Before I submit the structural plans to our Technical Advisers, I would be obliged if you would add the following details.

- (1) List materials used in boat shed construction.
- (2) Add framework detail to boat shed.
- (3) Show pile sizes and heights and sea bed foundations.
- (4) Show and specify all fastenings used.
- (5) Specify type of rails.

I regret any inconvenience this may cause, but presentation of full detail will ensure a speedy examination by our Technical Adviser.

Your structural plans are enclosed.

Yours faithfully,

B.E. TURNER,
District Officer.

Per : D. Greig.



MARINE DEPARTMENT

PLEASE QUOTE

M.—2545

OUR REFERENCE

CL 14/1

YOUR REFERENCE

MEMORANDUM for

THE DISTRICT OFFICER,
AUCKLAND.

P.O. Box 7,
Coromandel,
24 October 1969.

BOATSHED - SLIPWAY - A. F. BROWN - OAMAHU BAY

Herewith application from Mr Brown to register a boatshed and slipway at Oamahu Bay Coromandel.

Approval was given for this and other structures by the Coromandel County Council, reference No 5-8-1 of the 2-9-66 over the signature of B.H. de Boer County Clerk.

E. N. Macdonald.

Inspector of Fisheries.