

Box	Name and Subject	File Number	ID
EKMT 00015	54/14/28 (Vol.2) - Raglan County Council - Control of Foreshore (1955-1972)	15 47 01	10974



10974

File No. 54/14/28 VOL 2.

SERIES: FORESHORES

900-003

SUB-SERIES: CONTROL OF FORESHORE

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**MOT
1-365**

SUBJECT: Raglan Harbour Board/Raglan County Council
Raglan Harbour/Port Waikato.

MOT - 218

File Opened: Feb 1972 File Closed: _____

Previous File: Vol 1. (July '55 Jan '72) Subsequent File: _____

OTHER RELEVANT FILES

Subject: _____
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FORMER PAPERS 4/4392
was Raglan County Council.

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TRANSIT DIRECTIONS

Folio	Referred to	Date	Actioned by		Folio	Referred to	Date	Actioned by		Folio	Referred to	Date	Actioned by	
			Initials	Date				Initials	Date				Initials	Date
	Mr. W. G. ...	9-8-73	SA	9/8		Mr. McK...	10/11	SA	10/11		Mr. McK...	10/11	SA	10/11
	Mr. S. ...	26/3/74	SA	8/4		H+F	9/6	SA	9/6		H+F	9/6	SA	9/6
	Mr. W. ...	3/3/75	SA	5/3		H+F	19/7/76	SA	19/7/76		H+F	19/7/76	SA	19/7/76
	Legal ...	6/3/75	SA	7/3		H+F	5/10/76	SA	5/10/76		H+F	5/10/76	SA	5/10/76
	House ...	26-27-75	SA	26/75		H+F	13/1	SA	13/1		H+F	13/1	SA	13/1
	H+F	15-75	SA	15/8		FO (H+F)	18/12/74	SA	18/12/74		FO (H+F)	18/12/74	SA	18/12/74
	H+F	20-75	SA	20/10		FO (H+F)	4/9	SA	4/9		FO (H+F)	4/9	SA	4/9
	H+F	1-75	SA	2/11		H+F	2/10	SA	2/10		H+F	2/10	SA	2/10
	H+F	15-76	SA	20/1		H+F	25/10/76	SA	25/10/76		H+F	25/10/76	SA	25/10/76
	Mr. ...	30-76	SA	26/12		FO (H+F)	20/11	SA	20/11		FO (H+F)	20/11	SA	20/11
	Mr. ...	18-76	SA	5/3		H+F	26/11	SA	26/11		H+F	26/11	SA	26/11
	Mr. ...	18-76	SA	18/3		H+F	1/3/76	SA	1/3/76		H+F	1/3/76	SA	1/3/76
	Mr. ...	25-76	SA	25/12		H+F	1/17	SA	1/17		H+F	1/17	SA	1/17
	Mr. ...	3/5-76	SA	17/5		CMA	15/7	SA	15/7		CMA	15/7	SA	15/7
	Mr. ...	18-76	SA	5/7		K3 (H+F)	6/7	SA	6/7		K3 (H+F)	6/7	SA	6/7
	Mr. ...	5/17	SA	7/7		H+F	17/12	SA	17/12		H+F	17/12	SA	17/12
	Mr. ...	7/7	SA	14/7		CMA	13/1/74	SA	13/1/74		CMA	13/1/74	SA	13/1/74

FILE.

14/12/1982. ML Initials

Extract from *New Zealand Gazette*, Thursday, 29 November 1979, No. 112, page 3700

Raglan Harbour Board Foreshore Control Order 1979

KEITH HOLYOAKE, Governor-General
ORDER IN COUNCIL

At the Government House at Wellington this 19th day of November 1979

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 165 of the Harbours Act 1950, His Excellency the Governor-General acting by and with the advice and consent of the Executive Council, hereby makes the following order.

ORDER

1. (a) This order may be cited as the Raglan Harbour Board Foreshore Control Order 1979.

(b) 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 Board" means the Raglan Harbour Board;
- "Foreshore" means such part 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 tide;
- "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 Board for a period of 21 years from the commencement of this order, the control of foreshore described in the First Schedule to this order, subject to the provisions of section 165 of the Act, and to the conditions specified in the Second Schedule to this order.

4. The Order in Council of 30 October 1963* granting to the Raglan Harbour Board control of part of the foreshore situated in or adjacent to blocks I and IV, Kariori Survey District, as shown on plan M.D. 11646 is hereby revoked.

FIRST SCHEDULE

ALL that area of foreshore in or adjacent to Blocks I, II, III, and IV, Kariori Survey District, and Blocks XII, XIII, and XIV, Whangaroa Survey District, commencing at a point on the high water mark at the eastern boundary of part IDIB Whanga Block; thence following the high water mark generally north-easterly; thence easterly, northerly, and south-westerly, to and around Raglan Harbour (Whangaroa) to Rangitoto Point; thence northerly to a point on the high water mark being the extension of the common boundary west ward of Lot 1 and 2, Block XII, Whangaroa Survey District. The said foreshore includes the foreshore of all rivers and creeks within the area described and is more particularly shown on plan M.D. 15935 and deposited in the office of the Minister of Transport at Wellington.

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, without payment.

2. Nothing herein contained shall authorise the Board to do, or cause to be done, anything repugnant to, or inconsistent with any law relating to the customs, or with any regulation of the Minister of Customs, or with any provision of the Harbours Act, or its amendments, or any regulations made thereunder that are, or may hereafter be, in force.

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

4. The Board may enclose any part or parts of the foreshore described in the First Schedule hereto for the purpose of holding athletic sports or games and may, by bylaw, fix a charge for admission to such enclosed part or parts:

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

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

6. The Board shall prevent any nuisance being caused and shall not permit fish or fish offal to remain on or about the foreshore.

7. The Board 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 parks Board or land designated a reserve except with the consent of the controlling authority of such land.

8. The Board may, subject to provisions of section 176 to 182 of the Harbours Act 1950:

- (a) Erect or licence or permit the erection or the continuance on the foreshore, described in the First Schedule hereto, or on the bed of the harbour or of the sea immediately contiguous to that foreshore, of baths, bathhouses, boat sheds, boat building sheds, jetties, slipways, or with the approval of the Minister any structure relating to the convenience of shipping or of the public or to any local enterprise or object;
- (b) Use or licence or permit the use of the foreshore described in the First Schedule hereto or the bed of the harbour of the sea immediately contiguous to that foreshore; for any purpose approved by the Minister relating to the convenience of shipping or of the public or any local enterprise or object;
- (c) Make bylaws regulating the use of any things erected or continued pursuant to clause (a) of this condition and the use for any purpose pursuant to clause (b) of this condition and fixing charges for those uses.

9. Bylaws made by the Board 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 of any compensation whatever, on giving to the Board six 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.

**New Zealand Gazette*, 7 November 1963, p. 1803
(M.O.T. H.O. 54/14/28, N.R. 54/20/68)

54/14/28

BY-LAWS
IN RELATION TO
WHAINGAROA HARBOUR
OF
THE RAGLAN COUNTY COUNCIL
(EXERCISING THE POWERS OF A HARBOUR
BOARD).

PUBLIC NOTIFICATION IN "RAGLAN COUNTY
CHRONICLE" ON 10TH AUGUST, 1906; ADOPTED
AT SPECIAL MEETING OF THE COUNCIL ON
22ND AUGUST, 1906; PUBLIC NOTIFICATION OF
ADOPTION IN "RAGLAN COUNTY CHRONICLE"
ON 31ST AUGUST, 1906. BY-LAWS TO COME IN
FORCE ON OCTOBER 1ST, 1906.

WYNYARD & PURCHAS,
SOLICITORS,
AUCKLAND.

THE COUNCIL OF THE COUNTY OF RAGLAN
(EXERCISING THE POWERS OF A HARBOUR
BOARD).

BY-LAWS

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BY-LAWS
OF
THE RAGLAN COUNTY COUNCIL
EXERCISING THE FUNCTIONS AND POWERS OF
A HARBOUR BOARD.

The Council of the County of Raglan exercising (by virtue of Order in Council of the 27th day of January 1894 duly gazetted on the 1st day of February 1894) the powers of a Harbour Board doth hereby under and in pursuance of the powers in that behalf vested in it by "The Harbours Act 1878" and "The Counties Act 1886" and the several Acts amending the same respectively and of all other powers it hereto enabling make the following By-laws to operate for and within the limits of the Whaingaroa Harbour as defined by the said Order in Council that is to say—

INTERPRETATION.

1. In these By-laws unless inconsistent with the context

"Board" means the Council of the County of Raglan exercising its functions and powers as a Harbour Board.

"Goods" means and includes any wares merchandise and commodities of every description cattle and live stock.

"Harbour" means the Estuary or arm of the Harbour called the WHAINGAROA HARBOUR and particularly described in and by the aforesaid Order in Council of the 27th day of January 1894 and published in the "New Zealand Gazette" of the 1st day of February 1894 at page 167.

"Harbourmaster" means the person appointed to that office by the Board and includes any person deputed by or acting under the authority of the Harbourmaster.

"Wharf" includes quay landing jetty pier breast-work or landing place under the control of the Board.

"Wharfinger" means the person appointed by the Board to the charge of any wharf and shall include any person deputed by or acting under the authority of the Wharfinger.

Words used herein the meanings whereof are defined by Section 8 of "The Harbours Act 1878" shall have respectively the meanings thereto given by said Section 8.

VESSELS.

Reporting arrival.

2. The master of every vessel shall report the vessel's arrival in Harbour at the office of the Board within twenty-four hours after his arrival.

Obeying Harbourmaster.

3. The master or person in charge of every vessel and the master of any tug having a vessel in tow shall obey and carry into effect any orders given by the Harbourmaster in relation to the place and manner of bringing vessels to an anchorage coming alongside and leaving wharves and securing and mooring vessels.

Anchor, etc., where directed.

4. The master of every vessel shall anchor moor or place his vessel where the Harbour Master may direct and shall not move nor allow to be moved the said vessel from such place without permission of the Harbour Master and shall also remove his said vessel from any such place when ordered by the Harbour Master.

Not to anchor in fairway, etc.

5. No person shall anchor a vessel in the fairway of any channel or so as to obstruct the approach to any wharf or allow any vessel to be moored or made fast to any buoy or beacon within the Harbour.

Cables clear.

6. The master or person in charge of every vessel moored or anchored within the Harbour shall have both cables clear and in readiness to slack away when required and where alongside any wharf shall have such vessel moored fore and aft to such wharf.

Berthing.

7. No person shall berth any vessel except where the Harbourmaster shall direct.

8. The Harbourmaster may order any vessel to be removed from any berth alongside any wharf or from any anchorage to any part of the Harbour whenever such removal shall in his opinion be proper for the general accommodation of the shipping and any person who shall fail to obey such order shall be liable to a penalty.

Harbourmaster's directions in berthing.

9. The master of every vessel and the crew thereof shall when requested by the Harbourmaster give and afford to the Harbourmaster all possible aid and assistance in the performance of any of the duties of the Harbourmaster in relation to such vessel.

Assistance to Harbourmaster.

10. The Harbourmaster is hereby empowered to make fast and attach any rope or other tackle to any vessel.

Harbourmaster's power to moor.

11. In case any person shall fail to observe any of these By-laws regulating the mode and place of mooring and anchoring of vessels and their position and government in the Harbour and their unmooring and removal out of the Harbour or if by reason of there being no person having authority on board of any vessel or by reason of there not being a sufficient number of persons on board any vessel there shall be any non-compliance with any of such By-laws or if the master or crew thereof refuse or fail to aid and assist the Harbourmaster in the moving mooring unmooring or placing any vessel the Harbourmaster is hereby empowered to moor and unmoor place or remove any vessel and for that purpose may direct the casting off or loosing any warp or rope or unshackling or loosing any chain by which a vessel is moored or fastened and may hire and employ such assistance and tackle and purchase and put on board of such vessel such quantity of ballast as to him seems requisite at the cost and charges of the master or owner of such vessel and such cost and charges shall be a due and payable to the Harbour Board before a clearance for such vessel shall be given and the Board shall not in any way be liable for any damage or loss occurring to any vessel during or in consequence of such moving mooring unmooring or placing of any such vessel.

Powers of Harbourmaster in default of obedience.

12. No person shall without the consent or authority of the Harbourmaster cut or cast off any rope or tackle made fast or attached to any vessel wharf mooring buoy

Persons not to unmoor vessels moored by Harbourmaster.

or other place where the same has been made fast or attached by the Harbourmaster or by his order or direction.

Further powers of Harbourmaster.

13. The master or other person in charge of every vessel shall on all occasions obey the orders of the Harbourmaster in relation to such vessel when in the opinion of the Harbourmaster it may be necessary to do any act to ensure the safety of the said vessel or any other vessel or property.

Master to provide tackle for slinging goods.

14. The master of every vessel shall provide proper tackle for the proper slinging of all goods discharged from his vessel on to or laden or intended to be laden from any wharf into his vessel.

How coal, etc., to be landed.

15. No owner master or person in charge of any vessel shall allow any coal sand or similar cargo to be landed on or loaded from any wharf unless a sheet of suitable size made properly fast between the vessel and the wharf be provided to prevent any of such cargo from falling into the water.

Goods likely to damage not to be landed.

16. No owner master or person in charge of any vessel shall allow goods which in the opinion of the Harbourmaster are likely to occasion damage or cause a nuisance to be discharged or landed on any wharf or placed in any shed.

Explosives.

17. No owner master or person in charge of any vessel shall (a) allow explosives in quantities exceeding that allowed for steamers to carry (viz. 50lbs.) to be landed within 500 yards of any wharf or (b) fail to remove from the ship's side such explosives as soon as possible after arrival in the Harbour and no owner master or person in charge of any vessel shall land any explosives at all at any wharf (a) unless the same be packed in manner and subject to the limitations restrictions and conditions contained in clause 24 of Part II. of the Regulations of the 8th day of January 1900 made under the provisions of "The Explosives Act 1882" and its amendments and appearing in the "New Zealand Gazette" of the 11th day of January 1900 (regulating the method of packing explosives intended to be conveyed from a factory under the Act) and (b) except directly into the hands of a person who shall immediately remove

the same to a safe distance from such wharf and such owner master or person in charge shall be responsible for and it shall be his duty and business to see that such explosives are so immediately removed from the wharf. In this By-law "explosives" shall have the meaning given thereto by "The Explosives Act 1882" or any Act passed in amendment or substitution thereof.

18. The master of every vessel lying alongside any wharf shall fix and at all times keep fixed a safe and proper gangway from such vessel to the wharf and shall at all times throughout the night (that is to say from dusk till dawn) show and exhibit a proper light at each such gangway. Such gangway shall have double side rails or stanchions with ropes rove taut through the same the top rail or rope being not less than three feet high and between the wharf and the ship beneath such gangway there shall be securely slung a net or sail cloth of adequate dimensions Masters shall conform to and observe all directions of the Harbourmaster regarding the position size and kind of such gangways and lights.

Master to fix and maintain gangway, etc.

19. Masters requiring to careen heave down or haul their vessels on shore for the purpose of inspection or repairs must apply to the Harbourmaster or officer in charge for permission.

Careening, etc.

WHARVES.

20. The time allowed vessels to occupy berths at quays jetties or wharves for the purpose of discharging cargo shall be (exclusive of Sundays and holidays and the day of removal) as under—

Duration of Berthing.

For ships under 100 tons register two days.

For every additional 50 tons register one day and so on at the rate of one day additional for every 50 tons of the register burthen of the vessel.

21. The masters of all vessels discharging or loading at any wharf are held accountable for the proper slinging of all goods and are responsible for and shall pay any damage that may be done to the property of the Board or of other parties either from the breakage of slings or from the goods being imperfectly slung.

Slinging goods.

Location of goods.

22. All goods landed on any wharf or jetty or brought thereon for shipment are to be placed as the Harbour-master or other authorised person may direct and so as to keep all mooring posts or rings free and all rails or tramways clear and any person offending against this By-law shall be guilty of an offence.

Charges for timber and goods left.

23. All timber remaining upon any wharf shall after four days be charged for every week or portion of a week extra dues for wharfage at the rate of two shillings and sixpence per thousand superficial feet or portion thereof. And all other goods remaining upon any wharf shall after 96 hours be charged for every week or portion of a week extra dues for wharfage at the rate of one shilling per ton or portion of a ton. And the Wharfinger may remove such timber or goods to any convenient place and keep the same until payment to the Board of the expenses of such removal and of the keeping of the goods and of all charges or dues thereon and in default of payment may in manner and at the time provided by Section 73 of "The Harbours Act 1878" sell the same and may exercise on behalf of the Board all the powers contained in said Section 73 and the Wharfinger may examine the said goods and open any packages in which they are contained.

Cleaning up wharf.

24. Before any vessel is removed from any wharf the master or other person in charge of the said vessel shall cause all dirt or rubbish to be thoroughly cleared from the portion of the wharf occupied or used by such vessel such dirt or rubbish to be deposited at such place as may be appointed by the Wharfinger or other person in charge.

Landing steps to be kept clear.

25. No person shall make fast or allow to be made fast any vessel to any steps or landing place for passengers or so near thereto as to obstruct the approach of other vessels or lie longer alongside than required for landing or embarking passengers and no person shall land or ship any goods except passengers' luggage of a portable nature at any such steps or landing place.

Government and passenger vessels take precedence.

26. All vessels alongside of any steps or landing place for passengers shall give way to Government vessels on duty also to other vessels with passengers so soon as

their own passengers have been landed and any person in charge of any vessel offending against this By-law shall be liable to a penalty.

27. Any person taking a horse or a cart or other vehicle on any wharf or jetty on which horses carts or vehicles are permitted by the Board or by the Wharfinger shall walk at the head of and lead his horse or horses and remain by the same so long as the horse horses or vehicle are on the said wharf or jetty.

Horses to be led.

28. No person shall take any cart or other vehicle or any horse on any wharf on which they are not permitted by the Board or the Wharfinger for the time being to be taken.

Horses and vehicles where barred.

29. The Board may cause a notice to be placed in a conspicuous place on any wharf or shed thereon stating that no goods weighing more than a weight specified in such notice shall be allowed on such wharf and thereafter no owner master or person in charge of any ship shall allow to be landed and no person shall bring or allow to remain on any such wharf any one piece of goods weighing in itself or any vehicle or receptacle containing goods which with the goods therein contained shall weigh more than the weight specified in such notice.

Limitation of weights on wharf.

30. All watermen stevedores carters and others engaged or being on any wharf shall be under the control and subject to the orders of the Wharfinger or any other person in charge of such wharf.

Control of wharfinger.

31. No person shall obstruct the traffic on any wharf or make use of abusive or improper language thereon.

Obstruction of traffic.

32. No person shall remove goods from any wharf until all dues and charges payable in respect thereof shall be fully settled for. And no person shall ship any goods until all dues and charges in respect of such goods shall be fully settled for.

33. No passengers or goods shall except with the consent in writing of the Harbourmaster under the next following By-law be embarked or landed shipped or discharged within the Harbour except at a wharf vested in

No embarking or landing except on wharf.

the Board or at a wharf or landing place which may be licensed from time to time by the Board for such purposes.

Exception.

34. The Harbourmaster may give his consent in writing to any passengers or goods being landed or shipped on or from any place or places other than a wharf or landing place mentioned in the last preceding By-law upon being satisfied that such passengers or goods can be more conveniently landed or shipped on or from such place or places than on or from any wharf or landing place and upon payment to him by the consignor or consignee of such goods of a charge equal to the wharfage dues which would be payable on or in respect of such goods had the same been landed or shipped on or from any of the Board's wharves.

Staging, &c.

35. No person shall erect any building staging or structure whatever on any public wharf or landing place without the previous permission in writing of the Board.

Clambering
beneath
wharf.

36. No person shall clamber on or about the structure of any wharf below the deck-level or upon or about any crane or hoist.

No nuisance
to be com-
mitted.

37. No person shall commit a nuisance on under or about any wharf.

No deface-
ment
allowed.

38. No person shall scribble upon cut scratch or otherwise deface any shed waiting-room or any part of the structure of any wharf.

No placards to
be placed.

39. No person shall place any placard notice or advertisement on any portion of any wharf shed waiting-room or office without the previous permission in writing of the Board.

Against
smoking.

40. No person shall smoke in or about any shed the property of the Board. No person shall be admitted in any shed unless he or she has legitimate business therein and no person shall remain in any shed after being ordered by the Harbourmaster to withdraw therefrom.

Children not
allowed ex-
cept under
control.

41. No child of tender years shall be allowed on any wharf unless accompanied by an adult.

42. The Harbourmaster shall have power to close any wharf or any portion thereof whenever in his opinion it is advisable to do so and no person shall enter upon any wharf or portion of a wharf so closed without the consent of the Harbourmaster.

Power to close wharf.

43. No person shall be allowed on any wharf unless such person shall have in the opinion of the Harbourmaster legitimate business to warrant his or her presence thereon.

Legitimate business necessary.

44. No person shall sort any timber or pack or repack any goods nor screen any coal on any wharf.

No unpacking of goods allowed.

45. The master of every vessel shall produce the certificate of registry of his vessel to the Harbourmaster or other person deputed by the Board on demand and shall on demand give a copy of the bill of lading freight list or manifest of the cargo or other proper account of all goods intended to be unshipped from the vessel and the name or names of the persons to whom all or any goods in such vessel are intended to be delivered and also shall give notice of the intended time of unshipment or discharge of any goods in such vessel.

Certificate of registry, etc., to be produced on demand.

46. The owner master agent or person in charge of any vessel shall before the vessel is unmoored from any wharf deposit with the Harbourmaster a copy certified under his hand of the manifest of the cargo of such vessel with names of consignees and shall pay or make arrangements satisfactory to the Board for payment of all dues or charges payable on such vessel.

Copy manifest to be deposited.

47. It shall be lawful for the Harbourmaster or other person authorised by him to enter any vessel in order to ascertain the dues payable in respect of the vessel or of goods therein and no person shall hinder or molest any Harbourmaster or such other persons or refuse to allow any Harbourmaster or such other persons to enter into any vessel.

Power to enter on vessels.

48. Any goods or vegetables or animal matter in a state of decay or unfit to remain on any wharf or which are likely to be harmful to any goods may be removed from the wharf by the Harbourmaster at the cost of the consignee thereof.

Decayed, etc., matter to be removed.

Non-liability of Board for loss or damage. 49. The Board shall not be liable for any loss or damage occasioned to any person or goods by or through want of fencing lighting or notice on any wharf or by or through the destruction collapse or inefficiency of any wharf or by reason of the breach by any person of any of these By-laws.

Board does not undertake or charge for storage. 50. The Board does not undertake or charge for the receipt storage or delivery of any goods and any shed erected by the Board is erected for convenience only and any goods placed on any wharf or in any shed shall be at the risk of the depositor of such goods and the Board shall not be liable for any damages to any goods while on any wharf or in any shed howsoever occasioned.

Exemption at law of Board from liability not affected by provisions. 51. The two foregoing By-laws shall not be considered to express the full extent of the Board's immunity from liability nor prejudice or affect any immunity from liability which the Board enjoys under the Statute or general law and which is not covered by the provisions of the said two By-laws.

HARBOUR SHORES AND WATERS.

Ballast, etc., not to be removed without consent. 52. No person shall take away any ballast rock stone slate shingle gravel sand earth cinders rubbish or other thing from any tidal land or tidal water or from the seashore below high-water mark within the limits of the Harbour without the permission of the Harbourmaster or officer in charge.

Ballast discharge. 53. No person shall discharge any ballast within the limits of the Harbour in or upon any other place or places than that or those duly appointed by the Board for the discharge of ballast.

Obstruction of channels. 54. No person shall obstruct or impede the navigation of any channel river inlet or creek or obstruct any wharf by any vessel cable boat or other article. And in case such obstruction or impediment be not removed when ordered by the Harbourmaster or person in charge the Harbourmaster or officer in charge may remove or cut any obstruction and recover the expense of so doing from any person who placed or ordered the placing of such obstruction.

55. No person shall drown any animal in the Harbour and leave the carcase therein nor throw a dead animal into the Harbour or place a dead animal below high-water mark therein. Dead animals.

HARBOURMASTER'S FEES.

56. For every service performed by a Harbourmaster for any person in respect of any vessel such person shall pay for such service as follows that is to say— Harbour-master's fees.

For every vessel of 120 tons and under 10s.

For every vessel over 120 tons one penny per ton.

57. The removal to or from a wharf of a vessel in charge of the Harbourmaster or of a Licensed Pilot shall be deemed to be service performed by the Harbourmaster under this By-law. What Harbour-master's service includes.

PORT CHARGES.

58. For every vessel coming from seaward or not whether decked or undecked or whether propelled by steam or not navigating or plying whether for hire or not within the Harbour there shall be payable by the owner thereof a port charge of sixpence per ton register half-yearly in advance or one penny per ton register in advance for every single trip until the maximum of sixpence per ton register for each half-year shall have been paid when no further charge shall be made for such half-year. Port charges.

SHIPPING WHARFAGE.

59. Every person who shall use any wharf for any vessel for berthage thereat or otherwise shall pay for such use as follows— Shipping wharfage dues.

	s.	d.
For every steamer alongside Raglan wharves for each day or part of a day	10	0
For every sailing vessel so berthed for each day or part of a day	5	0

£ 1. 0. 0 11/5/1921

60. Every person or company who shall use any wharf within the Harbour for landing or receiving on board any goods or merchandise shall pay the Wharfinger or Goods wharfage.

Goods Wharf- other person authorised by the Board in that behalf
 age—contd. wharf dues for the use of such wharf as follows—

	Landed.		Shipped.	
	s.	d.	s.	d.
For every ton of Farm Produce not otherwise specified	2	6	2	6
For every ton of Flour Flax Coal	2	0	1	0
For every ton of Fruit Grain Meal				
Bran Chaff Sharps Potatoes or Bones	2	0	1	0
For every ton of Tow	1	0	0	6
For every Sheep Lamb Goat or Pig first 50 each	0	1	0	1
For succeeding quantity each	0	$\frac{1}{2}$	0	$\frac{1}{2}$
Grass Seed per 20 sacks	2	6	2	6
Manures per ton	1	0	1	0
Wool per bale	1	0	1	0
" " half-bale	0	6	0	6
" " bag	0	3	0	3
Fungus per bale	0	6	0	6
" " half-bale	0	3	0	3
" " bag	0	1	0	1
For every 100 Sheepskins loose	2	0	2	0
" " bundle Sheepskins	0	3	0	3
" " sack Hides	0	3	0	3
" " loose Hide	0	1	0	1
" " dozen Poultry	0	3	0	3
" " 1,000 ft. superficial Sawn Timber	2	6	2	0
" " cwt. of Butter	2	0	free	0.3
" " 1,000 Bricks or Slates	2	6	2	0
" " 1,000 Shingles	1	0	0	6
" " Cart Dray or other Vehicle	2	0	2	0
" " Horse	2	0	2	0
" " head large Cattle first 10 each	1	0	1	0
" " head all over 10 each	0	3	0	3
" " head Calves	0	6	0	6
" " ton Firewood	0	4	0	4
" " 100 Posts Rails or House Blocks	2	0	1	0
" " 1,000 Palings	1	0	1	0
" " ton Lime	0	6	0	6

Box of Kueker
 11/5/29.

For all goods not otherwise specified weight or measurement at the option of the Board per ton or part of a ton	27-	5/-	
Minimum charge on any one shipment or consignment under 4 feet	0 3	0 3	
Passengers' Personal Luggage only under half ton and such goods as may be carried by hand by passenger	Free		

Goods wharf-
age--Contd.

covered
21/1/53
Transfer 2/6
by laws 9/29/10/03

Luggage shall not include furniture commercial travellers' sample packages or merchandise of any description. Commercial travellers' samples pay wharfage one way.

All goods of which 40 cubic feet shall weigh less than 20cwt. shall be charged on measurement.

VESSELS PLYING FOR HIRE.

61. The owner of every vessel which is used or intended to be used to ply for hire whether in the carriage of passengers goods cargo ballast water or as a ferry boat tug boat or for any other purpose shall obtain a license from the Board for such vessel and no person shall allow his vessel to ply for hire or be used for any of the purposes aforesaid without being so licensed. Licenses.

62. Before any license is issued to any vessel such vessel must be inspected by the Harbourmaster or by some person or persons appointed by the Board for the purpose who will upon approval grant a certificate as to her dimensions that she is fully equipped with proper gear and in a seaworthy condition and that she is properly marked as required by these By-laws. Inspection.

63. Such license shall state the number of passengers and the quantity of cargo ballast water or otherwise any vessel in respect whereof such license is issued may with safety be permitted to carry. Contents of
license.

64. In the case of steam vessels or gas oil or motor launches the master or owner thereof shall not allow on board any number of passengers in excess of the number stated in the certificate of survey granted by the Marine Steam and
motor
vessels.

Department and shall cause the number of passengers allowed to be carried to be painted in a conspicuous manner on a board fixed on the upper deck of such steam vessels in the following form—Licensed to carry passengers.

Equipment of licensed vessels.

65. The owner of every licensed vessel shall keep such vessel fully equipped with proper gear and in a seaworthy condition and properly marked as required by these By-laws and numbered with the number of the license in such place as may be directed by the Harbourmaster.

Name and draught of vessel.

66. The master of every vessel plying for hire shall have the name of the vessel painted in legible characters on each bow and shall have marks on the stem and stern posts showing the draught of water for every five tons weight such vessel can carry.

Harbourmaster's inspection.

67. The Harbourmaster may and is hereby authorised at any time to inspect or measure any vessel plying for hire within the Harbour or test the accuracy of any measurement and may appoint the time place and manner when where and in which such measurement or inspection shall be made and any person refusing to permit the Harbourmaster to make such inspection or measurement of any vessel used or licensed to ply for hire within the Harbour shall be guilty of an offence.

Cost of inspection.

68. The expense of measuring or re-measuring and of marking any vessel shall be a due and be borne and paid by the owner or owners of such vessel and no license shall be issued until the owner has repaid to the Board such expense as may have been incurred by the Board.

Term of licenses.

69. All licenses shall be issued for such periods only as shall expire on the 31st December in any year but these may be renewed year by year at the discretion of the Board.

Renewals of licenses.

70. Application for renewal of licenses must be sent to the Board at least thirty days before the day of expiration of such license.

Proportionate license fees.

71. In the event of a license being granted under By-law No. 61 on a date subsequent to the 31st day of De-

ember in any year the amount of fee to be paid for the license shall be a proportion of those set forth in By-law No. 75 based on the proportion that the unexpired portion of the year bears to the full year and such license fee shall be in respect of and cover the unexpired balance of the year only.

72. If any ferryman boatman or other person fails or **Breach.** refuses or neglects to do anything required by these By-laws to be done observed or performed or in any manner obstructs impedes or interferes with the doing of anything enjoined required or authorised to be done or does anything prohibited by these By-laws he shall be guilty of an offence.

73. In the event of accident or want of repairs to any licensed vessel upon a certificate being obtained from the Harbourmaster to that effect the master or owner may substitute another vessel in lieu thereof subject to the approval of the Harbourmaster to be given in writing. **Accident to licensed vessels.**

74. The master or owner of any vessel plying within the Harbour for hire or as a ferry boat or otherwise who shall carry any greater number of passengers or greater quantity of cargo ballast water or otherwise in his vessel than the number or quantity allowed in the license of such vessel shall be guilty of an offence. **Excess of licensed number or weight.**

75. The master or owner of every vessel in respect of which a license is granted under Clause 61 of these By-laws shall pay to the Board at the office of the Board for such vessel a license fee according to the following scale that is to say— **License fee charges.**

For every Steam Ferry Boat	5	0	0
„ „ Steam Tug Boat	5	0	0
„ „ Coal Hulk or Store Ship ..	10	10	0
„ „ Waterman's Boat	0	10	0
„ „ Steam or other Motor Gas or Oil Launch plying or let for hire or used within the Harbour	1	5	0
„ „ Pleasure Sailing Boat for hire	0	5	0
„ „ other Sailing Vessel employed for hire	0	10	0

PAYMENT OF FEES.

Payment of dues.

76. All dues or payments payable under these By-laws shall when not otherwise provided for be paid and payable at the office of the Board or to the Harbourmaster or other person appointed in writing by the Board to receive or collect any such dues or payments.

GENERAL.

By-laws not to apply to His Majesty's vessels.

77. Nothing contained in these By-laws shall be deemed to apply to any ship boat or other property of His Majesty or to any ship of war belonging to any foreign nation or to any gunpowder or explosives in charge of officers in the service of the Government of the colony during the performance of the duties of their office.

Complaints.

78. All complaints against any person connected with the Harbour Department must be made in writing to the Harbourmaster or officer in charge.

Date of operation.

79. These By-laws shall come into operation on the 1st day of October one thousand nine hundred and six.

Repeal of old by-laws.

80. The By-laws of the 22nd day of May 1895 and all regulations By-laws or resolutions of the Board heretofore made regulating or referring to matters provided for in these By-laws are hereby repealed as from the date of the coming into operation of these By-laws.

OFFENCES AND PENALTIES.

81. If any person fails or refuses or neglects to do observe or perform anything required by these By-laws to be done observed or performed or in any manner obstructs impedes or interferes with the doing of anything enjoined required or authorised to be done or does anything prohibited by these By-laws such person shall in any such case be liable to a penalty not exceeding £20.

ADOPTED by the Council of the County of Raglan exercising the powers of a Harbour Board in respect of the Whaingaroa Harbour at a Special Meeting held in accordance with the requirements of Section 59 of "The Harbours Act 1878" on the day of

1906.

THE COMMON SEAL of the Chairman Councillors and Inhabitants of the County of Raglan (being the Body Corporate of the County of Raglan) was at a Meeting of the Council of the County of Raglan exercising its powers as a Harbour Board as aforesaid held at Ngaruahia on the 22nd day of August 1906 set affixed and impressed hereto and hereon by the Clerk to the said Council in the presence of—

BASIL HEWETT,

CHAIRMAN.

W. MORGAN BANKART,

GEORGE A. EDMONDS,

MEMBERS.



N. C. MATTHEWS,

CLERK.

54/14/28

15 January 1981

The Secretary
Raglan Harbour Board
Harbour Board Office
NGARUAWAHIA

Dear Sir

RAGLAN HARBOUR BOARD FORESHORE
CONTROL BYLAWS 1980

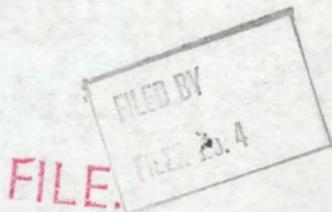
I am pleased to advise that the Raglan Harbour Board Foreshore Control Bylaws 1980, which was passed and adopted by your Board on 24 November 1980, has been approved.

... Enclosed are copies of the gazette extract for your information.

Yours faithfully


D. Galliers
for Secretary for Transport

Encl.



.....Initials

Extract from N.Z. Gazette, 18 December 1980, No. 146, p. 4068

Notice of Approval of Bylaws

PURSUANT to section 165 of the Harbours Act 1950, I, Robin Paul Taylor, of the Ministry of Transport, in exercise of powers delegated by the Minister of Transport, hereby approve the Raglan Harbour Board Foreshore Control Bylaws 1980, passed and adopted by the said Board on 24 November 1980.

Dated at Wellington this 9th day of December 1980.

R. P. TAYLOR, for Secretary for Transport.

P. D. Hasselberg, Government Printer, Wellington, New Zealand—1980

Extract from N.Z. Gazette, 18 December 1980, No. 146, p. 4068

Notice of Approval of Bylaws—Port Waikato

PURSUANT to sections 8A and 165 of the Harbours Act 1950, I, Robin Paul Taylor, of the Ministry of Transport, in exercise of powers delegated by the Minister of Transport, hereby approve the Raglan County Council Foreshore Control Bylaws 1980, passed and adopted by the said Council on 24 November 1980.

Dated at Wellington this 9th day of December 1980.

R. P. TAYLOR, for Secretary for Transport.

(M.O.T. 54/14/28)

P. D. Hasselberg, Government Printer, Wellington, New Zealand—1980

COUNTY OF RAGLAN

ANNUAL ACCOUNTS AND STATEMENTS

FOR THE YEAR ENDED 31st MARCH, 1980

In Office at 31st March, 1980

Chairman

G. M. CHITTY (Whangape Riding)

Councillors

L. A. BUDGE (Pukekawa Riding)

K. H. JOHNSTONE (Karamu Riding)

A. J. MACDONALD (Te Akau Riding)

F. E. MUIR (Port Waikato Riding)

K. M. SNOWDEN (Raglan Riding)

R. J. DOUGLAS (Karioi Riding)

I. G. KIMPTON (Pukemiro Riding)

R. D. McGOWAN (Pirongia Riding)

J. A. MITCHELL (Onewhero Riding)

R. R. SHERLOCK (Waingaro Riding)

W. H. WRIGHT (Whaingaroa Riding)

County Clerk and Treasurer,

R. G. BROWNLEE, A.I.A.O.

Assistant County Clerk

G. S. DEAN

Deputy Treasurer

R. K. WILKINSON

Senior Staff Engineer

R. L. BAYLY, B.E., M.I.C.E., M.N.Z.I.E.

County Engineer

R. B. MURRAY, B.E., M.I.C.E., M.N.Z.I.E.

Assistant County Engineer

F. FINN, Assoc.N.Z.I.E.

(Prepared and published pursuant to Regulation 14 of the Local Government (Territorial Authorities) Accounting Regulations 1979)



REPORT OF THE AUDIT OFFICE

The Audit Office, having been appointed in terms of section 25 Public Finance Act 1977

has audited the accounts of the Raglan County Council

The audit was conducted in accordance with generally accepted auditing standards and practices comprising such auditing procedures considered necessary in terms of section 25, Public Finance Act 1977 and included:

- a review of accounting procedures and controls
- examination and tests of accounting records and other supporting information.

All the information and explanations required have been obtained.

In the opinion of the Audit Office, the attached financial statements fairly reflect, in accordance with applicable accounting principles, the financial position as at 31 March 1980 and the results of the financial operations for the year.

R.H.W. Mayall

for Controller and Auditor-General

3 October 1980

Pursuant to Regulation 12 of the Local Government (Territorial Authorities) Accounting Regulations 1979 the following accounts and statements of the County of Raglan were considered and adopted at an Ordinary Meeting of the Raglan County Council held on 10 November 1980.

G.M. Chitty

Chairman

R.G. Brownlee

Chief Executive
Officer

RAGLAN COUNTY COUNCIL

STATEMENT OF PAYMENTS AND RELATED SOURCES OF FUNDS FOR THE YEAR ENDED
31ST MARCH, 1980

During the year the Council made payments as follows:

<u>Actual</u> 1979 \$		<u>Estimate</u> 1980 \$	<u>Actual</u> 1980 \$
<u>GENERAL ACTIVITIES:</u>			
650,842	Administration and Central Services	742,275	638,750
1,412,037	Roading	1,723,843	1,901,679
94,233	Drainage and Sanitation	98,925	106,841
37,176	Water Supply	49,585	79,609
533,085	Land Drainage	507,800	554,020
395,524	Recreational and Cultural	291,585	344,084
369,394	Housing and Property	435,675	438,394
46,981	Pest Eradication	50,600	54,811
40,094	Dog Registration and Hydatids Control	6,500	43,944
-	Cemeteries and Crematoria	451	940
48,734	Other Activities	157,600	223,680
<u>\$3,628,100</u>	<u>Total Payments made during year</u>	<u>\$4,064,839</u>	<u>\$4,386,752</u>
These payments were financed by:			
<u>RECEIPTS:</u>			
1,041,141	Rates	1,150,598	1,225,335
65,110	Petroleum Tax	70,000	60,964
1,839,652	Government Subsidies and Grants	2,046,635	1,968,213
397,723	Licence Fees and Other Charges	482,607	614,575
<u>FUNDS APPLIED:</u>			
212,800	Loan Money	250,000	249,000
123,379	Special Funds	60,000	59,221
<u>\$3,679,805</u>		<u>\$4,059,840</u>	<u>\$4,177,308</u>
Plus decrease in general funds calculated as follows:			
	Balance 1 April 1979	121,437	
- 51,705	Balance 31 March 1980	88,007 Dr	4,999
<u>\$3,628,100</u>	Payments as above	<u>\$4,064,839</u>	<u>\$4,386,752</u>

M.S.

STATEMENT OF FUNDS HELD

AT 31ST MARCH 1980

General Funds	\$ 88,007 Dr
Loan Funds	\$ 91,627
Special Funds	\$ 114,994
	<hr/>
	\$ 118,614
	<hr/> <hr/>

STATEMENT OF MONEY OWING

AT 31ST MARCH 1980

Debtors owed to the Council		\$ 226,992
		<hr/>
The Council owed to trade and sundry Creditors		\$ 132,764
		<hr/>
Public Debt (Loans)		
Gross Public Debt	\$2,424,693	
Less Sinking Funds held	\$ 18,937	
	<hr/>	
Public Debt net of Sinking Funds		\$2,405,756
Less Public Debt related to:		
Rural Housing Loans	\$1,502,775	
General Housing Loans	\$ 3,276	\$1,506,051
	<hr/>	
NET PUBLIC DEBT		\$ 899,705
		<hr/> <hr/>

NOTE ON ACCOUNTING POLICY

These financial statements have been prepared on the basis of receipts and payments with incoming money being recognised when it is received by the Council and outgoing money being brought to charge when payment is made.

28 July 1980

.....

.....
Treasurer

STATEMENT OF GENERAL STATISTICS RELATING TO

THE COUNTY OF RAGLAN AS AT 31 MARCH 1980

AREA, POPULATION AND VALUES

Area	2,300 sq. km.
Population	9,885
Rateable properties' - number of	4,768
Non-rateable properties' number of	329
Gross Capital Value	\$182,475,010
Net Capital Value (i.e. Capital Value of rateable property)	\$178,000,000
Gross Land Value	\$118,332,080
Net Land Value (i.e. Land Value of rateable property)	\$116,451,630
Date of last revision of values	1 October 1975

RATES AND RATING

Total rates levied for year	\$1,253,529
System of rating	Land Value

PUBLIC DEBT

Public Debt Outstanding	\$2,424,693
Accumulated Sinking Funds	\$18,937
Unexercised Loan Authority	\$196,000

BUILDING PERMITS (EXCLUDING GOVERNMENT BUILDING)

Value of Permits for Year	\$3,314,499
Value of Permits for Residential properties	\$2,246,400

EMPLOYEES, NUMBER OF

Administrative and Clerical	16
Engineering	8
Inspectors	6
Works, including clerk of works, overseers and foremen	64
Date of Constitution of County	1876

COMMUNITIES

<u>Name</u>	<u>Area</u>	<u>Population</u>	<u>Date Constituted</u>
Raglan	400.23 hectares	1,330	1954
Rotowaro	52.61 hectares	460	1957

ADDRESS OF ADMINISTRATIVE OFFICES

Great South Road, Ngaruawahia
(P.O. Box 1, Ngaruawahia)

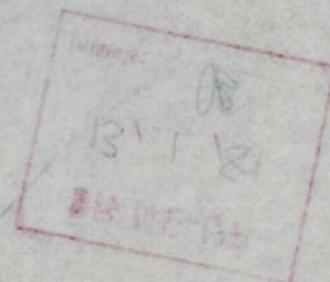
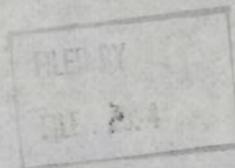
NOTICE OF APPROVAL OF BYLAWS

PURSUANT to section 165 of the Harbours Act 1950, I,
Robin Paul Taylor, of the Ministry of Transport in exercise
of powers delegated by the Minister of Transport, hereby
approve the Raglan Harbour Board Foreshore Control Bylaws
1980, passed and adopted by the said Board on 24 November
1980.

Dated at Wellington this 9th day of December 1980

R.P. Taylor
for Secretary for Transport

(MOT 43/60/3, 54/14/28).



FILE.
1/19

Gazette 2771.

Sent 16/12

(1824172 3/22/81)

110
LIFE

110
LIFE

FOR RESEARCH FOR DEPARTMENT
OF JUSTICE

BRING-UP
13/1/81
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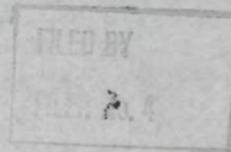
POLICE OF ... OF ...

NOTICE OF APPROVAL OF BYLAWS - PORT WAIKATO

PURSUANT to sections 8A and 165 of the Harbours Act 1950, I, Robin Paul Taylor, of the Ministry of Transport in exercise of powers delegated by the Minister of Transport, hereby approve the Raglan County Council Foreshore Control Bylaws 1980, passed and adopted by the said Council on 24 November 1980.

Dated at Wellington this 9th day of December 1980

R.P. Taylor
for Secretary for Transport



FILE.

12/19

Initials
Gazette

2772
sent 16/12

(MOT 54/14/28).

EC-H+F

RAGLAN HARBOUR BOARD

Secretary
N. R. TYLER
Engineer
R. B. MURRAY

HARBOUR BOARD OFFICE
PHONE 8633 NGARUAWAHIA
HARBOUR AGENT
PHONE 8220 RAGLAN

27 November 1980

The Secretary for Transport,
Ministry of Transport,
Private Bag,
WELLINGTON.



Dear Sir,

Grant of Control of Foreshore - Raglan Harbour

✓ Enclosed please find a copy of the Raglan Harbour Board Foreshore Control By-laws 1980 which were adopted by the Board at a meeting held on 24 November 1980.

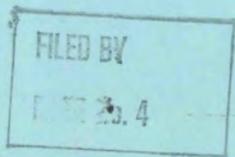
The By-laws are based on the Ministry's standard by-laws with very few amendments. Probably the only amendment of significance was the scale of charges.

Your approval of these by-laws is requested.

Yours faithfully,

R.G. Brownlee,
Secretary.

RGB:MP
Encl:



FILE.

1/19

inH1st0

RAGLAN COUNTY COUNCIL

COUNTY CLERK
N. R. TYLER, B.COM., A.C.A., A.C.I.S.

COUNTY OFFICE - PHONE 8633
COUNTY CLERK (RES.) 8051
ENGINEER (RES.) 8716

COUNTY ENGINEER
R. B. MURRAY, B.E., M.I.C.E., M.N.Z.I.E.

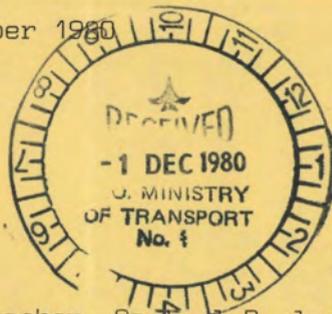


REF.

P.O. BOX 1
NGARUAWAHIA

27 November 1980

The Secretary for Transport,
Ministry of Transport,
Private Bag,
WELLINGTON.



Dear Sir,

Raglan County Council Foreshore Control By-law

Enclosed please find a copy of the Raglan County Council Foreshore Control By-laws 1980 which were adopted by the Council at a meeting held on 24 November 1980 and which will cover areas of the County not covered by the Grant of Control of the Raglan Harbour.

Yours faithfully,

R.G. Brownlee,
Chief Executive Officer.

RGB:MP
Encl:

FILE.

1/19



Both Raglan Harbour Board Foreshore
Control Bylaws (over Raglan Harbour) 1980

and Raglan County Council Foreshore
Control Bylaws (over Port Waikato) 1980

have been removed and are housed in
Tainui District Files COA 006 and COA 004
respectively

Neil Down

3/6/88

MINUTE SHEET

Department:

Subject: *Raglan Hr. Bd.
Grant of Control Byelaws*

File No.

Date: *25 11 80*

To—

*T.E. LAW
H.F.*

Brownlee, Sec of Raglan Hr Bd advises me (telephone 25-11-80/2005) that a set of Byelaws based on MOT Standard Byelaws would be in the mail to us this week.

Very complementary about the Standard Byelaws. Saved him a great deal of work.

B/U · 8/12/80

98% sat ch (1 to F)

*allowing
CMB*

file

FILED BY
FILED 31.1

MINUTE SHEET

Department:

Subject: Grant of Control

File No.

Raylan Hardware

Date: 19/11/80

To—

CMA

The Raylan Hor Bd was granted control of foreclosure of Raylan Hor on 19 November 1979.

Letters requesting draft bylaws have been sent 17/12/79, 18/2/80, 24/3/80 and 22/7/80. There has been no response from the Bd. Two alternatives appear available

1. You ring the Bd to ascertain when they bylaws may be forwarded.
2. We write to the Bd threatening to invoke clause 10 of 2nd schedule of notice if a bylaw draft is not received by us within say 3 months

Your suggestions please.

S C Law
Sect 16 (HoF)

File

Class. CHITTY
See RG Barrowlee.

54/14/28

22 July 1980

The Secretary
Raglan Harbour Board
P.O. Box 1
NGARUAWAHIA



Dear Sir

GRANT OF CONTROL OF FORESHORE : RAGLAN HARBOUR

With reference to letters of 17 December 1979 and 24 March 1980 in which you were requested to forward to this office a draft copy of the bylaws considered necessary for the effective administration of the area subject to your Grant of Control.

A copy of these bylaws has not yet been received.

... To assist you in formulating a set of suitable bylaws a copy of the Ministry's Standard Bylaws is enclosed. A good many of the bylaws will be applicable to your situation and it is suggested that you adopt as many of them as possible, adapting as necessary for local conditions.

Difficulties could arise in enforcing any control over the foreshore in the absence of bylaws adopted in accordance with the provisions of the Harbours Act 1950 and approved by the Minister of Transport.

The Board could, if it so desired, adopt the Standard Bylaws as they are written, subject to the inclusion of the Board's name and the titles of the Board's offices in the appropriate places.

Receipt of a signed and sealed copy of the bylaws considered necessary by the Raglan Harbour Board for the effective administration of the Grant of Control area is anticipated with interest and some concern.

Yours faithfully

A. K. Ewing
for Secretary for Transport

Encl.

3/14-11-80 ✓

TEL: MJG

54/14/28

24 March 1980

✓ The Secretary
Raglan Harbour Board
P.O. Box 1
NGARUAWAHIA

Dear Sir

GRANT OF CONTROL OF FORESHORE: RAGLAN HARBOUR

I refer to my letter of 17 December 1979 in which I forwarded to you a copy of plan M.D.15935 and also copies of the extract from the New Zealand Gazette showing the Raglan Harbour Foreshore Control Order No 79.

In that letter it was suggested that you should forward to this office a draft copy of the bylaws which it would be necessary for the Board to adopt to provide for the administering of the above area.

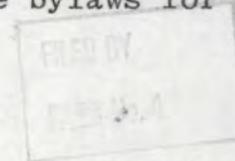
To date, we have not received a copy of the draft bylaws for perusal and we would be grateful if you could advise when we may expect to receive a copy of these. If it is your intention to readopt the existing bylaws of the Board to allow the Board to control the extended area, we would be grateful if you would advise this office of this point. It will be necessary for the Board to follow the adoption procedures of the Harbours Act in respect of the bylaws as the old bylaws would have only remained to be in force if the area of the new Grant of Control was similar to that of the previous Grants of Control. You will be aware that the area involved in the new Grant of Control differs greatly from that of the previous Grants of Control. Therefore, it will be necessary for your Board to adopt the bylaws in accordance with the provisions of the Act. When the Board has adopted and forwarded a copy of the signed and sealed bylaws to this office, we will then be in a position to approve the bylaws and to issue a Gazette Notice showing the approval in due course.

We look forward to receiving a copy of the bylaws for perusal at your earliest convenience.

Yours faithfully

T.E. Law

T.E. Law
for Secretary for Transport



B/u 14/7/80
T.E.

file

54/14/28

54/20/68

The Regional Secretary
Private Bag
AUCKLAND

Head Office

18 February 1980

Attention: P.D. Spackman

GRANT OF CONTROL OF FORESHORE : RAGLAN HARBOUR

On 17 December 1979, I forwarded to you a copy of plan M.D. 15935 together with a copy of the extract from the New Zealand Gazette showing the Raglan Harbour Board Foreshore Control Order 1979.

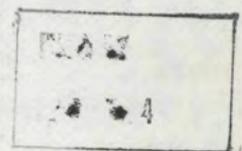
This order granting control of the foreshore of Raglan Harbour to the Raglan Harbour Board pursuant to section 165 of the Harbours Act 1950.

At the present time this ministry is awaiting to receive a draft copy of the bylaws which the board will adopt to enable the board to enforce its control of the grant.

As part of the procedure which is required for the handing over of the administration of the foreshore, it will be necessary for your office to supply to the Raglan Harbour Board a copy of each licence and plan of any structures on the foreshore. It will also be necessary for you to advise the licence holders that the Raglan Harbour Board is taking over the control of the licensing of structures pursuant to section 165 of the Harbours Act as part of its grant of control and that further accounts and correspondence should be directed to that board. Also as part of the procedures, the accounts section will need to portion the fees so that for each particular year, from the date of the grant (19 November 1979) that portion of the fees charged subsequent to that date must be paid to the Raglan Harbour Board. The proportion of fees for the licence period prior to that date should be retained by this ministry.

I would be grateful if you would carry out this procedure in due course as we hope to have the board's bylaws available for approval pursuant to section 165 of the Harbours Act at an early date.

T.E.
T.E. Law
for Secretary for Transport



file

54/14/28

17 December 1979

The Secretary
Raglan Harbour Board
P.O. Box 1
NGARUAWAHIA

Dear Sir

GRANT OF CONTROL OF FORESHORE : RAGLAN HARBOUR

I refer to previous correspondence in respect of the board's application for a foreshore grant of control for the area of Raglan Harbour.

I wish to advise that on 19 November 1979 an order in council was signed granting control of Raglan Harbour as shown on plan M.D. 15935 to the Raglan Harbour Board.

... For your information I enclose a copy of plan M.D. 15935 and also copies of the extract from the New Zealand Gazette showing the Raglan Harbour Board Foreshore Control Order 1979.

It will now be necessary for your board to take the necessary action to adopt bylaws in respect of the above area to allow the board to enforce the provisions of the existing bylaws.

We look forward to receiving a draft copy of the bylaws for perusal if it is your board's intention to review the bylaws at this time.

We look forward to receiving your reply in due course.

Yours faithfully

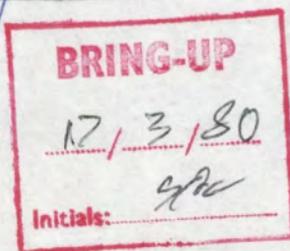
hpc
T.E. Law
for Secretary for Transport



*original delivered
to Secretary 18/12/79.*

Encl

file



[Signature]

The Regional Secretary
Ministry of Transport
Private Bag
AUCKLAND

Attention: P.D. Spackman

Copy for your information. Your reference 54/20/68.

... Enclosed is a copy of the plan M.D. 15935 together with
copies of the extract from the New Zealand Gazette showing
the Raglan Harbour Board Foreshore Control Order 1979.

TL

T.E. Law
for Secretary for Transport

Encl

File

File

Raglan Harbour Board Foreshore Control Order 1979

KEITH HOLYOAKE, Governor-General
ORDER IN COUNCIL

At the Government House at Wellington this 19th day of
November 1979

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 165 of the Harbours Act 1950, His Excellency the Governor-General acting by and with the advice and consent of the Executive Council, hereby makes the following order.

ORDER

1. (a) This order may be cited as the Raglan Harbour Board Foreshore Control Order 1979.

(b) 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 Board" means the Raglan Harbour Board;

"Foreshore" means such part 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 tide;

"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 Board for a period of 21 years from the commencement of this order, the control of foreshore described in the First Schedule to this order, subject to the provisions of section 165 of the Act, and to the conditions specified in the Second Schedule to this order.

4. The Order in Council of 30 October 1963* granting to the Raglan Harbour Board control of part of the foreshore situated in or adjacent to blocks I and IV, Kariori Survey District, as shown on plan M.D. 11646 is hereby revoked.

FIRST SCHEDULE

ALL that area of foreshore in or adjacent to Blocks I, II, III, and IV, Kariori Survey District, and Blocks XII, XIII, and XIV, Whangaroa Survey District, commencing at a point on the high water mark at the eastern boundary of part IDIB Whanga Block; thence following the high water mark generally north-easterly; thence easterly, northerly, and south-westerly, to and around Raglan Harbour (Whangaroa) to Rangitoto Point; thence northerly to a point on the high water mark being the extension of the common boundary west ward of Lot 1 and 2, Block XII, Whangaroa Survey District. The said foreshore includes the foreshore of all rivers and creeks within the area described and is more particularly shown on plan M.D. 15935 and deposited in the office of the Minister of Transport at Wellington.

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, without payment.

2. Nothing herein contained shall authorise the Board to do, or cause to be done, anything repugnant to, or inconsistent with any law relating to the customs, or with any regulation of the Minister of Customs, or with any provision of the Harbours Act, or its amendments, or any regulations made thereunder that are, or may hereafter be, in force.

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

4. The Board may enclose any part or parts of the foreshore described in the First Schedule hereto for the purpose of holding athletic sports or games and may, by bylaw, fix a charge for admission to such enclosed part or parts:

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

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

6. The Board shall prevent any nuisance being caused and shall not permit fish or fish offal to remain on or about the foreshore.

7. The Board 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 parks Board or land designated a reserve except with the consent of the controlling authority of such land.

8. The Board may, subject to provisions of section 176 to 182 of the Harbours Act 1950:

(a) Erect or licence or permit the erection or the continuance on the foreshore, described in the First Schedule hereto, or on the bed of the harbour or of the sea immediately contiguous to that foreshore, of baths, bathhouses, boat sheds, boat building sheds, jetties, slipways, or with the approval of the Minister any structure relating to the convenience of shipping or of the public or to any local enterprise or object;

(b) Use or licence or permit the use of the foreshore described in the First Schedule hereto or the bed of the harbour of the sea immediately contiguous to that foreshore; for any purpose approved by the Minister relating to the convenience of shipping or of the public or any local enterprise or object;

(c) Make bylaws regulating the use of any things erected or continued pursuant to clause (a) of this condition and the use for any purpose pursuant to clause (b) of this condition and fixing charges for those uses.

9. Bylaws made by the Board 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 of any compensation whatever, on giving to the Board six 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.

**New Zealand Gazette*, 7 November 1963, p. 1803

(M.O.T. H.O. 54/14/28, N.R. 54/20/68)

out mi 678



TRANSPORT

PRIVATE BAG, WELLINGTON 1
TELEPHONE: 721-253
TELEGRAMS: TRANSPORT

AURORA HOUSE,
THE TERRACE,
WELLINGTON 1

54/14/28

5 November 1979

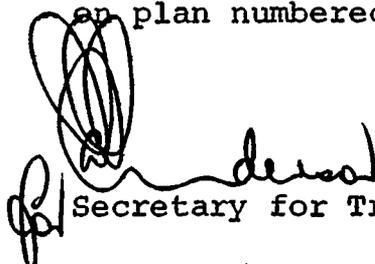
The Minister of Transport

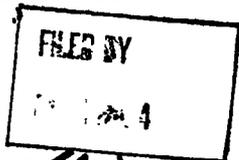
RAGLAN HARBOUR AND ENVIRONS : FORESHORE GRANT OF CONTROL

1. On 30 October 1957, the Governor-General granted to the Raglan Harbour Board control of an area of foreshore near the town of Raglan. The term of the grant was set at 21 years from 1 November 1957.
2. Also, by order in council dated 30 October 1963, the Harbour Board was granted control of an area of foreshore south west of Raglan for a term of 21 years from 7 November 1963 subject to the provisions of the Harbours Act 1950.
3. The Raglan Harbour Board have approached this Ministry to seek control of the foreshore of all of Raglan Harbour and northwards to a point north of Te Kaha Point in addition to the areas covered by the 30 October 1957 order in council.
4. To simplify administration procedures, the Harbour Board have agreed to a new order in council being produced which grants to the Board control of all the foreshore for which control is sought. To facilitate this, the attached order in council includes a clause which revokes the 30 October 1963 grant.
5. The Ministry supports the application by the Raglan Harbour Board seeking a grant of control of the foreshore as shown coloured green on the attached plan M.D. 15935, pursuant to the provisions of section 165 of the Harbours Act 1950. Officers of the Ministry have discussed relevant matters with staff of the Harbour Board.

Recommendation

6. I recommend that pursuant to section 165 of the Harbours Act 1950, you sign the attached recommendation to His Excellency the Governor-General that he signs the accompanying order in council granting to the Raglan Harbour Board the control of the foreshore described in the First Schedule to the order and as shown on plan numbered M.D. 15935.


Secretary for Transport


To Cabinet Office
12/11/79




In Executive Council

His Excellency the Governor-General is recommended ~~to~~
pursuant to section 165 of the Harbours Act 1950 to sign
the attached order in council granting to the Raglan
County Council the control of the foreshore as described
in the First Schedule to the order and as shown on plan
MD 15935.

John M. Laohlan

Minister of Transport

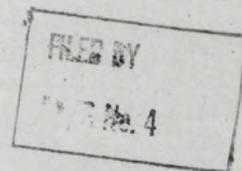
Approved in Council.

13/11

19 November 1979

[Signature]

Clerk of the Executive Council



file

RAGLAN HARBOUR BOARD FORESHORE CONTROL ORDER 1979

Keith Holyoake
Governor-General

ORDER IN COUNCIL

Dated at Wellington this *19th* day of *November* 1979.

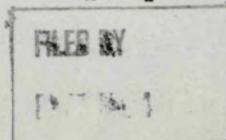
PRESENT:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 165 of the Harbours Act 1950, His Excellency the Governor-General acting by and with the advice and consent of the Executive Council, hereby makes the following order.

ORDER

1. (a) This order may be cited as the Raglan Harbour Board Foreshore Control Order 1979.
- (b) 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 board" means the Raglan Harbour Board;
 - "Foreshore" means such part 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 tide;



file

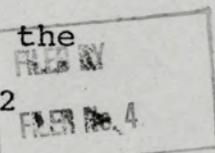
Gazette No 2665

"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 board for a period of 21 years from the commencement of this order, the control of foreshore described in the First Schedule to this order, subject to the provisions of section 165 of the Act, and to the conditions specified in the Second Schedule to this order.
4. The order in council of 30 October 1963* granting to the Raglan Harbour Board control of part of the foreshore situated in or adjacent to blocks I and IV, Kariori Survey District as shown on plan MD 11646 is hereby revoked.

FIRST SCHEDULE

ALL that area of foreshore in or adjacent to Blocks I, II, III and IV, Kariori Survey District and Blocks XII, XIII and XIV, Whangaroa Survey District commencing at a point on the high water mark at the eastern boundary of part IDIB Whanga Block thence following the high water mark generally north easterly, thence easterly, northerly and south westerly, to and around Raglan Harbour (Whangaroa) to Rangitoto Point thence northerly to a point on the high water mark being the extension of the common boundary west ward of Lot 1 and 2 Block XII, Whaingaroa Survey District. The said foreshore includes the foreshore of all rivers and creeks within the



file

area described and is more particularly shown on plan MD 15935 and deposited in the office of the Ministry of Transport at Wellington.

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, without payment.
2. Nothing herein contained shall authorise the board to do, or cause to be done, anything repugnant to, or inconsistent with any law relating to the customs, or with any regulation of the Minister of Customs, or with any provision of the Harbours Act, or its amendments, or any regulations made thereunder that are, or may hereafter be, in force.
3. The rights powers and privileges conferred by this order in council shall not apply to those portions of the foreshore required for securing the shore ends of any telegraph cables that are at present, or may be at any time laid down within the said area of foreshore.
4. The board may enclose any part or parts of the foreshore described in the First Schedule hereto for the purpose of holding athletic sports or games and may, by bylaw,

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FILED No. 4

File

fix a charge for admission to such enclosed part or parts:

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

5. Nothing herein contained shall authorise the board to remove, or cause to be removed, any stone, sand, shingle or shell without the consent of the Minister first being obtained.
6. The board shall prevent any nuisance being caused and shall not permit fish or fish offal to remain on or about the foreshore.
7. The board 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 parks board or land designated a reserve except with the consent of the controlling authority of such land.
8. The board may, subject to provisions of section 176 to 182 of the Harbours Act 1950:
 - (a) Erect or licence or permit the erection or the continuance on the foreshore, described in the First Schedule hereto, or on the bed of the harbour or of the sea immediately contiguous

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1950
4

File

to that foreshore, of baths, bathhouses, boat sheds, boat building sheds, jetties, slipways, or with the approval of the Minister any structure relating to the convenience of shipping or of the public or to any local enterprise or object;

- (b) Use or licence or permit the use of the foreshore described in the First Schedule hereto or the bed of the harbour of the sea immediately contiguous to that foreshore; for any purpose approved by the Minister relating to the convenience of shipping or of the public or any local enterprise or object;
- (c) Make bylaws regulating the use of any things erected or continued pursuant to clause (a) of this condition and the use for any purpose pursuant clause (b) of this condition and fixing charges for those uses.

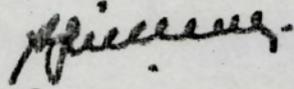
9. Bylaws made by the board under the authority of this order in council shall not come into force until they have been approved by the Minister, by notice in the Gazette.

10. The said rights, powers, and privileges may be at any time resumed by the Governor-General, without payment of any compensation whatever, on giving to the board six calendar months' notice in writing. Any such notice shall be sufficient if given by the Minister

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MAY 4

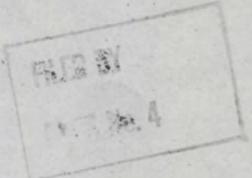
file

and delivered at, or posted to, the last known address
of the council in New Zealand.

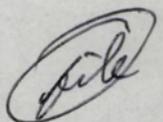


Clerk of the Executive Council

* N.Z. Gazette, 7 November 1963, p. 1803.



(M.O.T. H.O. 54/14/28, N.R. 54/20/68)



MINUTE SHEET

Department:

Subject:

File No.

Date:

To—

Mr EWING

MR BROWNLEE RANG, FROM RAGLAN
HARBOUR BOARD.HE CONFIRMED THAT 10TH OCTOBER IS
OK FOR YOU TO VISIT HIM.

PLEASE RING HIM TO ARRANGE A TIME.

PH. NGARUAWAHIA 8633

Janet Miller
19/9/79.

BRING-UP ✓
8, 10, 79
Initials: CMA

Arranged with Mr Brownlee to be picked up
at Hamilton airport 10th Octob

EWING

file

54/14/28

12 September 1979

The Secretary
Raglan Harbour Board
P.O. Box 1
NGARUAWAHIA

Dear Sir

GRANT OF CONTROL OF FORESHORE

I refer to my letter of 19 July 1979 in which I advised that this office was considering your request that an officer of this Ministry meet with Board representatives at Raglan to discuss aspects of the control of the foreshore in the harbour.

I wish to advise that Mr A.K.Ewing, Controller Marine Administration, will be in Hamilton and available for consultation with the Board on 10 October 1979. The present arrangement is that Mr Ewing could leave on a morning flight to Hamilton which would arrive at approximately 10.45 a.m.

Mr Ewing would be pleased to meet with representatives of the Board to discuss matters relating to the control of the foreshore and we would be grateful if you would contact him at telephone Wellington 721-253, extension 771, so that appropriate arrangements could be made.

We look forward to receiving your response at your earliest opportunity.

Yours faithfully

4/21
T.E. Law
for Secretary for Transport



file

MINUTE SHEET

Department:

Subject:

File No.

Date:

To—

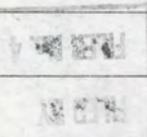
Mr. Saw.

Please write to Naglan Hr. Bd. & advise them that I could be there on the 10th October, the morning flight dec 1045 am.

Subject: Grant of Contract.

Alleging

x 771



File

54/14/28

19 July 1979

The Secretary
Raglan Harbour Board
P.O. Box 1
NGARUAWAHIA

Dear Sir

GRANT OF CONTROL OF FORESHORE

Thank you for your letter of 6 July 1979 (reference R2/20/2) in which you requested that an officer of this Ministry meet with board representatives at Raglan to discuss aspects of the control of the foreshore in the harbour.

I wish to advise that the matter of the foreshore control is being at present considered and I will write to you again concerning the details of any visit.as soon as possible.

Yours faithfully

T.E.

T.E. Law
for Secretary for Transport

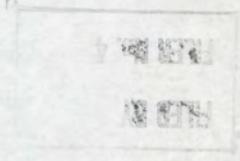
14.9.79

BRING-UP

15

9/ 8/ 79

Initials: EOH+V



file

MINUTE SHEET

Department:

Subject:

File No.

Date:

To—

CMA

EO/H.K)

I recommend that someone from here attends - your turn?

B.A. Ringer
13/7/79

Yes I'll go.

Please acknowledge but leave date for visit open.
Will try to get there before too long

[Signature]

[Signature]

RAGLAN HARBOUR BOARD



SECRETARY:
N. R. TYLER,
B.COM., A.R.A.N.Z., A.C.I.S.

P.O. BOX 1
NGARUAWAHIA

TELEPHONE 8633
NGARUAWAHIA
RAGLAN WHARF PHONE
121 RAGLAN

R 2/20/2

6 July 1979

The Secretary for Transport,
Private Bag, WELLINGTON 1.

Dear Sir,

Grant of Control of Foreshore - Your Ref.
54/14/28

In reply to your letter of 15 June 1979, I wish to advise that when the question of control of the foreshore was discussed with the late Mr. Conway, it was agreed that the Board should reconsider the matter and advise your office further. During the discussions the Board Chairman suggested that it would be an advantage to the Board if an officer of your Department could meet Board representatives at Raglan and inspect the Harbour foreshore before a final decision was made.

I am sorry that I have not written earlier but now enquire if it is possible for a representative of your Department to meet the Board as suggested.

Yours faithfully,

R.G. Brownlee,
Secretary.

RGB:MP

*acknowledgement in
type.
12/7/79.*

54/14/28

15 June 1979

The Secretary
Raglan Harbour Board
P.O. Box 1
NGARUAWAHIA

Dear Sir

GRANT OF CONTROL OF FORESHORE

I refer to discussions held in this office between the late Mr Conway and members of your staff concerning the control of the foreshore of Raglan Harbour.

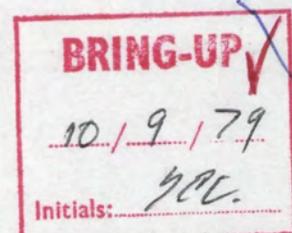
It is understood that subsequent to those discussions, the representatives of the Board were to reconsider the matter of the foreshore grant of control and the extent of the foreshore for which application should be made.

Unfortunately, due to the death of Mr Conway, this office does not hold any record of the content of the discussions which were held or decisions made however, we have an understanding that the area for which application was to be made was being reconsidered.

I look forward to receiving your comments at your earliest opportunity.

Yours faithfully

T.E.
T.E. Law
for Secretary for Transport



file

MINUTE SHEET

Department:

Subject:

File No.

Date:

To—

~~Sam~~

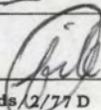
please sort out what has or
hasn't been done & come up with
a firm recommendation.

Ann

as far as I know the County was
to respond subsequent to meeting John
some weeks ago giving details of their
capabilities to control such a large area.

→ Recommend I write to County to
follow-up this point & also understand
County to reconsider area to be applied for

Sam.



54/14/28

28 February 1979

✓ The County Clerk
Raglan County Council
P.O. Box 1
NGARUAWAHIA

Dear Sir

GRANT OF CONTROL OF THE FORESHORE : PORT WAIKATO ORDER 1977

I refer to discussions held between yourself and Mr Conway on 20 February 1978 in respect of the above order.

I wish to apologise for any inconvenience which has been caused due to you not being notified about the above signing of the order.

I wish to advise that on 5 February 1977, the Port Waikato Order 1977 was signed and copies were originally forwarded to you under cover of my letter of 12 October. However, this was misdirected to the wrong address.

I now enclose for your information further copies of the extract from the New Zealand Gazette showing the Port Waikato Order 1977.

Once again, I would like to take this opportunity to apologise for any inconvenience caused.

Yours faithfully

T.E.
T.E. Law
for Secretary for Transport



54/14/28

15 February 1979

The Minister of Transport

FORESHORE GRANT OF CONTROL : RAGLAN HARBOUR AND ENVIRONS

1. On 30 October 1957, the Governor-General granted to the Raglan Harbour Board control of an area of foreshore near the town of Raglan. The term of the grant was set at 21 years from 1 November 1957.
2. Also, by order in council dated 30 October 1963, the harbour board was granted control of an area of foreshore south west of Raglan for a term of 21 years from 7 November 1963 subject to the provisions of the Harbours Act 1950.
3. The Raglan Harbour Board have approached this ministry to seek control of the foreshore of all of Raglan Harbour and northwards to a point north of Te Kaha Point in addition to the areas covered in the 30 October 1957 order in council.
4. To simplify administration procedures, the harbour board have agreed to a new order in council being produced which grants to the board control of all the foreshore for which control is sought. To facilitate this, the attached order in council includes a clause which revokes the 30 October 1963 grant.
5. The ministry supports the application by the Raglan Harbour Board seeking a grant of control of the foreshore as shown coloured green on the attached plan MD 15935, pursuant to the provisions of section 165 of the Harbours Act 1950.

...

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1979

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Recommendation

I recommend that pursuant to section 165 of the Harbours Act 1950, you sign the attached recommendation to His Excellency the Governor-General that he signs the accompanying order in council granting to the Raglan Harbour Board the control of the foreshore described in the First Schedule to the order and as shown on plan numbered MD 15935.

Deputy Secretary for Transport



XX

pursuant to section 165 of the Harbours Act 1950 to sign the attached order in council granting to the Raglan County Council the control of the foreshore as described in the First Schedule to the order and as shown on plan MD 15935.

Minister of Transport

RAGLAN HARBOUR BOARD FORESHORE CONTROL ORDER 1979

Governor-General

ORDER IN COUNCIL

Dated at Wellington this day of 1979.

PRESENT:

IN COUNCIL

PURSUANT to section 165 of the Harbours Act 1950, His Excellency the Governor-General acting by and with the advice and consent of the Executive Council, hereby makes the following order.

ORDER

1. (a) This order may be cited as the Raglan Harbour Board Foreshore Control Order 1979.

(b) 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 board" means the Raglan Harbour Board;

"Foreshore" means such part 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 tide;

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1979 MAR 4

File

"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 board for a period of 21 years from the commencement of this order, the control of foreshore described in the First Schedule to this order, subject to the provisions of section 165 of the Act, and to the conditions specified in the Second Schedule to this order.

4. The order in council of 30 October 1963* granting to the Raglan Harbour Board control of part of the foreshore situated in or adjacent to blocks I and IV, Kariori Survey District as shown on plan MD 11646 is hereby revoked.

FIRST SCHEDULE

ALL that area of foreshore in or adjacent to Blocks I, II, III and IV, Kariori Survey District and Blocks XII, XIII and XIV, Whangaroa Survey District commencing at a point on the high water mark at the eastern boundary of part IDIB Whanga Block thence following the high water mark generally north easterly, thence easterly, northerly and south westerly, to and around Raglan Harbour (Whangaroa) to Rangitoto Point thence northerly to a point on the high water mark being the extension of the common boundary west ward of Lot 1 and 2 Block XII, Whaingaroa Survey District. The said foreshore includes the foreshore of all rivers and creeks within the

File

area described and is more particularly shown on plan MD 15935 and deposited in the office of the Ministry of Transport at Wellington.

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, without payment.
2. Nothing herein contained shall authorise the board to do, or cause to be done, anything repugnant to, or inconsistent with any law relating to the customs, or with any regulation of the Minister of Customs, or with any provision of the Harbours Act, or its amendments, or any regulations made thereunder that are, or may hereafter be, in force.
3. The rights powers and privileges conferred by this order in council shall not apply to those portions of the foreshore required for securing the shore ends of any telegraph cables that are at present, or may be at any time laid down within the said area of foreshore.
4. The board may enclose any part or parts of the foreshore described in the First Schedule hereto for the purpose of holding athletic sports or games and may, by bylaw,

File

fix a charge for admission to such enclosed part or parts:

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

5. Nothing herein contained shall authorise the board to remove, or cause to be removed, any stone, sand, shingle or shell without the consent of the Minister first being obtained.
6. The board shall prevent any nuisance being caused and shall not permit fish or fish offal to remain on or about the foreshore.
7. The board 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 parks board or land designated a reserve except with the consent of the controlling authority of such land.
8. The board may, subject to provisions of section 176 to 182 of the Harbours Act 1950:
 - (a) Erect or licence or permit the erection or the continuance on the foreshore, described in the First Schedule hereto, or on the bed of the harbour or of the sea immediately contiguous

File

to that foreshore, of baths, bathhouses, boat sheds, boat building sheds, jetties, slipways, or with the approval of the Minister any structure relating to the convenience of shipping or of the public or to any local enterprise or object;

(b) Use or licence or permit the use of the foreshore described in the First Schedule hereto or the bed of the harbour of the sea immediately contiguous to that foreshore; for any purpose approved by the Minister relating to the convenience of shipping or of the public or any local enterprise or object;

(c) Make bylaws regulating the use of any things erected or continued pursuant to clause (a) of this condition and the use for any purpose pursuant clause (b) of this condition and fixing charges for those uses.

9. Bylaws made by the board 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 of any compensation whatever, on giving to the board six calendar months' notice in writing. Any such notice shall be sufficient if given by the Minister

File

and delivered at, or posted to, the last known address
of the council in New Zealand.

Clerk of the Executive Council

* N.Z. Gazette, 7 November 1963, p. 1803.

(M.O.T. H.O. 54/14/28, N.R. 54/20/68)

Feb

H x F

54 / 14 / 28

RAGLAN COUNTY COUNCIL

COUNTY CLERK
N. R. TYLER, B.COM., A.C.A., A.C.I.S.

COUNTY OFFICE - PHONE 8633
COUNTY CLERK (RES.) 8051
ENGINEER (RES.) 8716

COUNTY ENGINEER
R. B. MURRAY, B.E., M.I.C.E., M.N.Z.I.E.



R 2/20/2

P.O. BOX 1
NGARUAWAHIA

REF.

14 January 1979

FILE HELD BY
H.R. Jones 23/11

The Secretary for Transport
Ministry of Transport
Private Bag,
WELLINGTON.



Dear Sir,

Grant of Control of Foreshore

In reply to your 54/14/28 of 14 December 1978 addressed to the Secretary of the Raglan Harbour Board, I wish to advise that Council by resolution dated 22 January 1979 has consented to the Raglan Harbour Board assuming control of that portion of the foreshore shown on the attached map and which is outside harbour limits.

I return the map forwarded with your letter and trust that the action taken is sufficient for your purposes.

Yours faithfully,

R.G. Brownlee,
County Clerk.

RGB:MP

54/14/28

14 December 1978

✓ The Secretary
Raglan Harbour Board
P.O. Box 1
NGARUAWAHIA

Attention: Mr Dean

Dear Sir

GRANT OF CONTROL OF FORESHORE

I refer to your letter of 28 November 1978 in which your board indicated its willingness to assume control of the foreshore which has been marked on the attached plan.

The reason for referring this matter to you again is that due to an error on the reference maps held by this office, it has been found that a part of the foreshore for which control is sought is outside harbour limits. This ministry has no objection to the board controlling the foreshore as shown on the attached plan, however, it will be necessary for the board to obtain the consent of the Raglan County Council. Even though the council acts as the harbour board it will be necessary for council to pass a resolution to the effect of giving council consent to the board receiving such a control.

The seaward harbour limit is defined as being a line from the north corner of section 15, block I Karioi and to the southern extremity of Rangitoto Point.

I would be grateful if you would obtain the consent of the Raglan County to your board obtaining a grant of control pursuant to section 165 of the Harbours Act 1950 and forward a copy of the resolution to this office together with the attached plan.

Yours faithfully

gpc
T.E. Law
for Secretary for Transport

Encl

DISPATCHED	BRING-UP ✓
14 DEC 1978	
by <i>TWP</i>	26/1/79
Initials: <i>gpc</i>	

File

✓ The Regional Secretary
Ministry of Transport
Private Bag
AUCKLAND

Attention: D.J. Greig

Copy for your information. Your reference 54/20/68.

gll

T.E. Law
for Secretary for Transport

Law

DISPATCHED
14 DEC 1978
by *KNB*

File

RAGLAN HARBOUR BOARD

SECRETARY:
N. R. TYLER,
B.COM., A.R.A.N.Z., A.C.I.S.

P.O. BOX 1
NGARUAWAHIA

TELEPHONE 8633
NGARUAWAHIA
RAGLAN WHARF PHONE
121 RAGLAN

If calling please ask for
Mr. Dean

28 November 1978

The Secretary for Transport,
Ministry of Transport,
Private Bag,
WELLINGTON.

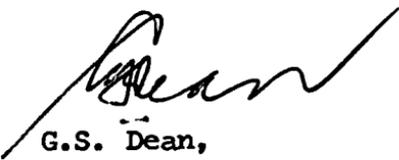


Dear Sir,

Grant of Control of Foreshore

In reply to your 54/14/28 of 9 November 1978
I advise that my Board is willing to assume control
of the areas of foreshore which you have marked
on the attached plan.

Yours faithfully,


G.S. Dean,
Acting Secretary

GSD/EW

✓ Enc;

Wide format was located here in this file

To view the wide format image(s) please go to the end of this document

The numbers listed below are also on the wide format image(s) that belong here

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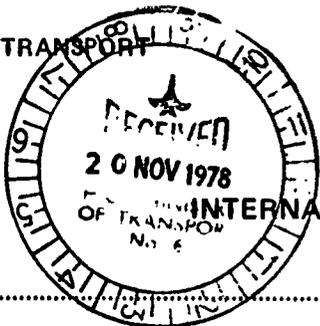
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54/14/28

MOT 5



MINISTRY OF TRANSPORT



Our Ref.: 54/20/68

Your Ref.: 54/14/28

INTERNAL MEMORANDUM

To: H.O. From: REGIONAL OFFICE AUCKLAND

Attn: SEO(HBRS) Date: 17 November 1978

Subject: RAGLAN HARBOUR BOARD: FORESHORE CONTROL PROPOSALS

Your minuted memorandum of 9 November 1978 to the Acting Secretary, Raglan Harbour Board refers.

The Raglan County Council who administer on behalf of the Board have in the past co-operated well with this office and no doubt would be efficient in the control of the foreshore. It is pointed out, however, that there are several jetties (whitebait) in this area subject to our licence and it was understood that administration of these structures was in future to devolve on the Ministry of Agriculture and Fisheries, Fisheries Management Division. However, if the Board accept foreshore control it would be of assistance if they maintained the present liaison with the Fisheries Officer Mr Don Main, to ensure new structures are sited to comply with their requirements.

... It is also noted that the Harbour Limits of the Board do not appear on the NZMS 177 plans held in this office. Your map is returned enclosed.

[Handwritten signature]

D.J. Greig
for Regional Secretary

✓ Encl

B/u below
[Handwritten initials]

file

Our: 54/14/28
Your: R2/20/2

9 November 1978

✓ The Acting Secretary
Raglan Harbour Board
P.O. Box 1
NGARUAWAHIA

Dear Sir

GRANT OF CONTROL OF FORESHORE

I refer to your letter of 20 October 1978 in which you advised this office that your board would be willing to assume control of the whole of the foreshore within the limits of Whaingaroa Harbour.

... As discussed with an officer of your board on 1 November 1978, I enclose a plan of the harbour upon which I have marked the areas of foreshore which we consider to be within the harbour limits and also that area of foreshore round to Whale Bay.

I would be grateful if you would confirm with this office that the areas of foreshore as shown on the plan are those which the board would wish to receive in their grant of control.

I look forward to receiving your reply at your earliest convenience. An early reply to this letter would be appreciated as the order in council which granted control of the foreshore of parts of Raglan Harbour to your board on 30 October 1957 is due to expire very shortly.

I would be grateful if you would return the copy of the plan to this office with your reply.

Yours faithfully

T.E. Law
T.E. Law
for Secretary for Transport

✓ Encl

DISPATCHED

10 NOV 1978

by *KNB*

BRING-UP ✓

91/12/78

Initials: *T.E.*

file

✓ The Regional Secretary
Ministry of Transport
Private Bag
AUCKLAND

Attention: D.J. Greig

Copy for your information. My minuted memorandum of 5 October 1978 refers.

The board replied stating that they would be in favour of combining the two orders in council as set out in my letter of 5 October and they also applied to have an area of foreshore on the northern side of Raglan Harbour included in the grant of control and suggested that they would be prepared to assume control of the whole of the foreshore within the limits of the Whaingaroa Harbour.

The map which has been forwarded to the board for their comments shows all the area of the foreshore within the harbour limits coloured.

I would be grateful to receive any comments which you may have or wish to make on the proposal.

T.E.
T.E. Law
for Secretary for Transport

✓ ENC 1



H x f

54/14/28

RAGLAN HARBOUR BOARD

SECRET
N. R. TYLER,
B.COM., A.C.A., A.C.I.S.

P.O. BOX 1
NGARUAWAHIA

TELEPHONE 8633
NGARUAWAHIA
RAGLAN WHARF PHONE
121 RAGLAN

R 2/20/2

20 October 1978

The Secretary for Transport,
Ministry of Transport,
Private Bag,
WELLINGTON 1.



Dear Sir,

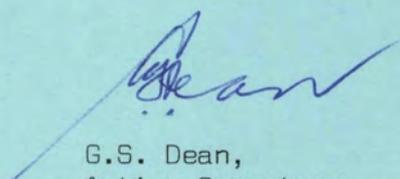
GRANT OF CONTROL OF FORESHORE

In reply to your 54/14/28 of 22 September and 5 October 1978 regarding the renewal of the grant of control, I advise that my Board agrees to the proposed revoking of the 1963 Order in Council and including it in the new Order in Council as suggested.

My Board agrees with your comment that this would be an ideal time to assume control of a greater area of control and to this end I enclose a map showing the area for which the Board makes application for a Grant of Control.

I have been instructed to advise you that my Board would in fact be willing to assume control of the whole of the foreshore within the limits of the Whaingaroa Harbour in addition to those areas shown on the enclosed plan. Would you please forward your comments on this proposal in due course.

Yours faithfully,


G.S. Dean,
Acting Secretary.

GSD:MP
Encl:

54/14/28
20 OCT 1978

File

TEL:IEW

54/14/28

5 October 1978

The Secretary
Raglan Harbour Board
P.O. Box 1
NGARUAWAHIA

Dear Sir

GRANT OF CONTROL OF FORESHORE

... I refer to your letter reference R2/20/2 of 28 September 1978. I enclose for your information a copy of the plan of the proposed areas of the grant of control. This plan shows the areas as described in the First Schedule to the draft Order in Council which I enclosed with my letter of 22 September.

This area of foreshore has previously been under control of the Raglan Harbour Board by 2 Orders in Council dated 30 October 1959 and 30 October 1963. The purpose of the new Order in Council is to combine both of these under the one document. This will ease the administration of the two areas and also avoid any confusion which may be caused.

I would be grateful to receive your comments on the proposed action of revoking the 1963 Order in Council and including it in the new Order in Council as suggested. We will then make the area subject to the grant of control for a term of 21 years from the date on which the document is signed. It will be necessary that sufficient time be given to this office to allow the the document to be signed prior to the expiry of the 30 October 1959 document as we see it is necessary to provide continuity in the control.

I look forward to receiving your comments at your earliest opportunity.

Yours faithfully

T.E. Law
T.E. Law
for Secretary for Transport

Encl



B/u below
see
file

✓ The Regional Secretary
Ministry of Transport
Private Bag
AUCKLAND

Attention: D.J. Greig

Copy for your information. My minuted memorandum of 22 September 1978 refers.

... The council have declined that they wish to have the grant of control renewed for a further period of 21 years but however they were having difficulty in following the description shown in the First Schedule on the maps which they held in their office. The attached map attempts to clarify the situation and shows the areas for which the grant of control is proposed.

T.E.L.

T.E. Law
for Secretary for Transport

✓ Encl



File



Woody Head

Paparua Pt

30

Raglan Harbour (Whangaroa)

Raglan

Whale Bay

Rangitoto Pt

Te Kaha Pt

Paparua Pt

Whangaroa Pt

Haunui Pt

Whangaroa Pt

310 H. & F. 54/14/28

RAGLAN HARBOUR BOARD

SECRETARY:
N. R. TYLER,
B.COM., A.R.A.N.Z., A.C.I.S.

P.O. BOX 1
NGARUAWAHIA

TELEPHONE 8633
NGARUAWAHIA
RAGLAN WHARF PHONE
121 RAGLAN

R 2/20/2

28 September 1978

The Secretary for Transport,
Ministry of Transport,
Private Bag, WELLINGTON.

Dear Sir,

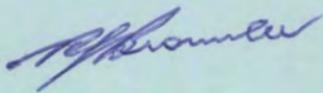
Grant of Control of Foreshore

In reply to your 54/14/28 of 22 September 1978 regarding the renewal of the grant of control, I wish to advise that my Board wishes the grant to be renewed for a further period of 21 years.

The question of the extension of the area is being investigated. However, we are having difficulty in following the description shown in the First Schedule on the maps we have in this office.

I would appreciate it if you could forward a copy of the map showing the area as described in the draft Order in Council.

Yours faithfully,



R.G. Brownlee,
Secretary.

RGB:MP



TEL:IEW

54/14/28

22 September 1978

The County Clerk
Raglan Harbour Board
✓ P.O. Box 1
NGARUAWAHIA

Dear Sir

GRANT OF CONTROL OF FORESHORE

On 30 October 1959, the Governor-General, pursuant to Section 165 of the Harbours Act 1950, granted to the Raglan Harbour Board control of the foreshore along the southern side of Whaingaroa Harbour, Pokohue River and part of the Oporu River. The term of the grant was set at 21 years from 1 November 1957. This means that this grant is due to expire on 31 October 1978.

On 30 October 1963, the Raglan Harbour Board was also granted, pursuant to Section 165 of the Harbours Act, the control of the foreshore westward of the area described above.

As the grant of control for the former area is to expire shortly, I would be grateful if you would advise this office whether your Board wishes to renew the grant for a further period of 21 years.

You will have recently received the booklet prepared by the Harbours and Foreshores Section of the Ministry entitled "Guide to Procedures - Grant of Control Authorities". It may be that your Board might wish to assume control of a greater area than that already granted and I see this as an ideal opportunity to consider such possibility. I draw your attention to the points raised in the above booklet, which should indicate to you the variety of control which can be managed. If the Board wishes to increase the area of its control, of the foreshore, would you please forward a description of the foreshore involved. I also see this as an ideal tie to amalgamate the two Orders in Council stated above and to this effect, I have included a draft Order in Council which has as its First Schedule a description of the foreshore covered by both Orders in Council. You will note that the draft includes

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a clause revoking the 30 October 1963 Order in Council.

I would be grateful to receive your comments on the proposed line of action as soon as possible so that continuity may be retained between the Order in Council which is above to expire and any new Order in Council.

Yours faithfully

T.E. Law
for Secretary for Transport

✓ The Regional Secretary
Private Bag
AUCKLAND

ATTENTION: D.J. Greig

Copy for your information.

T.E. Law
for Secretary for Transport



File

"Minister" means the Minister of Transport and includes any officer, person, or authority by or under the direction or authority of the Minister.

3. There is hereby granted to the board for a period of 21 years from the commencement of this order, the control of foreshore described in the First Schedule to this order, subject to the provisions of Section 165 of the Act, and to the conditions specified in the Second Schedule to this order.

4. The Order in Council of 30 October 1963* granting to the Raglan Harbour Board control of part of the foreshore situated in or adjacent to Blocks I and IV, Kariori survey district as shown on plan MD 11646 is hereby revoked.

FIRST SCHEDULE

All that area of the foreshore situated in or adjacent to Block I, II, and IV, Kariori survey district commencing at a point on the high water mark at the ^{Eastern} ~~western~~ boundary of part IDID^B Whaanga Block thence following the high water mark generally north easterly to Putoetoe Point thence following the north bank of the Pokohue River at mean high water mark to the north end of the inner road bridge thence across the river on the south east side of the said bridge to the south side of the river thence following the south bank of the Pokohue River generally easterly at high water mark to the southern end of the outer span bridge, thence following the high water mark generally southerly westerly and again southerly to the north east corner of Lot 4, Block II Kariori survey district.

Then all that area of foreshore commencing at a point at high water mark on the north west corner of Lot 1, Block I, Kariori survey district thence following the high water mark along the western side of Opotoru River to the eastern end of the Kopua footbridge thence following the high water mark generally

File

easterly to Raglan Wharf including Aro-Aro Creek thence generally following the high water mark along the southern shore of Whaingaroa Harbour to a position being the north east corner of lot 22, Block II Karioi survey district. The said areas are more particularly shown coloured red on plans MD 10272 and MD 11646 and deposited in the office of the Ministry of Transport at Wellington.

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, without payment.
2. Nothing herein contained shall authorise the board to do, or cause to be done, anything repugnant to, or inconsistent with any law relating to the Customs, or with any regulations of the Minister of Customs, or with any provision of the Harbours Act 1950, or its amendments, or any regulations made thereunder that are, or may hereafter be, in force.
3. The rights, powers, and privileges conferred by this order in council shall not apply to those portions of the foreshore required for securing the shore ends of any telegraph cables that are at present, or may be at any time laid down within the said area of foreshore.

File

4. The Board may enclose any part or parts of the foreshore described in the First Schedule hereto for the purpose of holding athletic sports or games and may, by 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 six in any one year.
5. Nothing herein contained shall authorise the Board to remove, or cause to be removed, any stone, sand, shingle or shells without the consent of the Minister being first obtained.
6. The Board shall prevent any nuisance being caused and shall not permit fish or fish offal to remain on or about the foreshore.
7. The Board 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 parks board or a scenic board or a reserve board except with the consent of such board.
8. The Board may, subject to the provisions of Sections 176 to 182 of the Harbours Act 1950:
- (a) Erect or licence or permit the erection or the continuance on the foreshore, described in the First Schedule hereto, or on the bed of the harbour or of the sea immediately contiguous to that foreshore, of baths, bathhouses, boatsheds, boat building sheds, jettys, slipways, or with the approval of the Minister any structures relating to the convenience of shipping or of the public or to any local enterprise or object;

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(b) Use or licence or permit the use of the foreshore described in the First Schedule hereto, or the bed of the harbour or the sea immediately contiguous to that foreshore, for any purpose approved by the Minister relating to the convenience of shipping or of the public or to any local enterprise or object;

(c) Make bylaws regulating the use of anythings erected or continued pursuant to Clause (a) of this condition and the use for any purpose approved pursuant to Clause (b) of this condition and fixing charges for those uses.

9. Bylaws made by the Board 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 of any compensation whatever, on giving to the Board six 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.

Clerk of the Executive Council

* N.Z. Gazette, 7 November 1963, p. 1803.

(M.O.T. H.O. 52/12/28

file

JB:WFR

Our Ref: 54/14/28

Your Ref: 2/5/7

12 October 1977

Raglan → County Clerk
Franklin County Council
Private Bag
PUKEKAHE
0

Dear Sir

RAGLAN COUNTY COUNCIL - PORT WAIKATO ORDER 1977

I am pleased to advise that on 5 September 1977 the Governor-General signed an Order in Council granting control of foreshore and waters for a period of 21 years to the Raglan County Council.

Enclosed find extracts from New Zealand Gazette.

Yours faithfully

J.B.
J Benjamin
for Secretary for Transport

Encl.

cc. Regional Secretary
Ministry of Transport
AUCKLAND

Attention: D Greig - 54/19/27

Copy for your information.

FILED BY S
FILE No. 18

FILE
12/10/77
initials: JB.

DISPATCHED
13 OCT 1977
BY RS

The Port Waikato Order 1977

DENIS BLUNDELL, Governor-General
ORDER IN COUNCIL

At the Government House at Wellington this fifth day of
September 1977

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL 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, hereby makes the following order.

ORDER

1. (a) This order may be cited as the Port Waikato Order 1977.

(b) 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 Raglan County Council:

“Foreshore” means such parts of the bed, shore, or banks of a tidal water as are covered and uncovered by the ebb and flow 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 of 21 years from the commencement of this order, the control of foreshore and waters described in the First Schedule to this order, subject to the provisions of sections 8A and 165 of the Act, and to the conditions specified in the Second Schedule to this Order.

4. The Port Waikato Order 1971* is hereby revoked.

FIRST SCHEDULE

DESCRIPTION OF FORESHORE AND WATERS

ALL the foreshore and waters of the Tasman Sea and the Waikato River, bounded by a line commencing at high-water mark at a point in line with the extension of the western boundary of Lot 2, D.P. S. 4761, thence due north into the Tasman Sea for a distance of 200 metres, thence generally northerly, at a distance of 200 metres from high-water mark to a point due north of the extremity of the southern spit at the mouth of the Waikato River, thence by a right line bearing 045° true to the opposite bank of the Waikato River, and then generally easterly by the line of low-water mark to a point bearing 315° from the most northerly point of section 5 40422L, and thence by a right line in a 135° direction to high water mark on the opposite bank of the Waikato River, and thence generally westerly along the line of high water mark to the point of commencement.

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 and waters described in the First Schedule to this Order.

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 provisions of the Harbours Act 1950 that is, or may hereafter be, in force.

3. The rights, powers, and privileges conferred by this Order in Council shall not apply to those portions of the foreshore required for securing the shore ends of any telegraph cables that are at present, or may be at any time, laid down within the area of foreshore described in the First Schedule to this Order.

4. The Council may enclose any part or parts of the foreshore, described in the First Schedule to this Order, 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 any particular part of that foreshore is so enclosed shall not exceed 6 in any one calendar year.

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

6. Subject to the provisions of section 8A of the Act, the Council for and within the area of waters described in the First Schedule 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.

7. 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*.

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

**New Zealand Gazette*, No. 82, 4 November 1971, p. 2285
2285

(M54/14/28)

THE PORT WAIKATO ORDER 1977

Denis Blundell

Governor-General

ORDER IN COUNCIL

At the Government *House*

at Wellington this

Fifth day of *September* 1977

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL 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, hereby makes the following Order.

ORDER

1. (a) This Order may be cited as the Port Waikato Order 1977.
(b) 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 Raglan County Council;
"Foreshore" means such parts of the bed, shore or banks of a tidal water as are covered and uncovered by the ebb and flow 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 of 21 years from

GAZETTE (2409) 13 SEP 1977

the commencement of this Order, the control of foreshore and waters described in the First Schedule to this Order subject to the provisions of sections 8A and 165 of the Act, and to the conditions specified in the Second Schedule to this Order.

4. The Port Waikato Order 1971* is hereby revoked.

FIRST SCHEDULE

Description of Foreshore and Waters

All the foreshore and waters of the Tasman Sea and the Waikato River bounded by a line commencing at high water mark at a point in line with the extension of the western boundary of Lot 2 D.P.S. 4761; thence due north into the Tasman Sea for a distance of 200 metres thence generally northerly, at a distance of 200 metres from high water mark to a point due north of the extremity of the southern spit at the mouth of the Waikato River, thence by a right line bearing 045° true to the opposite bank of the Waikato River, and then generally easterly by the line of low water mark to a point bearing 315° from the most northerly point of section 5 40422L and thence by a right line in a 135° direction to high water mark on the opposite bank of the Waikato River, and thence generally westerly along the line of high water mark to the point of commencement.

SECOND SCHEDULE

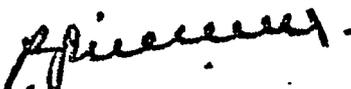
Conditions

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 and waters described in the First Schedule to this Order.
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 provisions of the Harbours Act 1950 that is or may hereafter be in force.

- The rights, powers and privileges conferred by this Order in Council shall not apply to those portions of the foreshore required for securing the shore ends of any telegraph cables that are at present or may be at any time laid down within the area of foreshore described in the First Schedule to this Order.
4. The Council may enclose any part or parts of the foreshore described in the First Schedule to this Order 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 any particular part of that foreshore is so enclosed shall not exceed six in any one calendar year.
5. Nothing in this Order shall authorise the Council to remove or cause to be removed from the foreshore described in the First Schedule to this Order any stone, sand, shingle, or shells without the consent in writing of the Minister being first obtained.
6. Subject to the provisions of section 8A of the Act the Council for and within the area of waters described in the First Schedule 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.

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.

8. 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.


Clerk of the Executive Council

* N.Z. Gazette, 4 November 1971 No. 82 P 2285

(M54/14/28)

RECEIVED (2406) 13 SEP 1977



In Executive Council

His Excellency the Governor-General is recommended to
pursuant to sections 8A and 165 of the Harbours Act 1950
to sign the attached Order in Council granting to Raglan
County Council the control of foreshore and waters described
in the First Schedule to the Order.

Calvin McLaughlin

Minister of Transport

Approved in Council,

[Signature]

5 September 1977

[Signature]

Chief of the Executive Council



MINISTRY of TRANSPORT

PRIVATE BAG, WELLINGTON 1
TELEPHONE: 721-253
TELEGRAMS: TRANSPORT

AURORA HOUSE,
THE TERRACE,
WELLINGTON 1

54/14/28

15 August 1977



The Minister of Transport

RAGLAN COUNTY COUNCIL - CONTROL OF FORESHORE AND WATERS - PORT WAIKATO

1. In order to control activities on the foreshore and waters at Port Waikato the Raglan County Council was granted control of foreshore and waters pursuant to sections 8A and 165 of the Harbours Act 1950, on 4 November 1971.
2. The area applied for extended right across the Waikato River, the centre line of which is the common boundary of the Raglan and Franklin Counties. However, to provide effective control, Franklin County has agreed to the waters within its boundaries being included in the grant of control.
3. When this Order was drafted, the necessary clause giving the specific power to control the waters involved pursuant to section 8A of the Act, was omitted.
4. In order to correct this omission a new Order has been drafted and the agreement of the Franklin County Council to it, has been obtained.

RECOMMENDATION

5. I recommend that pursuant to sections 8A and 165 of the Harbours Act 1950 you sign the attached recommendation to His Excellency the Governor General that he sign the accompanying Order in Council granting to Raglan County Council the control of foreshore and waters described in the First Schedule to the Order.

[Handwritten Signature]
for Secretary for Transport

Encl:

Attached for reference -
Plan M.D. 14348

Attached for signature -
Recommendation to His Excellency the Governor General

54/14/28

H&F

Franklin County Council

ADDRESS ALL CORRESPONDENCE:—
PRIVATE BAG, PUKEKOHE
OFFICE:— ROULSTON STREET

PHONES: 86-349 PUKEKOHE

87-541 PAPAURA

PLEASE QUOTE OUR REF. 2/5/17

ENQUIRIES TO:— Mr Peach

DATE: 2.8.77

FILE HELD BY
H&F
19.7.77



Your Ref 54/14/28

The Secretary for Transport,
Ministry of Transport,
Private Bag,
WELLINGTON 1.

Dear Sir,

Raglan County Council - Port Waikato Order 1971

Your letter of 19 July 1977 asking if Council is again prepared to allow the control of the foreshore of the Waikato River from above the wharf to the end of Sunset Beach to be under of the Raglan County Council was considered by my Council at its recent meeting.

I have been directed to advise that Council approved of the extension for the control of the foreshore by the Raglan County.

Yours faithfully
COUNTY CLERK

Per G. F. Peach
ADMINISTRATION OFFICER

Mr Leather
On the basis of assurance given that the previous order included water control consent I accept that the word "foreshore" includes water
Lawrence

FW:
PMG

54/14/28

23 April 1976

The County Clerk
Raglan County Council
P.O. Box 1
NGARUAWAHIA.

Dear Sir

RAGLAN COUNTY BYLAWS 1971

I have pleasure in enclosing a copy of the extract from the NZ Gazette showing the approval of the amendment to the Raglan County Bylaws 1971 passed at a meeting of the Raglan County Council held on 23 February 1976 and confirmed at a meeting of the Council on 22 March 1976.

Yours faithfully

FH

(F. Whyborn)
for Director

FILED BY

FILER No. 20

DISPATCHED

23 APR 1976

by *P.2*

FILE

23 / 4 / 76

FH

4

Extract from N.Z. Gazette, 8 April 1976, No. 36, page 764

Notice of Approval of Bylaws

PURSUANT to sections 8A and 165 of the Harbours Act 1950, I, Owen John Conway, of the Ministry of Transport, in exercise of powers delegated by the Minister of Transport hereby approve the amendment to the Raglan County Bylaws 1971, passed at a meeting of the Raglan County Council held on 23 February 1976, and confirmed at a meeting of the council held on 22 March 1976.

Dated at Wellington this 1st day of April 1976.

O. J. CONWAY, for Secretary for Transport.

(M.O.T. 54/14/28)

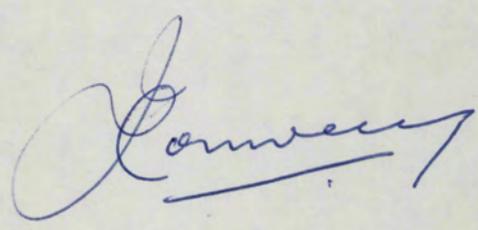
A. R. SEARER, Government Printer, Wellington, New Zealand.

54/14/28

NOTICE OF APPROVAL OF BYLAWS

PURSUANT to sections 8A and 165 of the Harbours Act 1950,
I, Owen John Conway of the Ministry of Transport in exercise
of powers delegated by the Minister of Transport hereby approve
the amendment to the Raglan County Bylaws 1971 passed at a
meeting of the Raglan County Council held on 23 February 1976
and confirmed at a meeting of the Council held on 22 March 1976.

Dated at Wellington this *1st* day of *April* 1976.



for Secretary for Transport

(M.O.T. 54/14/28)

GAZETTE

2171

FILED BY
FILER No. 20

FILED
23 / 4 / 76
JH

54/14/28

THE RAGLAN COUNTY BY-LAWS 1971

The Raglan County Council in pursuance and exercise of the powers conferred upon it by the Counties Act 1956, the Harbours Act 1950 and of every other power and authority enabling it so to do, doth hereby by Special Order make and ordain the by-laws hereinafter set out.

The Raglan County By-laws 1971 duly made on the 24th day of January 1972 shall be amended as follows:

No. 1 - Interpretation and General:

By revoking the words "Minister of Marine and Fisheries" in sub-clause 1 and substituting the words "Minister of Transport".

No. 5 - Use of Surf Boards:

By revoking the word "yards" in sub-clause (i) and substituting the word "metres"

No. 9 - Use of Motor Launches:

By revoking the words "10 miles an hour" in sub-clause (vi) and substituting the words "16 Km/h"

By revoking the words "5 miles an hour" in sub-clause (vii) and substituting the words "8 Km/h"

By revoking the words "5 miles an hour" in sub-clause (viii) and substituting the words "8 Km/h"

First Schedule

By amending the notes to the First Schedule to the By-laws at (d) (i) and (ii) by revoking the figures "12" x 8"" in each case and substituting the figures "304.8mm x 203.2mm" in each case.

The foregoing amendments to the Raglan County By-laws 1971 were made by the Raglan County Council by Special Order passed at a meeting of the said Council held on the 23rd day of February 1976 and confirmed at a subsequent meeting held on the 22nd day of March 1976 and shall come into force on the day after the Minister of Transport has approved same by notice in the New Zealand Gazette.

THE COMMON SEAL of the Chairman ...)
Councillors & Inhabitants of the ..)
County of Raglan was hereto affixed)
this 22nd day of March 1976 in the.)
presence of:)



R.P. KellansCHAIRMAN
G. H. ChittleyCOUNCILLOR
M. LyleCOUNTY CLERK

FILED BY
FILER No. 20

1785

54/14/28

RAGLAN COUNTY COUNCIL

COUNTY CLERK
N. R. TYLER, B.COM., A.C.A., A.C.I.S.

COUNTY OFFICE - PHONE 8633
COUNTY CLERK (RES.) 8051
ENGINEER (RES.) 8716

COUNTY ENGINEER
R. B. MURRAY, B.E., M.I.C.E., M.N.Z.I.E.

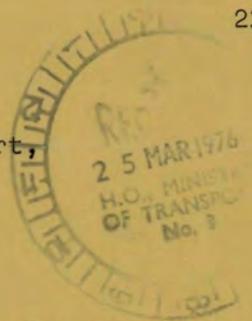


REF. B 2/5

P.O. BOX 1
NGARUAWAHIA

23 March 1976

The Director,
Marine Division,
Ministry of Transport,
Private Bag,
WELLINGTON.



Dear Sir,

Raglan County By-laws 1971

In reply to your 54/14/28 of 20 January 1976 regarding the above by-laws, I now enclose a sealed copy of the amendment to this by-law.

It is appreciated that the amendment will not come into force until the day after the Minister of Transport has approved same by notice in the N.Z. Gazette.

Yours faithfully,

N.R. Tyler,
County Clerk.

NRT:MP
✓ Encl:

FILED BY
FILER No. 20

FILE

DL:RTew

54/14/28
Your Ref : 2/5/17

19 July 1977

The County Clerk
Franklin County Council
Private Bag
PUKEKOHE

Dear Sir

RAGLAN COUNTY COUNCIL - THE PORT WAIKATO ORDER 1971

In 1971 the Raglan County Council were given a Grant of Control of waters and foreshore at Port Waikato by an Order in Council dated 18 October of that year. It was given the title of the Port Waikato Order 1971 and the area of control was extended beyond Raglan County Councils boundary, which is at mean high water level on their side of the river, and into your County.

At the time of the drawing up of this Order your Council agreed in a letter of 3 December 1970, that Raglan County Council be given control of the portion of the river from bank to bank including the foreshore areas. The Order became law not long after your Councils agreement was given.

Recently it has come to this Ministrys notice that this Order lacked the necessary provisions under section 8A of the Harbours Act 1950, to enable the Raglan County Council to make bylaws relating to waters in this area of control. In the 1971 Order, the power to make bylaws relating to the foreshore *only* was conferred pursuant to section 165 of the Act. However it did not specifically confer bylaw making power relating to controlled waters, pursuant to section 8A of the Act.

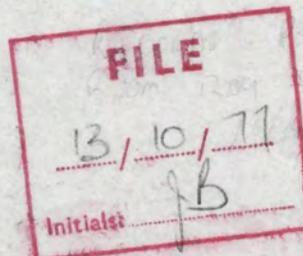
In order to correct this omission and allow the Raglan County Council to make bylaws for the water under its control in Port Waikato, it has been decided that a new Order in Council will be necessary. In effect it will mean inserting two extra clauses into the Order so the bylaw making power for controlled waters will be conferred specifically, in accordance with section 8A of the Act. Meanwhile the existing Port Waikato Order 1971 will be revoked. As your Council has an interest in this area I would ask for its agreement to these necessary additions in order to allow the Raglan County Council to administer its waters effectively.

I would welcome your comments on this matter as soon as possible in order to allow the processing of the new Order to occur.

Yours faithfully

DL

D.B. Leather
for Secretary for Transport



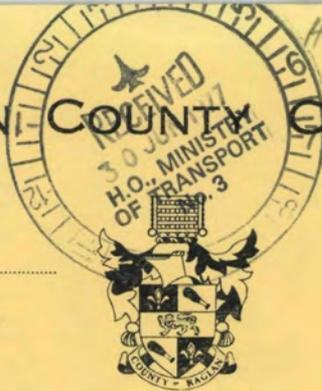
DISPATCHED

19 JUL 1977

by *R*

H+H 54/14/28

RAGLAN COUNTY COUNCIL



TELEPHONE 8 6 3 3

ADDRESS ALL
CORRESPONDENCE TO
THE COUNTY CLERK

P.O. BOX 1
NGARUAWAHIA

Our Reference M 1/2

If calling, please ask for

Mr Brownlee

28 June 1977

The Secretary for Transport,
Ministry of Transport,
Private Bag,
WELLINGTON.

Dear Sir,

Port Waikato Order 1971.

In reply to your 54/14/28 of 2 June 1977 I wish to advise that my Council requests the revocation of the existing order and its replacement with a new order conferring the necessary powers.

The Council will then re-make a fresh by-law.

Yours faithfully,

R.G. Brownlee,
County Clerk.

RGB:AB

FILE

...../...../.....

Initials:.....

Serek
~~*Brownlee*~~
please attend to
this bill
- give bill powers
HSD Cl 4/7

PM:LMcD

54/14/28

2 June 1977

BRING-UP
 14/7/77 ✓
 Initials: AEO (Hof)

The County Clerk
 Raglan County Council
 P. O. Box 1
 NGARUAWAHIA

DISPATCHED
 9 JUN 1977
 by P.M.C.

Attention: Mr Brownlee

Dear Sir

PORT WAIKATO ORDER 1971 -
 Your Reference M1/2

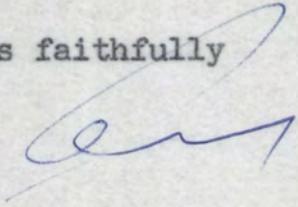
We thank you for your letter of 27 May 1977 and apologise for the lack of clarity in our earlier letter.

The position is that your By Laws as drafted cover not only matters dealing with the foreshore but also matters dealing with controlled waters. Foreshore By Laws are made under the authority of section 165 which is worded so that the grant of control is sufficient authority to make the by laws. By Laws in respect of controlled waters are made under section 8A of the Act. Subsection 3 of that section provides that "any Order in Council under this section may be made subject to such terms, conditions and limitations as the Governor General thinks fit, including provisions authorising the public body for and within the limits of the harbour or area of the sea or lake or river under its or their control or any part or parts thereof - (a) by by law to do anything which a harbour board may do by by law under section 232 of this Act". The way that provision is worded means that unless the Order in Council specifically confers by law making power on the control authority, it has not power to make by laws. It is this power which was not included in the 1971 Order. Thus, although the Order gave you power to make by laws under section 165, it gave you no power to make water control by laws under section 8A.

FILE
 13/10/77
 Initials: JB

Please advise whether you wish the action referred to in our letter of 28 April to be taken.

Yours faithfully



P. J. McKinlay
for Secretary for Transport

FILE
13/10/77
Initials JB

HTR
54/14/28

RAGLAN COUNTY COUNCIL

TELEPHONE 8 6 3 3

M 1/2

Our Reference

If calling, please ask for

Mr. Brownlee



ADDRESS ALL
CORRESPONDENCE TO
THE COUNTY CLERK

P.O. BOX 1
NGARUAWAHIA

27 May 1977

The Secretary for Transport,
Ministry of Transport,
Private Bag,
WELLINGTON.

Dear Sir,

Port Waikato Order 1971

In reply to your 54/14/28 of 28 April 1977, the extract from the N.Z. Gazette for November 1971 No. 82 page 2285 shows that the Port Waikato Order 1971 was made pursuant to Section 8A and 165 of the Harbours Act 1950.

A perusal of the file indicates that when the by-law was prepared it was assumed that the reference to Section 165 in the Port Waikato Order 1971 gave Council the necessary authority to make the by-law pursuant to Section 165 (2) of the Harbours Act 1950.

Will you please clarify the position and advise whether it is still necessary for the Council to take the action stated in your letter of 28 April 1977.

Yours faithfully,

R.G. Brownlee,
County Clerk.

RGB:MP



54/14/28

PJMCK
MT

28 April 1977

The County Clerk
Raglan County Council
P.O. Box 1
NGARUAWAHIA

BRING-UP
7, 6, 77 ✓
Initials: AEO C (Hoy)

Dear Sir

THE **PORT** WAIKATO ORDER 1971

The above order grants control of certain waters and foreshores to your County. The Raglan County By-laws 1971 make substantial provision for the control of those waters and foreshores.

A recent inspection of all grants of control has disclosed that the **Port** Waikato Order 1971 made no provision enabling your County to make waters control bylaws. Section 8A (3) provides that a body given waters control may also be given certain bylaw making powers (this is in contrast to Section 165 under which bylaw making power is automatic).

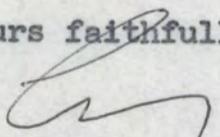
It follows from this that those parts of the Raglan County Bylaw 1971 which purport to apply to the controlled waters are ultra vires, a matter the Marine Department should have detected when asked to approve the bylaw.

If your County wishes to remedy the situation, the following steps will be necessary:

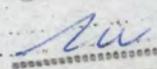
- (1) The revocation of the existing order and its replacement with a new order conferring the necessary powers.
- (2) The bylaw should then be remade.

We are sorry that this matter did not come to our attention earlier.

Yours faithfully


(P.J. McKinlay)
for Secretary for Transport

FILE
B, 10, 77
Initials: JB

DISPATCHED
3 - MAY 1977
by 

Subject:

File No.

Raglan

Date:

To—

H + F

all of these bylaws not
 authorized by S165 would
 be ultra vires - we can
 use S 8A (11) to give bylaw
 making power but the
 bylaws concerned would have
 to be remade - we could
 not validate them in the
 order

FILE
 13/10/77
 initials: JB

Subject:

Raglan

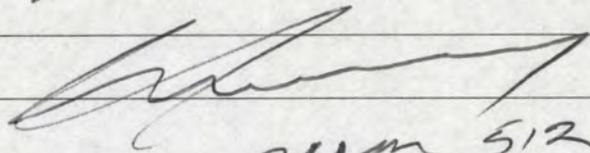
File No.

Date: 7/7/76

To—

H-7

There is supposed to be a serious problem with one of the Raglan grants - could you please let me know what it is so that my reading of it will be based on some sort of foreknowledge



room 512

Mr. McKinlay

No serious problem. Just that their grant of waters control under s. 84 doesn't give them any power to make bylaws. Therefore presumably ^{some of} their bylaws are ultra vires. H-7

Copy for 54/14/28

54/1/51

14 May 1976

The County Clerk,
Raglan County Council,
P.O. Box 1,
NGARUAWAHIA.

FILE
5 / 7 / 76
Initials: <i>AS</i>

Dear Sir,

RANGITAHU ACCESS GROUP:
BRIDGE AND CAUSEWAY - YOUR REF M1/2

Thank you for your letter dated 28 April 1976.

Section 176 of the Harbours Act 1950 specifies that no structure may be erected on, in, over, through or across tidal lands or tidal waters without first obtaining the sanction of the Minister of Transport.

The existing bridge and causeway (Yeoman's Access) has not been sanctioned and my Regional Marine Officer at Auckland, to whom a copy of your letter is being sent, has asked the Rangitahi Access Group to submit plans of these illegal structures for approval pursuant to section 178 (b) of the Harbours Act 1950. Provided the structures meet the requirements of my technical advisers and the plans are approved, the structures will have to be licensed and the Raglan County Council would seem to be the appropriate authority to exercise control of the bridge and causeway. The favourable comments of the Council would be sought before any licence was issued by this Ministry in respect of structures sited on tidal land within the Raglan County.

I am not sure of the exact location of these structures part of which may be sited within the area of the Council's grant of control, and subject to its Bylaw No. 3.

The provision of access roads for residents of the area does not concern the Marine Division of this Ministry. Should the existing access way not meet the requirements of my technical advisers it will have to be either up-graded and licensed, or removed from the foreshore and bed of the channel, and the site resorted to its natural state.

FILE
13 / 10 / 77
Initials: <i>JB</i>

DISPATCH
17 MAY 1976
<i>G.H.</i>

BRIDGE-CP
30 / 6 / 76
Initials: <i>SH</i>

6/11 15/8/76 ✓

Would you please address any future correspondence concerning this matter to the Regional Secretary, Ministry of Transport, Private Bag, Auckland to whom a copy of this letter is being forwarded.

Yours faithfully,



(F. Whyborn)
for Director

✓ The Regional Secretary,
Ministry of Transport,
Private Bag,
AUCKLAND.

ATTENTION: Regional Marine Officer,

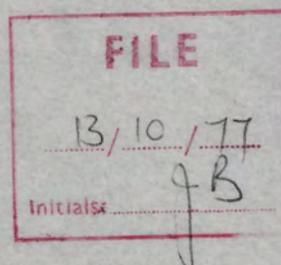
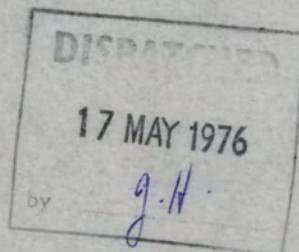
Your minuted memorandum 54/19/27 of 15 March 1976 refers.

Copy for your information together with a copy of the letter under reply.

Would you please advise whether the terminals of the structures abut reserves or private land.



(F. Whyborn)
for Director



FILE NUMBER 143 24/1/76
H-6

RAGLAN COUNTY COUNCIL

COUNTY CLERK
N. R. TYLER, B.COM., A.C.A., A.C.I.S.

COUNTY ENGINEER
R. B. MURRAY, B.E., M.I.C.E., M.N.Z.I.E.

COUNTY OFFICE - PHONE 8633
COUNTY CLERK (RES.) 8051
ENGINEER (RES.) 8716

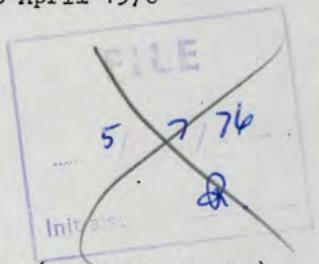


P.O. BOX 1
NGARUAWAHIA

REF. M 1/2

28 April 1976

The Director,
Marine Division,
Ministry of Transport,
Private Bag,
WELLINGTON.



Dear Sir,

RANGITAHU ACCESS GROUP (YEOMAN'S ACCESS)

A letter has been received from Mr. C.F. Baker, Secretary of the Rangitahi Access Group seeking my Council's comments on a proposal by your Ministry to give consideration to the issue of a licence for a bridge and causeway across the Oporuru Channel at Raglan.

I have been directed to advise that the Council cannot support and never has been able to support this proposal on account of the financial responsibility involved.

There is a small subdivision on the Karioi Riding side of the Oporuru channel and the original access to that area was by way of a legal but unformed road from the south. The owners of the land purchased their sections with the full knowledge that it had no access to Raglan town. This small group, however, have over the years, built a causeway and constructed a bridge which gives them access except at flood tide.

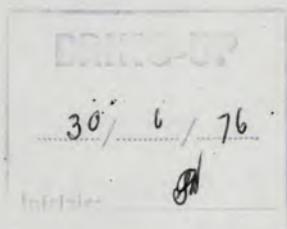
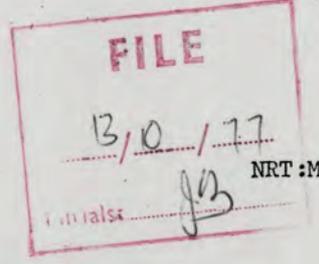
On several occasions an approach was made to the Council to provide a proper road and bridge which would give access to the area at all states of the tide but this was rejected by the Council as financially impractical. On one occasion, the Council did make a grant of \$250 to the group to assist them and it was made clear that this was to be a final contribution.

Some years ago the area adjacent to this subdivision was purchased by the Crown for the establishment of a youth training school and at that time plans were actually drawn by the Ministry of Works for an access bridge. The project, however, was abandoned and the farm land sold to adjoining owners. While the Crown was the owner of that land it closed all internal roads on the property which denies legal access to these section owners to the south. Apparently they did not object to the closing of the road but in any event as the road was never formed and was over difficult country, it could not have been classed as practical access.

In view of the above, Council cannot see its way clear to support the proposal nor is it prepared to assume liability for the causeway and bridge.

Yours faithfully,

N.R. Tyler
N.R. Tyler,
County Clerk.



15.8.76 ✓

NL
copy for files 37
4/4392.

Extract from *New Zealand Gazette*, 7 November 1957, No. 85, page 2114

Granting Control of Parts of the Foreshore to Raglan Harbour Board

COBHAM, Governor-General
ORDER IN COUNCIL

At the Government House at Wellington this 30th day of October 1957

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Harbours Act 1950, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby grants to the Raglan Harbour Board (hereinafter called the Board) control of parts of the foreshore as described in the First Schedule hereto, subject to the terms and conditions set forth in the Second Schedule hereto.

FIRST SCHEDULE

DESCRIPTION OF AREAS

ALL those parts of the foreshore situated in or adjacent to Blocks 1 and 2, Karioi Survey District, in the Raglan Riding of the Raglan County, as follows:

- (a) Commencing at a point on the mean high-water mark on the south side of Whaingaroa Harbour being the north corner of section 15 of the said Block 1, and running easterly along the mean high-water mark of the Harbour and southerly generally along the mean high-water mark of the Oporuru River; thence running generally westerly, southerly, northerly, and easterly along the mean high-water mark of the Pokohue River; thence again along the mean high-water mark of the Oporuru River and the Omahina Creek to the north-east corner of Lot 4, as shown on deposited plan 15904, being part of the Rakaunui Block No. 1, and as shown coloured red on plan marked M.D. 10272 and deposited in the office of the Marine Department at Wellington.
- (b) Commencing at a point on the mean high-water mark of the right bank of the Oporuru River being the north-west corner of Lot 1, as shown on deposited plan 28632, being part of Allotment 35, Whaingaroa Parish, and thence running generally westerly, northerly, easterly, and southerly along the mean high-water mark of the right bank of the Oporuru River, along the southern shores of the Whaingaroa Harbour and along the left bank of the Paraiti Creek to a point being the north-east corner of Lot 22, as shown on Deeds Plan C. 38, being part of Allotment 35, as shown coloured red on plan marked M.D. 10272 deposited in the office of the Marine Department at Wellington.

SECOND SCHEDULE

CONDITIONS

1. In these conditions the term—

“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 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.

2. The concessions and privileges conferred by this Order in Council shall extend and apply only to those parts of the foreshore as shown edged red on plan marked M.D. 10272 and deposited in the office of the Marine Department at Wellington.

3. 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 out and over the said foreshore without payment.

4. Nothing herein contained shall authorise the Board to do or cause to be done anything repugnant to or inconsistent with any law relating to the Customs, or with any regulation of the Minister of Customs, or with any provision of the Harbours Act 1950 or its amendments, or any regulations made thereunder, and that are or may hereafter be in force.

5. The rights, powers, and privileges conferred by this Order in Council shall not apply to those portions of the foreshore required for securing the shore ends of any telegraph cables that are at present or may be at any time laid down within the said areas of foreshore.

6. The Board may, subject to the provisions of section 178 of the Harbours Act 1950, erect or license or permit the erection of baths, bathhouses, boatsheds, boat-building sheds, jetties, and slipways on the foreshore described in the First Schedule hereto, and may make bylaws regulating the use thereof, and may fix charges for such use, provided that the funds so received shall be expended in improving the foreshore for the benefit of the inhabitants of the district.

7. The Board may enclose any part or parts of the shore described in the First Schedule hereto for the purpose of holding athletic sports or games, and may by bylaw fix a charge for admission to such enclosed part or parts, provided that the total number of days on which such enclosures are made shall not exceed six in any one year.

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

9. The Board shall prevent any nuisance being caused and shall not permit fish or fish-offal to remain on or about the foreshore.

10. Bylaws made by the Board under the Harbours Act 1950 in respect of the foreshore shall not have effect unless and until approved in writing by the Minister.

11. The rights, powers, and privileges conferred by or under this Order in Council shall continue to be in force for twenty-one years from the 1st day of November 1957 unless in the meantime such rights, powers, and privileges shall be altered, modified, or revoked by competent authority.

12. The said rights, powers and privileges may be at any time resumed by the Governor-General, without payment of any compensation whatever, on giving to the Board six calendar months' previous notice in writing. Any such notice shall be sufficient if given by the Minister, and delivered at or posted to the last known address of the Board in New Zealand.

T. J. SHERRARD, Clerk of the Executive Council.

(M. 4/4392)

R. E. OWEN, Government Printer, Wellington, New Zealand.

FILE
13/10/77
JB

BRING-UP
4/5/78
Initials: JB

X

The Port Waikato Order 1971

ARTHUR PORRITT, Governor-General
ORDER IN COUNCIL

At the Government House at Wellington this 18th day of
October 1971

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL 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, hereby makes the following Order.

ORDER

1. (a) This Order may be cited as the Port Waikato Order 1971.

(b) 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 Raglan County Council;

“Foreshore” means such parts of the bed, shore or banks of a tidal water as are covered and uncovered by the ebb and flow of the tide at ordinary spring tides;

“Minister” means the Minister of Marine and Fisheries; 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 of 21 years from the commencement of this Order, the control of foreshore and waters described in the First Schedule to this Order subject to the provisions of sections 8A and 165 of the Act, and to the conditions specified in the Second Schedule to this Order.

FIRST SCHEDULE

DESCRIPTION OF FORESHORE AND WATERS

ALL the foreshore and waters of the Tasman Sea and the Waikato River bounded by a line commencing at high-water mark at a point in line with the extension of the western boundary of Lot 2, D.P. S. 4761, thence due north into the Tasman Sea for a distance of 200 yards, thence generally northerly, at a distance of 200 yards from high-water mark to a point due north of the extremity of the southern spit at the mouth of the Waikato River, thence by a right line bearing 045° true to the opposite bank of the Waikato River, and then generally easterly by the line of low-water mark to a point bearing 315° from the most northerly point of Section 5 40422L and thence by a right line in a 135° direction to high-water mark on the opposite bank of the Waikato River, and thence generally westerly along the line of high-water mark to the point of commencement.

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 and waters described in the First Schedule to this Order.

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 provisions of the Harbours Act 1950, that is or may hereafter be in force.

3. The rights, powers, and privileges conferred by this Order in Council shall not apply to those portions of the foreshore required for securing the shore ends of any telegraph cables that are at present or may be at any time laid down within the area of foreshore described in the First Schedule to this Order.

4. The Council may enclose any part or parts of the foreshore described in the First Schedule to this Order 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 any particular part of that foreshore is so enclosed shall not exceed 6 in any 1 calendar year.

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

6. 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 54/14/28)

Handwritten notes:
Refer to...
Plan no...
should be...
included

FILE
13/10/77
JB

Our Ref: 54/14/28
Your Ref: B 2/5

FW
MT

XXXX

20 January 1976

The County Clerk,
Raglan County Council,
P.O. Box 1,
NGARUAWAHIA.

Dear Sir,

RAGLAN COUNTY BY-LAWS 1971

Thank you for your letter dated 13 January 1976 enclosing a draft copy of the amendment to the Raglan County Bylaw 1971.

The amendment is satisfactory and on receipt of a signed and sealed copy this will be submitted for approval.

Yours faithfully,

FW

(F. Whyborn)
for Director, Marine Division

FILED BY
FILE No. 29

DISPATCHED
21 JAN 1976
by *P.D.*

DISPATCHED
20/2/76
Initials: *FW*

FILE
23/4/76
FW

~~DISPATCHED~~
~~20/5/76~~
Initials: *FW*

DISPATCHED
20/3/76
Initials: *FW*

HOF

54/14/28

RAGLAN COUNTY COUNCIL

COUNTY CLERK
N. R. TYLER, B.COM., A.C.A., A.C.I.S.

COUNTY OFFICE - PHONE 8633
COUNTY CLERK (RES.) 8051
ENGINEER (RES.) 8716

COUNTY ENGINEER
R. B. MURRAY, B.E., M.I.C.E., M.N.Z.I.E.



B 2/5

REF.

P.O. BOX 1
NGARUAWAHIA

13 January 1976

The Director,
Marine Division,
Ministry of Transport
Private Bag,
WELLINGTON 1.



Dear Sir,

Raglan County By-laws 1971

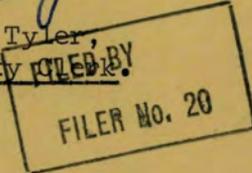
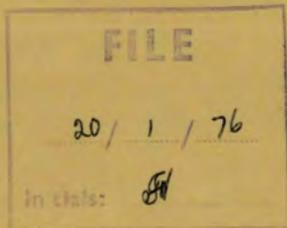
In reply to your 54/14/28 of 5 January 1976 regarding the above, I now enclose a draft only of the proposed amendments to the above by-laws which should satisfy the Hon. Minister of Transport.

Would you please approve or alter same to suit the Minister's needs and return to this office so that the by-law can be passed by Special Order and advertised and confirmed in the usual manner.

I look forward to an early reply.

Yours faithfully,

N.R. Tyler,
County Clerk



NRT:MP
Encl:

THE RAGLAN COUNTY BY-LAWS 1971

The Raglan County Council in pursuance and exercise of the powers conferred upon it by the Counties Act 1956, the Harbours Act 1950 and of every other power and authority enabling it so to do, doth hereby by Special Order make and ordain the by-laws hereinafter set out.

The Raglan County By-laws 1971 duly made on the 24th day of January 1972 shall be amended as follows:

No. 1 - Interpretation and General:

By revoking the words "Minister of Marine and Fisheries" in sub-clause 1 and substituting the words "Minister of Transport".

No. 5 - Use of Surf Boards:

By revoking the word "yards" in sub-clause (i) and substituting the word "metres"

No. 9 - Use of Motor Launches:

By revoking the words "10 miles an hour" in sub-clause (vi) and substituting the words "16 Km/h"

By revoking the words "5 miles an hour" in sub-clause (vii) and substituting the words "8 Km/h"

By revoking the words "5 miles an hour" in sub-clause (viii) and substituting the words "8 Km/h"

First Schedule

By amending the notes to the First Schedule to the By-laws at (d) (i) and (ii) by revoking the figures "12" x 8"" in each case and substituting the figures "304.8mm x 203.2mm" in each case.

The foregoing amendments to the Raglan County By-laws 1971 were made by the Raglan County Council by Special Order passed at a meeting of the said Council held on the 23rd day of February 1976 and confirmed at a subsequent meeting held on the 22nd day of March 1976 and shall come into force on the day after the Minister of Transport has approved same by notice in the New Zealand Gazette.

THE COMMON SEAL of the Chairman ...)
Councillors & Inhabitants of the ..)
County of Raglan was hereto affixed)
this 22nd day of March 1976 in the.)
presence of:)

FILED BY
FILER No. 20

FILE
20 / 1 76
JH

.....CHAIRMAN
.....COUNCILLOR
.....COUNTY CLERK

5 January 1976
23 December 1975

The County Clerk
Raglan County Council
P.O. Box 1
NGARUAWAHIA

Dear Sir,

RAGLAN COUNTY BYLAWS 1971

I wish to thank you for and to apologise for the delay in replying to your letter dated 14 November 1975.

The Ministry's legal officer has advised that there is no provision in sections 8A and 165 of the Harbours Act 1950 for the control of waters and foreshores to be exercised by Resolution of the controlling authority and that all reference to resolution by the Council should be deleted from the bylaw.

Would you please arrange to have the bylaw amended and forward a signed and sealed copy for approval.

Yours faithfully,

F.

(F. Whyborn)
for Director, Marine Division

FILE
20/1/76
In a/c: *FW*

BRING-UP
6/3/76
Initials: *FW*

FILED BY
FILER No. 20

DISPATCHED
5 JAN 1976
by *P.B.*

Please return to Rm 209
23/4/76
FW

FILE HELD BY

127 54/14/28

127

RAGLAN COUNTY COUNCIL

COUNTY CLERK

N. R. TYLER, B.COM., A.C.A., A.C.I.S.

COUNTY OFFICE - PHONE 8633

COUNTY CLERK (RES.) 8051

ENGINEER (RES.) 8716

COUNTY ENGINEER

R. B. MURRAY, B.E., M.I.C.E., M.N.Z.I.E.



REF. B 2/5

P.O. BOX 1
NGARUAWAHIA

4 November 1975

The Director,
Marine Division,
Ministry of Transport,
Private Bag, WELLINGTON.

RECEIVED
17 NOV 1975
H.O., MINISTRY
OF TRANSPORT
No. 3

Dear Sir,

Raglan County By-laws 1971

In reply to your 54/14/28 of 11 November 1975 regarding the above, it is noted that By-law No. 1 Interpretation in General requires a change from the "Minister of Marine and Fisheries" to "Minister of Transport". Furthermore, the concluding portion of the amendment should read "And shall come into force when approved by the Minister of Transport by notice in the N.Z. Gazette".

Would you please advise if it is necessary to pass another Special Order to effect these two amendments or will an amended copy of the change be sufficient. I do not think that the change from Minister of Marine & Fisheries to Minister of Transport is important at this particular time as doubtless this will not affect the legality of the by-law but the amendment of the date of coming into force could, in my opinion, be overcome by a simple resolution of the Council amending that portion. Your advice on the above matter would be appreciated.

Yours faithfully,

FILE BY
N.R. Tyler
No. 29

N.R. Tyler,
County Clerk.

NRT:MP

FILE
20 / 1 / 76
JTB

Our Ref: 54/14/28

FW/ms

~~XXXXX~~ 721-253

11 November 1975

The County Clerk,
Raglan County Council,
P.O. Box 1,
NGARUAWAHIA.

Dear Sir,

RAGLAN COUNTY BYLAWS 1971

Thank you for your letter dated 30 October 1975 enclosing the signed and sealed copies of the amendment metricating the Raglan County Bylaws 1971.

The amendment specifies "and ordered to come into force on the 1 day of October 1975". Bylaws made under the authority of sections 165 and 8A of the Harbours Act 1950 may not come into force until approved by the Minister of Transport by notice in the N.Z. Gazette. I regret that this information was omitted from my letter of 28 October 1975 and would refer you to "Interpretation And General 1" of the Raglan County Bylaws 1971 "Minister of Transport" should now be specified in place of "Minister of Marine & Fisheries".

The signed and sealed copies of the amendment are returned herewith.

Yours faithfully,

FH

(F. Whyborn)

for: Director, Marine Division

FILED BY

FILER No. 20

FILE
20 / 1 / 76
FH

DISPATCHED
12 NOV 1975
by *SS*

BRING-UP
2 / 12 / 75
Initials: *FH*

RAGLAN COUNTY COUNCIL

COUNTY CLERK
N. R. TYLER, B.COM., A.C.A., A.C.I.S.

COUNTY ENGINEER
R. B. MURRAY, B.E., M.I.C.E., M.N.Z.I.E.

COUNTY OFFICE - PHONE 8633
COUNTY CLERK (RES.) 8051
ENGINEER (RES.) 8716



B 2/5
REF.

P.O. BOX 1
NGARUAWAHIA

30 October 1975

The Director,
Marine Division,
Ministry of Transport
Private Bag,
WELLINGTON 1.



Dear Sir,

Raglan County By-laws 1971

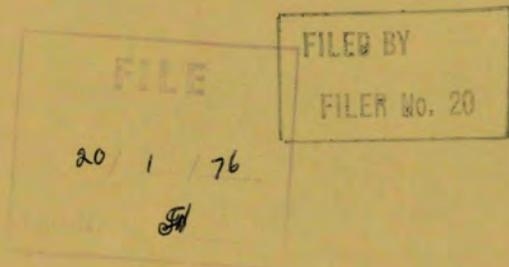
In reply to your 54/14/28 of 28 October 1975 regarding the above, I now return a copy of the by-laws which have been correctly typed. The error was merely a transposition of figures when being typed and this has been rectified.

Yours faithfully,

A handwritten signature in dark ink, appearing to read 'N.R. Tyler', written over a horizontal line.

N.R. Tyler,
County Clerk.

NRT:MP
✓ Encl:



Our Ref: 54/14/28

xxxx 721-253

28 October 1975

The County Clerk,
Raglan County Council,
P.O. Box 1,
NGARUAWAHIA.

Dear Sir,

REGLAN COUNTY BYLAWS 1971

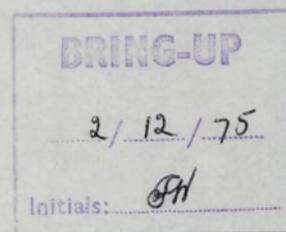
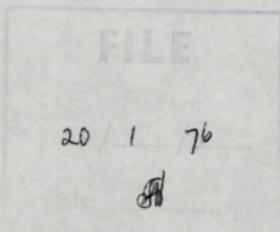
Thank you for your letter dated 23 September 1975 together with a signed and sealed copy of the amendment metricating the Raglan County Bylaws 1971.

As the figures shown in the First Schedule as "302.2 mm" should read "203.2 mm". I am returning the copy of the amendment for alteration.

Yours faithfully,

F.W.

(F. Whyborn)
for: DIRECTOR, MARINE DIVISION



FILE HELD BY

H/F

RAGLAN COUNTY COUNCIL

COUNTY CLERK
N. R. TYLER, B.COM., A.C.A., A.C.I.S.

COUNTY OFFICE - PHONE 8633
COUNTY CLERK (RES.) 8051
ENGINEER (RES.) 8716

COUNTY ENGINEER
R. B. MURRAY, B.E., M.I.C.E., M.N.Z.I.E.



B 2/5

REF.

P.O. BOX 1
NGARUAWAHIA

28 September 1975



The Director,
Marine Division,
Ministry of Transport,
Private Bag,
WELLINGTON 1.

Dear Sir,

Metrication of By-laws Made Under Grants of Control

In reply to your 54/14/28 of 24 June 1975 regarding the above, I now enclose a copy of the Raglan County By-laws 1971 duly updated to provide for metrication.

Yours faithfully,

N.R. Tyler,
County Clerk.

NRT:MP

Encl:

FILED BY
FILE No. 20

FILE
20 / 1 / 76
Initials: *JH*

AGF
54/14/28
~~40/60/3~~

RAGLAN HARBOUR BOARD

SECRETARY:
N. R. TYLER,
B.COM., A.C.A., A.C.I.S.

P.O. BOX 1
NGARUAWAHIA

TELEPHONE 8633
NGARUAWAHIA
RAGLAN WHARF PHONE
121 RAGLAN

R 2/20/4

29 August 1975

The Director,
Marine Division,
Ministry of Transport,
Private Bag,
WELLINGTON 1.



Dear Sir,

- 1) Metrication of By-laws made under Grants of Control given ex Section 8A and 165 of the Harbours Act 1950.
- 2) Metrication of Harbour Board By-laws.

In reply to your 54/14/28 and 43/60/3 of 16 July 1975 regarding the above I have to advise as follows:

- 1) The metrication of the County By-laws made under Grants of Control is still being processed as this requires a Special Order in terms of the Counties Act 1956. The procedure will be completed at the next meeting to be held on 22 September 1975, after which a copy of the said amendment will be forwarded to you.
- 2) Metrication of both Harbour Board By-laws i.e. 1906 and 1961 has been completed. The amendments were advertised more than seven clear days before adoption at a Special Meeting of the Board held on 25 August 1975 and the public has been notified of the adoption and the date that the amendment will come into force viz " on the day after the Minister of Transport has acknowledged their receipt". No objections were received. Copies of these amendments are attached.

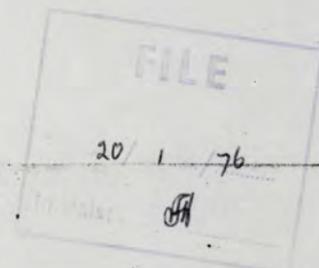
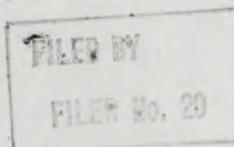
I shall look forward to receiving the Ministers acknowledgement in due course.

Yours faithfully,

N.R. Tyler,
Secretary.

NRT:AB

Enc. /



RAGLAN HARBOUR BOARD

The Raglan Harbour Board (hereinafter referred to as "The Board") under and in pursuance of the powers in that behalf vested in it by the Harbours Act 1950 and amendments thereto and of other laws and powers for the time being in force it enabling, doth hereby make and pass for and within the limits of the Raglan Harbour the following by-laws:

The by-laws in relation to the Raglan Harbour of the Raglan County Council (exercising the powers of a Harbour Board) duly made on the 22nd day of August 1906 and as from time to time amended, shall be further amended as follows:

No. 17 - Explosives:

By revoking the words "(viz. 50 lbs)"
By revoking the words "500 yards" and substituting the words "500 metres"

No. 18 - Master to Fix and Maintain Gangway, etc:

By revoking the words "three feet" and substituting the words ".914 of a metre"

No. 23 - Charges for Timber and Goods Left:

By revoking the words "two shillings and sixpence per one thousand superficial feet or portion thereof" and substituting the words "twenty five cents per 2.3597 cubic metres"

By revoking the words "1s per ton or portion of a ton" and substituting the words "9.8425 cents per tonne or portion of a tonne"

No. 56 - Harbour Masters Fees:

By revoking the words "under 10s" and substituting the words "one dollar"

By revoking the words "one penny per ton" and substituting the words ".8333 cents per ton"

No. 58 - Port Charges:

By revoking the words "a port charge of six pence per ton register half yearly in advance or one penny per ton register in advance for every single trip until the maximum of six pence per ton register" and substituting the words "a port charge of 5 cents per ton register half yearly in advance or .8333 cents per ton register in advance for every single trip until the maximum of 5 cents per ton register"

No. 59 - Shipping Wharf Dues:

By revoking the words "for every steamer alongside Raglan wharves for each day or part of a day

s. d.
10 0

For every sailing vessel so berthed for each day or part of a day

5 0"

and substituting the following:

"for every steamer alongside Raglan wharves for each day or part of a day	\$2.00
For every sailing vessel so berthed for each day or part of a day	50c"

No. 60 - Goods Wharfage:

By revoking the following:	Landed	Shipped
General cargo per ton	50	50
Cement per ton	42	42
Coal, molasses, potatoes, timber, fencing posts, strainers & fertilisers per ton	25	25
Cars - small and farm tractors each	1.00	1.00
Cars - large and trucks each	1.50	1.50
Wool per bale	25	25"

and substituting the following:

	Landed	Shipped
General cargo per tonne	49.213c	49.213c
Cement per tonne	41.3365c	41.3365c
Coal, molasses, potatoes, timber, fencing posts, strainers & fertilisers per tonne	24.606c	24.606c
Cars - small and farm tractors each	\$1.00	\$1.00
Cars - large and trucks each	\$1.50	\$1.50
Wool per bale	2.5c	2.5c"

No. 75 - Licence Fee Charges:

By revoking the following:	
"For every steam ferry boat	5. 0. 0
For every steam tug boat	5. 0. 0
For every coal hulk or store ship	10.10. 0
For every waterman's boat	0.10. 0
For every steam or other motor gas or oil launch plying or let for hire or used within the harbour	1. 5. 0
For every pleasure sailing boat for hire	0. 5. 0
For every other sailing vessel employed for hire	0.10. 0"

and substituting the following:

"For every steam ferry boat	\$10.00
For every steam tug boat	\$10.00
For every coal hulk or store ship	\$21.00
For every waterman's boat	\$1.00
For every steam or other motor gas or oil launch plying or let for hire or used within the harbour	\$2.50
For every pleasure sailing boat for hire	50c
For every other sailing vessel employed for hire	\$1.00"

Mooring Fees and Mooring Regulations:

75M

By revoking the words " of 2/-" and substituting the words "of 20 cents"

By revoking the words:

- "For launches measuring over forty feet £1.0.0
- For launches measuring under forty feet (to include speed boats and fishing boats) 10/- per annum each
- For rowing boats used for commercial purposes, moored in the harbour or using the harbour services 2/- per annum each"

and substituting the words:

- "For launches measuring over 12.1920 metres \$2.00 per annum each
- For launches measuring under 12.1920 metres (to include speed boats and fishing boats) \$1.00 per annum each
- For rowing boats used for commercial purposes, moored in the harbour or using the harbour services 20c per annum each"

Offences and Penalties:

No. 81:

By revoking the words "not exceeding £20" and substituting the words "not exceeding \$40"

These amendments to the by-laws shall come into force on the day after the Minister of Transport has acknowledged their receipt.

ADOPTED and passed by the Raglan Harbour Board at a Special Meeting of the said Board held on the 25th day of August, 1975.

THE COMMON SEAL of the Raglan }
Harbour Board was hereto affixed.. }
this 25th day of August 1975 by... }
order of the Board in the presence }
of: }



R. P. Kellow
.....CHAIRMAN

C. M. Chittie
.....MEMBER

ma Lyles
.....SECRETARY

20/1/76
JF

RAGLAN HARBOUR BOARD

The Raglan Harbour Board (hereinafter referred to as "the Board") under and in pursuance of the powers in that behalf vested in it by the Harbour's Act 1950 and amendments thereto and all other laws and powers for the time being in force it enabling, doth hereby make and pass for and within the limits of the Raglan Harbour the following by-laws:

The by-laws made for and within the limits of the Raglan Harbour in respect of Navigating Motor Launches made on the 27th day of March 1961 shall be amended as follows:

No. 7:

Sub-clause (b) and Sub-clause (c) shall be amended respectively by revoking the word "yards" in each case and substituting the word "metres" in each case.

No. 8:

Sub-clause (b) and Sub-clause (c) shall be amended respectively by revoking the word "yards" in each case and substituting the word "metres" in each case.

No. 13:

By revoking the words "exceeding £20" and substituting the words "\$40"

These amendments to the By-laws shall come into force on the day after the Minister of Transport has acknowledged their receipt.

ADOPTED and passed by the Raglan Harbour Board at a Special Meeting of the said Board held on the 25th day of August, 1975.

THE COMMON SEAL of the Raglan
Harbour Board was hereto affixed ...
this 25th day of August 1975 by order }
of the Board in the presence of: }



R. P. FellowsCHAIRMAN
C. M. ChittyMEMBER
M. J. LysterSECRETARY

20. 1. 76

9

54/14/28

RAGLAN COUNTY COUNCIL

COUNTY CLERK

N. R. TYLER, B.COM., A.C.A., A.C.I.S.

COUNTY ENGINEER

R. B. MURRAY, B.E., M.I.C.E., M.N.Z.I.E.

R 2/20/4

B 2/5

REF.....



COUNTY OFFICE - PHONE 8633

COUNTY CLERK (RES.) 8051

ENGINEER (RES.) 8716

P.O. BOX 1
NGARUAWAHIA

30 July 1975

The Director,
Marine Division,
Ministry of Transport,
Private Bag,
WELLINGTON.



Dear Sir,

- 1) Metrication of By-laws Made under Grants of Control Given ex Sections 8A and 165 of the Harbours Act 1950
 - 2) Metrication of Harbour Board By-laws
-

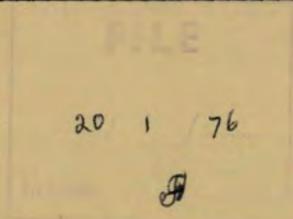
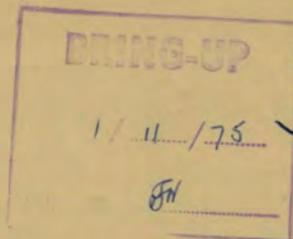
In reply to your 54/14/28 and 43/60/3 of 8 July 1975 regarding the above, I have to advise that my Council, as the Raglan County Council and the Raglan Harbour Board, has agreed to proceed with the amendments to the by-laws and copies of same will be forwarded to you when the procedure has been completed.

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'N.R. Tyler', written over a rectangular stamp.

N.R. Tyler,
County Clerk & Secretary.

NRT:MP



43/60/3

43/60/3

→ 54/14/28

16 July 1975

County Clerk & Secretary,
Raglan County Council,
P.O. Box 1,
NGARUANAHIA.

Dear Sir,

- (1) METRICATION OF BYLAWS MADE UNDER GRANTS OF CONTROL GIVEN EX SECTIONS 8A AND 165 OF THE HARBOURS ACT 1950
- (2) METRICATION OF HARBOUR BOARD BYLAWS

Thank you for your letter of 8 July 1975.

Concerning your proposed amendments pursuant to (1) above, these are in order provided a typographical error in the First Schedule is corrected. I refer to "302.2 mm" which should read 203.2 mm.

Regarding (2) above this was to be the subject of a separate letter from us. Now that you have anticipated our intentions that Harbour Board bylaws should be metricated this year, we will be happy if Council adopts your draft amendments although you may well give further consideration to the following points:

Bylaw 18: Substituting "one metre" for "three feet" could inconvenience some port users by making illegal, gangways with top rails ^{ON OR} over 3 feet and less than 3 feet 3 inch high. The exact conversion of .914 metres would remove this possibility.

*Bylaw 56: "one penny per ton" converts to ".82 cents per tonne"

Although I stated in my letter of 14 June 1975 that the Minister had requested that amendments to dues and charges be restricted to straight conversions, he has on past occasions acknowledged that the "rounding off" of rates to the nearest cent was in order. Council may prefer to take advantage of this.

Would you please then forward signed and sealed copies of Council's bylaw amendments. With regard to (2) above you may well consider incorporating the "motor launch bylaw" in the main "1906 Bylaws". Rather than incorporating a specific date of effect in the "Harbour" i.e. (2) amendments would you please insert a statement to the effect "that these amendments to bylaws will come into force on the day after the Minister of Transport has acknowledged their receipt."

DISPATCHED
16 JUL 1975
by P.J.

Yours faithfully,

(A.F. Hamilton)

for Director, Marine Division

30 1 / 76

* On re-examination the amendment should read ".8333 cents per ton".

B/V 14/8/75

THE RAGLAN COUNTY BY-LAWS 1971

The Raglan County Council in pursuance and exercise of the powers conferred upon it by the Counties Act 1956, the Harbours Act 1950 and of every other power and authority enabling it so to do, doth hereby by Special Order make and ordain the by-laws hereinafter set out.

The Raglan County By-laws 1971 duly made on the 24th day of January 1972 shall be amended as follows:

No. 5 - Use of Surf Boards:

By revoking the word "yards" in sub-clause (i) and substituting the word "metres"

No. 9 - Use of Motor Launches:

By revoking the words "10 miles an hour" in sub-clause (vi) and substituting the words "16 Km/h"

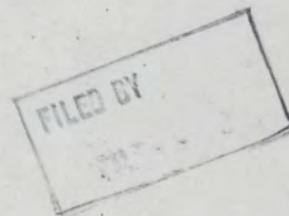
By revoking the words "5 miles an hour" in sub-clause (vii) and substituting the words "16 Km/h"

By revoking the words "5 miles an hour" in sub-clause (viii) and substituting the words "8 Km/h"

First Schedule

By amending the notes to the First Schedule to the By-laws at (d) (i) and (ii) by revoking the figures "12" x 8"" in each case and substituting the figures "304.8mm x 302.2mm" in each case.

203.2 mm.



(F)

THE RAGLAN COUNTY BY-LAWS 1971

In pursuance and exercise of the powers conferred upon it by the Counties Act 1956, the Harbours Act 1950, and of every other power and authority enabling it so to do, the Council of the County of Raglan doth hereby by Special Order make and ordain the By-laws hereinafter set out.

BY-LAW NO. 1

INTERPRETATION AND GENERAL

1. These By-laws shall be known as the Raglan County By-laws 1971 and shall come into force on the day following publication in the New Zealand Gazette of the notice of approval of the Minister of Marine and Fisheries.
2. The headings and sub-headings of these by-laws shall not affect the construction thereof.
3. In these by-laws, if not inconsistent with or repugnant to the context:

"Beach" means any land for the time being vested in or under the control of the Council which is contiguous to the foreshore and which is for the time being used in connection therewith and, where the foreshore is vested in the Council, or where the control of the foreshore has been granted to the Council, includes the foreshore.

"Council" means the Council of the County of Raglan.

"Clerk" means the County Clerk for the time being, his deputy or assistant, or any person appointed specially or generally by the Council to perform the duties of such Clerk for the time being.

"Surfboard" means any object of wood, metal, fibreglass, plastic or any other material of any kind whatsoever used for the purpose of surfing or surfriding.

"Warden" means any person for the time being appointed by the Council for the purposes of this by-law, and includes any Inspector appointed by the Council for such purpose.

"Waters" means all the waters of the sea fronting the County of Raglan and of the navigable waters within or fronting the County of Raglan the control of which has been granted to the Council.

BY-LAW NO. 2

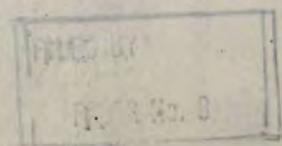
CONTROL OF BEACHES AND WATERS

1. No person shall, on a beach, or any part thereof:
 - (i) Light a fire or clean any fish, break any bottle or deposit or cast any foul or offensive matter, refuse, glass, tins, bottles, or any other article or thing likely to cause any nuisance or danger to the health or safety of the public generally, or persons resorting thereto, nor shall any person leave offensive matter in any boat on the beach.
 - (ii) Carry any loaded firearm or use or discharge any such firearm.

- (iii) Use any indecent or offensive language within the hearing of any person or behave in an indecent, offensive, improper, disorderly, or noisy manner.
- (iv) Being in a state of intoxication be or remain thereon, in view of the public.
- (v) Be or remain thereon in view of other persons unless properly and sufficiently clad.
- (vi) Play games in or loiter in any dressing-shed.
- (vii) Use any dressing-shed except for dressing or undressing.
- (viii) Bring or deposit any filth or rubbish in any dressing-shed.
- (ix) Damage, disfigure, or write in or upon any dressing-shed or other property.
- (x) Bathe from any wharf or pier other than a wharf or pier that is provided for that purpose.
- (xi) Interfere with or remove any portion of a fascine or groyne erected for the control of sand.
- (xii) Injure, destroy, or otherwise interfere with any appliance or signal bell provided by the Council or by any lifesaving club unless such use or displacement is necessary for the purpose of saving life or such injury or destruction is caused while such appliance is or signal bells are being used for such purpose.
- (iii) Obstruct or hinder or interfere with the carrying out of any lifesaving operations or with any person engaged therein.
- (xiv) Ride, or drive or lead or swim a horse or other animal on or from any part of any beach which is ordinarily used or is being used for the purpose of bathing or other recreation, save where the written permission of the Clerk so to do has been obtained.
- (xv) Land or attempt to land an aircraft except in case of emergency or except in pursuance of a licence issued under the provisions of Clause 8 of this By-law.
- (xvi) Remove any stone, shingle, sand, boulders, silt, mud, or other material, without the consent of the Council being first obtained such consent to be in writing under the hand of the County Clerk.
- (xvii) Place any placard, or hoarding, or advertising sign, save where the written permission of the Clerk so to do has been obtained.
- (xviii) Ride or use any sand-yacht or other vehicular appliance, save where the written permission of the Clerk so to do has been obtained.
- (xix) No person shall park or leave any boat or trailer on any part of a beach except in those places which are from time to time provided for such purpose by resolution of the Council.

2. Segregation of Sexes:

- (i) No male over or apparently over the age of eight years shall go upon any part of any beach or any dressing-shed or any enclosure from time to time set apart by the Council for the exclusive use of females, and so indicated by public notice exhibited thereon, except for the purpose of rendering assistance in case of accident.



- (ii) No female over or apparently over the age of eight years shall go upon any part of any beach or any dressing-shed or any enclosure from time to time set apart by the Council for the exclusive use of males, and so indicated by public notice exhibited thereon, except for the purpose of rendering assistance in case of accident.

3. No person shall in any waters:

- (i) Break any bottle or deposit or cast any foul or offensive matter, refuse, glass, tins, bottles, or any other article or thing likely to cause any nuisance or danger to the health or safety of the public generally, or persons resorting thereto.
- (ii) Carry any loaded firearm or use or discharge any such firearm.
- (iii) Use any indecent or offensive language within the hearing of any person or behave in an indecent, offensive, improper, disorderly, or noisy manner.
- (iv) Being in a state of intoxication be or remain therein in view of the public.
- (v) Be or remain therein in view of other persons unless properly and sufficiently clad.
- (vi) Obstruct or hinder or interfere with the carrying out of any lifesaving operations or with any person engaged therein.
- (vii) Ride, or drive or lead or swim a horse or other animal where the waters are likely to be used or are ordinarily used or are being used for the purpose of bathing or other recreation, save where the written permission of the Clerk so to do has been obtained.
- (viii) Land or attempt to land an aircraft except in case of emergency or except in pursuance of a licence issued under the provisions of Clause 8 of this By-law.

4. Prohibition of Bathing:

Where the Council is of the opinion that because of any hazard bathing could be unsafe or dangerous in any waters at any beach, it may by resolution prohibit bathing in such place as shall be specified in the resolution, and shall for this purpose cause to be erected in prominent positions notice boards defining the limits within which bathing shall be confined and no person shall bathe anywhere other than within such limits.

✓ 5. Use of Surfboards:

For the purpose of this clause of this by-law the words "surf lane" shall mean 'that area of the waters set apart for the use of surfboards'.

- (i) No person shall propel or use or ride on any surfboard in any part of the sea within 200 yards from the edge of the waters except within a surf lane laid out and marked by the Council in terms of this by-law provided however that none of the restrictions imposed by this by-law shall apply to a person using a surfboard for purposes of saving life or in any other emergency.
- (ii) The Council may from time to time by resolution and upon such terms and conditions and for such period or periods as it shall think fit set apart as a surf lane or surf lanes a certain area or certain areas of the foreshore and of the waters of the sea in the vicinity thereof. The landward limit of each surf lane shall be clearly marked by a notice referring to its existence which shall be prominently displayed upon the beach above it.

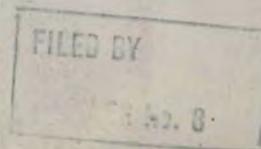
- (iii) Whilst it is in use no person shall enter a surf lane by any means whatever or remain therein unless he is actually engaged in the sport of surfing or surf riding and is using a surfboard for that purpose.
- (iv) Without in any way limiting the general authority of a Warden he is hereby empowered at any time:
 - (a) To suspend or to prohibit the use of surfboards in a surf lane if in his opinion it is necessary to do so in the interests of public safety, having regard to the number of persons using the area of sea in and adjacent to the surf lane and to the risk of injury being caused by surfboards.
 - (b) To make adjustments in the limits of a surf lane having regard to tide and other natural conditions for the use of the beach and of the sea by surf riders and members of the public generally and to move the marker notices of the lane accordingly, and the lane so adjusted and marked shall be a surf lane for the purpose of this by-law.
 - (c) To require any person found committing an offence against this by-law to give his name and address.
- (v) (a) On the occasion of any yacht, launch or boat race, or speed trial, or water carnival or water ski carnival, or surfing or surf riding carnival or competition, the Council may declare Clause 5 of this by-law, or any part thereof to be suspended for such period and in respect of such defined portion of the area of operation of this by-law as it thinks fit.
- (b) A notice of any such suspension and of the portion of area of operation affected shall be advertised by the Council in a newspaper circulating in the District not less than four nor more than ten clear days before the commencement of the period of suspension, and the cost of such advertisement shall be chargeable to, and a debt by, the person or persons applying for such suspension.

6. Motor Vehicles on Beaches:

The Council may by resolution prohibit the taking or driving or parking, or use of any motor vehicle on such beach or beaches or portion thereof as may be specified in the resolution PROVIDED that in lieu of an absolute prohibition the Council may resolve to permit the use of motor vehicles on any beach for such purposes and subject to such conditions as may be specified in the resolution and for the purposes of any resolution hereunder the Council shall cause to be erected in a prominent position a notice board advising of the prohibition whether absolute or conditional affecting the beach or portion thereof.

7. Dogs on Beaches or in Waters:

- (i) The Council may by resolution restrict the taking of dogs on beaches to those dogs which are held on a leash, and the Council shall cause a noticeboard advising of the restriction to be placed in a prominent position.



- (ii) No person shall allow any dog under his control to cause any nuisance, inconvenience or danger to the health or safety of the public generally or persons resorting to the beach or waters and if in the opinion of any Inspector or Warden the presence of such dog or of any dog on the beach or waters is likely to cause such nuisance, inconvenience or danger such Inspector or Warden may order the person in charge of the dog to remove such animal from the particular area or the beach.
- (iii) Any dog found at large on any beach or in any waters in contravention of this by-law, may be seized by any Warden and impounded.

8. Trading on Beaches:

- A. No person, on any beach, or any portion thereof, without first having obtained from the Council a licence so to do, shall :
 - (i) Sell or offer to sell, or distribute any food, fish, refreshments, newspaper, lottery tickets, textiles, hardware, or any goods, or pamphlets or circulars, or any merchandise whatsoever.
 - (ii) Stand in or occupy any portion or place or maintain any stall, vehicle, mobile or travelling shop, structure or other contrivance for the purposes specified in sub-clause (i) hereof.
 - (iii) Offer for hire any boat or apparatus, or operate any aircraft service.
 - (iv) Place any merry-go-round, stall, fence, barrier, or other temporary or permanent structure.
 - (v) Use any portion as a hauling-out site for the wintering of boats.
 - (vi) Carry on or engage in the business of taking photographs of persons on the beach.
 - (vii) Conduct any meeting, or service, or film show, or any public entertainment.
- B. The Council, at its discretion, may issue a licence to do any of the things referred to in this by-law, upon such terms and subject to such conditions or restrictions as it may by resolution prescribe.
- C. There shall be payable for such licence such fee or fees as the Council from time to time by resolution determines.

9. Use of Motor Launches:

For the purpose of this clause of this by-law, unless inconsistent with the context -

"Access lane" means an area set apart as such under sub-clause B(i) of this clause.

"Advertised" means advertised once weekly for two consecutive weeks in a newspaper circulating in the County.

"Motor launch" includes an outboard-motor boat and a speed boat; and for the purposes of this clause 9, also includes any other vessel while towing water skis or an aquaplane or other similar object or any person.

"Proper speed" means speed over the ground as distinct from speed through the water.

A. No person shall in the Waters:

- (i) Propel or navigate a motor launch not having a silencing device that is efficient and is affixed to the engine in such a manner that the exhaust is discharged through the silencing device.
- (ii) Propel or navigate a motor launch having any mechanism or device attached thereto that enables the exhaust to be discharged otherwise than through a silencing device.
- (iii) Propel or navigate a motor launch the silencing device of which is by reason of disrepair or otherwise ineffective to prevent undue noise from the working of the engine.
- (iv) Propel or navigate a motor launch the engine of which causes undue noise by reason of:-
 - (a) The disrepair of the engine or any other part of the motor launch; or
 - (b) The manner in which the motor launch is loaded; or
 - (c) The construction or condition of any part of the motor launch or its machinery.
- (v) Being the person in charge of a motor launch permit the engine thereof to cause undue noise by reason of the acceleration or racing of the engine while the motor launch is stationary.
- (vi) Being a person under the age of 15 years propel or navigate a motor launch that is capable of a proper speed greater than 10 miles an hour. 16 Km/h X
- (vii) Propel or navigate a motor launch at a proper speed greater than 5 miles an hour. X
- (viii) Cause any water ski, aquaplane, or other similar object, or person towed by any motor launch to be pulled, propelled, navigated, or manoeuvred at a proper speed greater than 5 miles an hour, or ride upon such water ski, aquaplane, or other object so towed. 8 Km/h X
- (ix) Without the written consent of the Clerk use any portion of the area over which this by-law operates as a hauling out site for the wintering of any marine craft, or the laying-up thereof.

B. Access Lanes:

- (i) The Council may from time to time by resolution and upon such terms and conditions and for such period or periods as it shall think fit set apart a certain area or areas of the foreshore affected by this by-law as an access lane or access lanes within which the provisions of sub-clauses A. (vii) and A. (viii) of this clause 9 shall not apply. Such setting apart shall be advertised. The outer limits of every access lane shall be clearly defined by marker buoys or other suitable devices and a notice referring to its existence shall be prominently displayed upon the beach above it.
- (ii) No persons shall in any such access lane pull, propel, navigate or manoeuvre any motor launch or any water ski, aquaplane, other similar object or person towed by a motor launch except by the most direct route and on that side of the fairway in the access lane which lies on the starboard or righthand side of the motor launch.

- (iii) While an access lane is in use:-
- (a) No person, other than a person using or about to use the access lane for a lawful purpose shall enter that access lane;
 - (b) No person shall bathe or fish in the water of the access lane provided that nothing in this section shall apply with respect to any person engaged in water skiing or aquaplaning who has capsized or who has fallen off and who is waiting to resume water skiing or aquaplaning or to be picked up or is returning direct to the shore;
 - (c) No person shall navigate, anchor, or otherwise use any vessel in that access lane except for the purposes for which the access lane has been established;
 - (d) No person shall navigate, anchor, or otherwise use any vessel in an access lane in breach of any condition the subject of which the access lane has been so defined;
 - (e) No person shall in any access lane impede the use thereof by waterskiers or by persons engaged in aquaplaning or by motor launches;
 - (f) For the purposes of this section a person shall be deemed to be fishing both at the place from which he is fishing and also at any place reached by his line or lure.
- (iv) No person in charge of any motor launch shall use the same for the purpose of towing any water ski, aquaplane, other similar object or person unless he is accompanied on the launch by at least one other person of at least 12 years of age who is responsible for communicating to the person so in charge any mishap occurring to the person being towed or riding upon the water ski, aquaplane, or other object.
- (v) No person shall ride upon any water ski, aquaplane, or other similar object towed by any motor launch, or permit himself to be towed by any motor launch, unless the person in charge of the motor launch is accompanied thereon by at least one other person of at least 12 years of age who is responsible for communicating to the person so in charge any mishap occurring to the person being towed or riding upon the water ski, aquaplane or other object.
- (vi) No person shall:-
- (a) Create a nuisance arising from the speed, use or management of a motor launch or of any water ski, aquaplane, or other similar object or of a person towed by any motor launch.
 - (b) Anchor or moor or cause any motor launch or other vessel to be hauled up on any part of the foreshore to the obstruction or annoyance of persons bathing on or off such part of the foreshore.
- (vii) Without in any way limiting the general authority of a Warden he is hereby empowered at any time:-
- (a) To require the person appearing to be in charge of a motor launch to stop his motor launch;

FILED BY
 FILED 2-10-50

- (b) Requiring any person appearing to be in charge of a motor launch or other person found committing an offence against this by-law to give his name and address;
- (c) Require the owner of any motor launch, on being informed of any offence alleged to have been committed by any person against this by-law to give all information in his possession or obtainable by him that may lead to the identification of the person by whom the offence is alleged to have been committed.

10. Mooring Areas:

- (i) The Council may by resolution advertised declare any area of waters to be set apart as an anchorage for yachts, boats, launches and other small craft.
- (ii) No person shall moor or tie up any craft to another boat moored within the anchorage but this provision shall not apply in the case of a dinghy then being used by a person on a visit to such boat.
- (iii) Subject to such prior consents that may be required in terms of Sections 176 to 182 of the Harbours Act 1950, it shall be lawful for but not obligatory upon the Council to provide moorings either within the anchorage by driving piles or by secured buoys and in the event of its so doing no person shall place any mooring nor moor nor anchor any craft within the anchorage otherwise than in accordance with the requirements of this by-law provided always that none of the provisions thereof shall interfere with any riparian rights created at common law or protected by statute.
- (iv) The following provisions shall apply if the Council decides to provide moorings within the anchorage:-
 - (a) The owner of a craft wishing to use a mooring shall make application in writing to the Council and on being allocated a mooring he shall pay to the Council such fees as may from time to time by resolution be prescribed.
 - (b) It shall not be lawful for any person to anchor or to moor a craft within the anchorage except to a mooring provided by the Council and after payment of the fees payable in respect of such mooring. In the interests of safety and in order to produce a comprehensive mooring plan within the anchorage the Council is hereby empowered to lift and remove any mooring or other means for securing a craft heretofore laid or constructed therein by any private person or any temporary pile mooring provided by the Council.
 - (c) Any person who shall be or shall have been granted the right to moor a craft within the anchorage shall not allow that privilege to be used for the benefit of any other craft of greater measurement than the craft for which it was originally intended.
 - (d) The person to whom a mooring right has been granted shall not assign or attempt to assign the same.
 - (e) Should any person fail to comply with the requirements of the preceding sub-clauses of this section or with any direction of the Warden lawfully given his mooring right may be cancelled by the Council whereupon the Council shall refund the respective proportions of the fees paid.

- (f) Any mooring right granted by the Council shall be revocable by the Council at any time on repayment by it of the respective portions of the fees paid, and the provisions of this sub-clause with the necessary amendments shall apply in the case of the surrender of any mooring right by a person entitled to the same.
- (g) In the event of the Council revoking any mooring right either under sub-clause (e) or sub-clause (f) hereof or accepting the surrender thereof it may re-allocate the same.
- (v) The Council shall not be liable in any event for the insufficiency or insecurity of the anchorage or of any part thereof or of any mooring therein.
11. Interference with Vegetation and Trees:
- No person shall interfere with, bend, break, twist, swing upon or climb upon, cut, bark, disfigure, uproot or in any wise damage any tree, sapling, shrub, plant underwood or vegetation being the property of or vested in or under the control of the Council.
12. Oil and Tar on Beaches:
- No person shall discharge or allow or cause or permit to flow into vicinity waters, estuary, rivers or on to the beach any oil or tar or any water containing or mixed with such material.
13. Display Enclosure Privileges:
- The Council may from time to time enclose any part or parts of the beach for the purpose of holding or allowing the holding therein of aquatic or athletic sports or games or demonstrations of life-saving or physical culture or gymnastic displays, and may by resolution fix a charge for admission to such enclosed part or parts provided that the total number of days on which such enclosures of any such part are made shall not exceed six in any one year.
14. Offences and Penalties:
- Every person commits an offence against this by-law who:
- (i) Does any act in contravention of this by-law, or fails to comply with the provisions of this by-law, or causes or permits, or suffers a breach of this by-law to be permitted.
- (ii) Upon being requested by a Warden to desist from any act in contravention of this by-law, or to comply with any provision of this by-law, fails to comply with such request.
- (iii) Is found doing any act in contravention of this by-law, or failing to comply with the provisions of this by-law, and being required by a Warden to give his name and address, fails to do so.
- (iv) Offers or threatens violence to, or assaults, or obstructs, any Warden whilst that Warden is acting in exercise of his powers or duties.
- (v) Wilfully incites or encourages any person to obstruct any Warden whilst that Warden is acting in exercise of his powers or duties.
- Every person who commits an offence against this by-law is liable on summary conviction to a fine not exceeding \$100 and where the offence is a continuing one to a further fine not exceeding \$10 for every day or part of a day during which the offence continues.

BY-LAW NO. 3STRUCTURES ON FORESHORES1. Application for Structure:

Every applicant for a licence or permit in respect of any structure or use in relation to foreshore or otherwise under the Harbours Act 1950 Section 165 (3) shall apply on the form prescribed in the First Schedule hereof and shall with such application submit to the Council such application fee as is prescribed by resolution of the Council from time to time and a plan and specification of the proposed or existing structure and a plan of the site of the said structure, in such form as the Council may from time to time prescribe and is sufficient to give the Council reasonably full details of any such proposed or existing structure.

2. Foreshore Licence for Structures:

No person shall erect any structure on any foreshore under the control of the Council without first having obtained from the Council a foreshore licence in the form set out in the Second Schedule hereof and duly complying with relevant provisions of by-laws and town planning requirements.

3. Licence to Continue Structures:

No person shall maintain or continue the use of or permit to remain on any foreshore the control of which has been granted to the Council any structure without being the holder of a current foreshore licence, in the form set out in the Second Schedule hereof.

4. Entry to Remove Structure:

Any officer of the Council duly authorised so to do by resolution of the Council, may enter upon any foreshore or any land contiguous to any foreshore under the control of the Council and remove, dismantle or otherwise dispose of any structure erected contrary to this by-law or any structure existing contrary to this by-law and the costs and charges incurred by the Council in so doing may be recovered as a debt from the persons erecting such structure or person or persons owning such structure or person or persons permitting such structure to remain contrary to this by-law.

5. No Deviation from Plans:

No person shall after receipt of any foreshore licence issued pursuant to this by-law deviate from the plan and specification submitted to the Council with the application for the foreshore licence or construct any structure otherwise than that indicated on the plans or in the specifications so submitted and no person shall add to, alter, or extend any structure other than in the course of normal maintenance of the same without the permission of the Council in writing first being obtained.

6. Term of Foreshore Licence:

Every foreshore licence issued by the Council shall be on the form prescribed in the Second Schedule of this by-law and shall be for a term not exceeding five years from the date of issue of the licence provided that the Council may by resolution cancel any foreshore licence for any breach of any relevant clauses of this by-law.

7. Annual Foreshore Licence Fee:

An annual foreshore licence fee which shall be fixed from time to time by resolution of the Council shall be due and payable to the Council by any licensee on the first day of April each year, provided however that the fee for any first licence to be issued during the currency of a licensing year shall be for a proportionate amount and payable with application. Should the annual licence fee be unpaid on the 30th day of June in any year, the Council may by resolution cancel the licence and order the person who was the licensee prior to that date to remove the structure from the foreshore and if that person or persons fails to comply with any such order within 30 days from the issue thereof then the Council or any duly authorised officer of the Council may enter upon the foreshore or any land contiguous to the foreshore and remove, dismantle or otherwise dispose of the structure, and the Council may recover from the person or persons who were the licensees prior to the 30th day of June, as a debt, any costs and charges in so doing.

8. Licensee to Maintain Structure:

The licensee shall at all times keep the structure in good order, repair, condition and appearance and if such structure is not so kept, the Council may, by resolution, order the licensee to undertake remedial work to its satisfaction. Should the licensee fail to comply with any such order within 90 days from the date of issue thereof then the Council or any duly authorised officer of the Council may enter upon the foreshore or any land contiguous to the foreshore and repair or remove, dismantle or otherwise dispose of the structure, and the Council may recover from the licensee as a debt, any costs and charges in so doing.

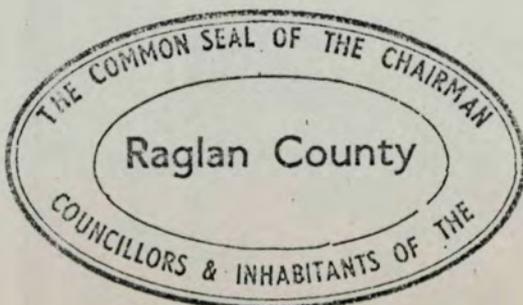
9. Offences and Penalties:

Every person commits an offence against this by-law who does any Act in contravention of or fails to comply with any requirement thereof. Every person who commits an offence against this by-law is liable on summary conviction to a fine not exceeding \$100 and where the offence is a continuing one to a further fine not exceeding \$10 for every day or part of a day during which the offence continues. The continued existence of any work or thing in a state contrary to any requirement of this by-law shall be deemed a continuing offence.

The foregoing By-laws (known as "The Raglan County By-laws 1971) were made by the Raglan County Council by Special Order passed at a Special Meeting of the said Council held on the 20th day of December 1971 and confirmed at a subsequent meeting held on the 24th day of January 1972.

THE COMMON SEAL of the CHAIRMAN..)
COUNCILLORS AND INHABITANTS of ..)
the County of Raglan was hereto ..)
affixed this 24th day of)
January 1972 in the presence of:)

FILED No. 8



R. P. KellonCHAIRMAN
B. F. MurrayCOUNCILLOR
McLellanCOUNTY CLERK

(F)

THE HARBOURS ACT 1950

THE RAGLAN COUNTY BY-LAWS 1971

FIRST SCHEDULE

APPLICATION FOR LICENCE OR PERMIT FOR STRUCTURES on or USE of
foreshore or seabed or lake-bed.

The County Clerk,
Raglan County Council.

I hereby apply for Licence or Permit for the erection or continuance
on the foreshore or bed of lake or on the seabed or lake bed immediately
contiguous thereto of a

- (a) bath, bathhouse, boatshed, boatbuilding shed, jetty or slipway, or
(b) with the approval of the Minister, the following structure relating
to the convenience of shipping or of the public or to any local
enterprise or object - namely:

1. Name of applicant: _____
(IN BLOCK LETTERS) (Surname) (Christian Names)

2. Address: _____
Telephone number: _____

3. Structure required: _____
Use required: _____

4. Is proposed structure or use
(a) Private? or
(b) Commercial?
(see paragraph (a) of notes below)

5. Date at which structure will be completed: _____

6. Locality of site: _____

7. Is the land which adjoins immediately to rear of site applied
for (see paragraph (b) of notes below) -
(i) a public road? _____
(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):

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):
-
-

10. I enclose: (i) Plan in duplicate of structure and
(ii) Plans in duplicate of locality and
(iii) One Lands and Survey map as listed in paragraph (d) of notes below.
(iv) Consents of adjacent owners as listed in paragraph (b) of notes below.

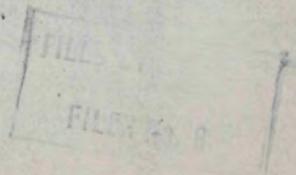
Date: _____

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 reserve, the consent or comments of the body administering the reserve (e.g. Local Authority, Commissioner of Crown Lands, or Domain Board etc.)
- (ii) If the site abuts privately owned land - the consent or comments of the owner.
- (iii) 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.



(F)

RAGLAN COUNTY BY-LAWS 1971

SECOND SCHEDULE

THE RAGLAN COUNTY COUNCIL

- (1) LICENCE or PERMIT for ERECTION or CONTINUANCE of Structure on foreshore or bed of lake or seabed or lake bed contiguous thereto.
- (2) LICENCE or PERMIT for USE of the foreshore or bed of lake or of the sea or lake immediately contiguous thereto for approved purpose.

WHEREAS application has been duly made to the Raglan County Council by _____

pursuant to By-law No. 3 - 1 of the Raglan County By-laws 1971 and

WHEREAS the approval of the Minister of Marine has been given where required by Section 165 (3) of The Harbours Act 1950 for any structure or USE for any purpose relating to the convenience of shipping or of the public or to any local enterprise or object and WHEREAS any necessary sanctions have been obtained NOW therefore THE RAGLAN COUNTY COUNCIL being the public body to which the control of certain foreshore or bed of lake was granted in exercise of and pursuant to the power and authority given by Section 165 (3) of The Harbours Act 1950 and of all other powers and authorities it thereunto enabling -
HEREBY LICENCES or PERMITS

- (a) The erection or continuance on the foreshore or bed of the lake or on the bed of the sea or lake immediately contiguous to that foreshore or bed of the lake, of _____

or of (pursuant to the approval of the Minister) a structure namely a _____
at _____
as shown on plan marked _____
and deposited at the Raglan County Council Chambers, Ngaruawahia.

- (b) The USE of the foreshore or bed of the lake or the bed of the sea or of the lake immediately contiguous to that foreshore or bed of the lake for the following purpose approved by the Minister:

This LICENCE or PERMIT for the purpose(s) aforesaid is to be held and enjoyed to the extent and upon and subject to the terms and conditions set out in the Schedule hereto attached.

DATED at Ngaruawahia the _____ day of _____ 19 .

County Clerk,
Raglan County Council.

F

RAGLAN COUNTY COUNCIL

HOT → 54/14/28
43/60/3.

COUNTY CLERK
N. R. TYLER, B.COM., A.C.A., A.C.I.S.

COUNTY OFFICE - PHONE 8633
COUNTY CLERK (RES.) 8051
ENGINEER (RES.) 8716

COUNTY ENGINEER
R. B. MURRAY, B.E., M.I.C.E., M.N.Z.I.E.



P.O. BOX 1
NGARUAWAHIA

REF.....

8 July 1975

The Director,
Marine Division,
Ministry of Transport,
Private Bag,
WELLINGTON 1.



Dear Sir,

METRICATION OF BY-LAWS MADE UNDER GRANTS OF CONTROL GIVEN PURSUANT TO SECTIONS 8A AND 165 OF THE HARBOURS ACT 1950

In reply to your 54/14/28 of 24 June 1975 regarding the above, as far as can be ascertained, the following by-laws have been made under the above grants:

- 1) By the Raglan Harbour Board being by-laws relating to the Whaingaroa (now Raglan) Harbour 1906 and as amended from time to time.
- 2) A by-law relating to Navigating Motor Launches made in 1961.

By the Raglan County Council: The Raglan County by-laws 1971 relating more specifically to the area at Port Waikato control of which was vested in my Council in terms of the Port Waikato Order 1971 and appearing in N.Z. Gazette of 4 November 1971 No. 82 at page 2285.

As requested, I enclose copies of the by-laws together with the proposed amendments in terms of your circular letter. It may well be asked why should not the Raglan Harbour Board update its 1906 general by-laws but as the port is currently used for one purpose only viz. the berthing of ships owned by the Golden Bay Cement Group for the pumping of bulk cement into silos, the renewal of the by-laws seems unnecessary at this stage. Approximately 4 cement vessels berth per month bringing approximately 40,000 tons of bulk cement to Raglan per annum.

It would be appreciated if you would check the proposed amendments and if these are satisfactory, steps will be taken to amend the by-laws accordingly.

Yours faithfully,

N.R. Tyler,
County Clerk and Secretary.

NRT:MP

✓ Encl:

FILED 24.8

F

54/14/28

MARINE DIVISION

MINISTRY OF TRANSPORT

PRIVATE BAG WELLINGTON 1
TELEPHONE: 49 060
TELEGRAMS: DIRMARINE

24 June 1975

4/1/3

County Clerk,
Raglan County Council,
P.O. Box 1,
NGARUAWAHIA

FILED BY
FILER No. 8

-4 JUL 1975
by *628*

Dear Sir,

Metrication Of Bylaws Made Under Grants Of
Control Given Pursuant To Sections 8A And 165
Of The Harbours Act 1950

I am addressing this circular letter to all local bodies, boards, trustees etc etc who are vested with grants of control pursuant to Sections 8A and/or 165 of the Harbours Act 1950.

The Ministry has indicated to the Metric Advisory Board that it will promote in 1975 metrication of legislation stemming from the grants of control. To achieve this we now ask you, at the earliest possible date, to submit draft amendments to bylaws incorporating metric weights and measurements and, where required, metric currency.

The Minister has requested that amendments be confined to straight conversions so please refrain from incorporating any increases or decreases to dues or charges etc.

I would like to clarify some points regarding the Ministry's approach to metrication and would ask you to accept our recommendations. There are also come other aspects of metrication which must be adhered to by law and I have listed these as well. Please excuse me if I state the obvious or irrelevant.

10 MPH = 16 km/h.
5 MPH = 8 km/h.

200 yards (in context of operating a launch
within 200 yards of jetty etc) = 200 metres.
100 feet " 100 feet " vessel " = 30 metres.
300 feet " 300 feet " vessel " = 90 metres.

Convert measurements of boundaries of ski lanes, defined anchorages, prohibited anchorages, access lanes etc. to nearest metre.

Nautical miles = nautical miles (unaltered)
Register tons = register tons "

Conversions, viz. specifications of equipment eg notice boards, minimum heights of handrails etc must be exact.

Lengths must be expressed in millimetres, metres or kilometres.

Timber, logs and sawn, please express in cubic metres.

Metric symbols may be used instead of metric unit names.

Please do not hesitate to contact me if you require any advice on the drafting of your amendments.

Yours faithfully,


(Alan F. Hamilton)
for Director, Marine Division

(F)

MINUTE SHEET

Department: Harbours & Freshwaters

Subject: Bylaws

File No. 43/60/3

54/14/28

Date: 6-3-75

Raglan County Council
Raglan Harbour Board

To—

Legal Officer

The Raglan County Council has the powers of an Harbour Board

As the Raglan County Council the Council has been granted control of waters and foreshore at Port Waikato pursuant to sections 8A + 165 of the Harbours Act 1950 and has adopted bylaws enabling it to effectively administer the areas.

As the Raglan Harbour Board the same body has been granted control of areas of foreshore pursuant to section 165 of the Harbours Act 1950. The bylaws of the Harbour Board do not allow for the effective administration of foreshore.

Would you please advise whether the Raglan County Bylaws 1971 apply to the areas of foreshore the control of which have been granted in the name of the Harbour Board or whether these bylaws should be adopted by the Harbour Board as such.

H Whyborn

FILE

7/3/75

Initials: HW

Mr Whyborn

To effect foreshore bylaws Mr McKinlay must be made pursuant to appropriate statutory authority, i.e. Harbours Act. County bylaws as such only operate within county boundaries which are at High Water Mark.



OFFICE OF MINISTER OF WORKS AND DEVELOPMENT

WELLINGTON.

12 December 1974

Minister of Transport

No P.P.s.

I refer to personal representations made to you by Mr J.L. Hunt, M.P., on behalf of Mr L.A. Rountree, Secretary of the Raglan Surf Lifeguard Patrol, who seeks assistance in providing road access to the safer areas of Ocean Beach at Raglan. You will recall passing these papers to me for consideration.

I also received a copy of the letter from Mr Rountree and I have had the Commissioner of Works investigate the matters raised.

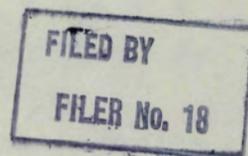
... A copy of my reply is enclosed for your information.

Minister of Works
and Development

Encl.

SECRETARY FOR TRANSPORT

~~For draft reply.~~
~~For reply by direction.~~
For comments.
Referred.





OFFICE OF MINISTER OF WORKS AND DEVELOPMENT

WELLINGTON.

Secretary,
Raglan Surf Lifeguard Patrol,
P.O. Box 4,
RAGLAN.

Dear Sir,

I refer again to your letter of 20 September and also your more recent letter of 19 November in which you enquire as to whether I can assist in any way to provide access to the safer swimming areas of Ocean Beach, Raglan.

I am informed by the Commissioner of Works that the preliminary assessed cost of providing access to Ocean Beach, as estimated by the Raglan County Council, is \$30,000 and as the work would involve major construction the use of voluntary labour alone could not be considered.

As I stated in a recent press release, construction of the road proposed must be undertaken by the appropriate road controlling authority, which in this case is the Raglan County Council, who will also be required to take over and maintain the road on completion. I would be prepared to give favourable consideration to an application from the county council seeking subsidy assistance from the Roads Vote at the subsidy rate of \$3:\$1, to form and metal an access road to Ocean Beach, Raglan.

In the circumstances it is now suggested that you take up this matter with the Raglan County Council.

Yours faithfully,

(Sgd.) HUGH WATT
Minister of Works
and Development

FW:PBH

Our reference: ~~43/68/10/4~~

copy for 54/14/28

8 April 1974

The County Clerk,
Raglan County Council,
P.O. Box 1,
NGARUAWAHIA

Dear Sir,

THE MOTOR LAUNCH (PORT WAIKATO) NOTICE 1970

By Order in Council of 18 October 1971 the Raglan County Council was granted control of parts of the foreshore and waters of the Tasman Sea and the Waikato River pursuant to sections 8A and 165 of the Harbours Act 1950.

As the area of this Grant of Control includes the waters described in the First Schedule of the Motor Launch (Port Waikato) Notice 1970, and as the area in respect of access lanes for water skiers may be effectively administered by bylaws adopted by your Council the Motor Launch (Port Waikato) Notice 1970 is being revoked.

A copy of the extract from the New Zealand Gazette showing the revocation will be forwarded to you in due course.

Yours faithfully,

The Regional Marine Officer,
Marine Division,
Ministry of Transport,
Private Bag,
AUCKLAND.

FW

(F. Whyborn)
for Director, Marine Division

Your reference
54/1/160 copy for your
information.

(F. Whyborn)
for Director, Marine Division

FILED BY
FILER No. 18

FILE

8 / 4 / 74

Initials: *FW*

copy for 54/14/28

~~4/68/10/4~~

Memorandum for
the Minister of Transport

21 March 1974

THE MOTOR LAUNCH (PORT WAIKATO)
NOTICE 1970

1. The Motor Launch (Port Waikato) Notice 1970 declaring an area of water in the Waikato River an access lane through which motor launches and water skiers may pass at speeds greater than 5 miles per hour was signed on 25 May 1970. The Raglan County Council was the local authority named in the Notice.
2. By Order in Council of 18 October 1971 the Raglan County Council was granted control of parts of the foreshore and waters of the Tasman Sea and Waikato River pursuant to sections 165 and 8A of the Harbours Act 1950. The area of this Grant of Control includes that specified in the Motor Launch (Port Waikato) Notice 1970.
3. Bylaws adopted by the Council and approved by the Minister of Marine and Fisheries by Notice in the New Zealand Gazette of 17 February 1972 enable the Council to effectively administer the area in respect of access lanes.

RECOMMENDATION:

4. I recommend that pursuant to the Motor Launch Regulations 1962 you sign the attached Notice revoking the Motor Launch (Port Waikato) Notice 1970.

Enc.

Secretary for Transport



FILED BY
FILER No. 18



REVOKING THE MOTOR LAUNCH (PORT WAIKATO)

NOTICE 1970

PURSUANT to the Motor Launch Regulations 1962* the Minister of Transport hereby gives notice that the notice signed on 25 May 1970** declaring an area of water in the Waikato River to be an access lane is hereby revoked.

Dated at Wellington this day of 1974

MINISTER OF TRANSPORT

* Motor Launch Regulations (1962/180)

** N.Z. Gazette 4 June 1970, p.989

(NOT 43/68/10/4)

FILED BY
FILE No. 10

FILE
.....2/4/74
Initials: <i>FW</i>

54/14/28

8 March 1972

The County Clerk,
Raglan County Council,
P.O. Box 1,
NGARUAWAHIA.



Dear Sir,

CONTROL OF FORESHORE & WATERS - PORT WAIKATO

With reference to your letter of 2 March 1972, I wish to advise that pursuant to the provisions of section 165(5) of the Harbours Act 1950, it will be noted that the permits and licences current at the time of the Grant of Control are now deemed to be permits and licences issued by your Council. Accordingly it is not necessary to issue further permits or licences under the name of your Council until the expiry of the current permits or licences which were forwarded under cover of my letter of 23 February 1972.

Yours faithfully,

R.N. KERR
Secretary for Marine

per:

(B.A. Ranger, Miss)

187

MARINE DEPARTMENT
RECORDS
- 3 MAR 1972
RECEIVED

RAGLAN COUNTY COUNCIL

COUNTY CLERK
N. R. TYLER, B.COM., A.R.A.N.Z., A.C.I.S.

COUNTY OFFICE - PHONE: 8633
ENGINEER (RES.) - PHONE: 8716



COUNTY ENGINEER
R. B. MURRAY, B.E., A.M.I.C.E., A.M.N.Z.I.E.

P.O. BOX 1
NGARUAWAHIA

REF. M 1/2

2 March 1972

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

Dear Sir,

Control of Foreshore - Port Waikato

Folio 182
I have to acknowledge receipt of your 54/14/28 of 23 February 1972 listing the structures erected on the foreshore at Port Waikato that are now held under licence or permit by your Department.

The Council has directed that these persons be now contacted with a view to licensing these structures in terms of the County By-laws recently approved by the Hon. Minister of Marine and Fisheries. Action would also be taken in respect of the two unlicensed boatsheds referred to in your letter.

Yours faithfully,

N.R. Tyler,
County Clerk.

NRT:MP

M54/14/28

Your ref: B2/5

29 February 1972

The County Clerk,
Raglan County Council,
P.O. Box 1,
NGARUAWAHIA.

Dear Sir,

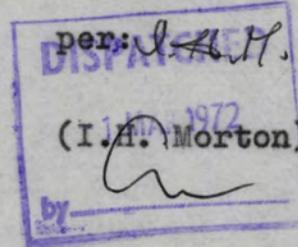
RAGLAN COUNTY BYLAWS 1971

Reference to your memorandum of 25 January.

... Your Council's Bylaws have been gazetted and I now enclose four (4) copies of the Gazette extract showing such gazettal.

Yours faithfully,

R.N. KERR
Secretary for Marine



Encls.

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

Copy for your information together with two copies of the Gazette extract showing the gazettal of the Raglan County Council's Bylaws.

R.N. KERR
Secretary for Marine

per: *I.H.M.*

Encls.

(I.H. Morton)

Extract from N.Z. Gazette, 17 February 1972, No. 15, p. 319

*Notice of Approval of Bylaws—Raglan County Council—
Port Waikato*

PURSUANT to sections 8A and 165 of the Harbours Act 1950, the Minister of Marine and Fisheries hereby gives notice that, with respect to the waters and foreshores at Port Waikato, he approves the Raglan County Council Bylaws 1971, made by the Raglan County Council, by special order and passed at a special meeting held on Monday, 20 December 1971, and confirmed at an ordinary meeting of the Council on Monday, 24 January 1972.

Dated at Wellington this 4th day of February 1972.

ALLAN MCCREADY, Minister of Marine and Fisheries.

(M. 54/14/28)

A. R. SHEARER, Government Printer, Wellington, New Zealand.

MARINE
(Department)

HEAD OFFICE
(Office)

184

Claimant's Invoice No.	Amount: \$7-84	Date of Service or Supply: 25-2-72
Brief Part: Refund of foreshore rentals paid for periods later than 3/2/72	Department's Order No.	
Name and address only Use Block Letters RAGLAN COUNTY COUNCIL, P.O. Box 1, NGARUAWAHIA		For official use only ALLOCATION Other Dept. Code Analysis Cr. Indic. Split Amounts 0324/50000/60301
Name of AGENT:		Continue on reverse if necessary

Authority	Further Details	Amount	
M 54/14/28 folio 182	control of foreshore transferred to Raglan County Council 3/2/72		
	M.D. Name Rental Refund from		
	13247 S. Lancaster \$3 -	-	-
	13243 H. S. Ward \$3 4/2 - 31/3/72	2	72
	- Raglan County Council \$2 4/2 - 31/3/72	0	31
	13479 J. R. & E. W. Clinch \$3 4/2 - 31/8/72	1	71
	9941 H. R. Shepherd \$20 4/2 - 31/3/72	3	10

Signature of Claimant:	Checked	7 84
	Carded	

I certify that, to the best of my knowledge and belief the foregoing account is true and correct in every particular and that Departmental Accounting and Stores Rules and Treasury Regulations and Instructions have been complied with:

Dept'l Voucher No. _____ Voucher Summary No. _____

(Certifying Officer) _____ (Date) _____

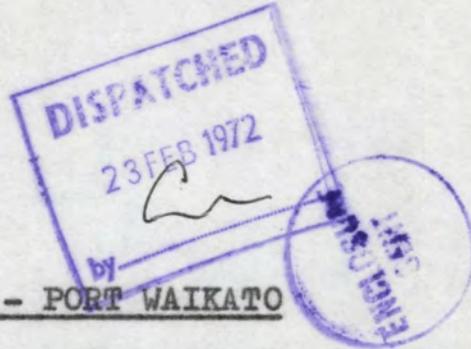
Control of foreshore transferred to Raglan County Council 3/2/72
 Refunds from 4/2/72

<u>M.D</u>	<u>Name</u>	<u>Term</u>	<u>Annual Rent</u>	<u>Paid to</u>	<u>Refund</u>
13247	H. Lancaster	1/1/69 - 31/12/82	\$3	31 12 71	- -
13243	H. L. Ward	" "	\$3	31 12 72	2 - 72
-	Raglan County Council	1/4/61 - 31/3/75	\$2	31 3 72	0 - 31c
13479	J. R. & E. V. Clinch	1/9/69 - 31/8/83	\$3	31 8 72	1 - 71
9941	H. R. Shepherd	1/4/70 - 31/3/84	\$20	31 3 72	3 - 10
					<u>\$ 7 - 84</u>

54/14/28

23 February 1972

The County Clerk,
Raglan County Council,
P.O. Box 1,
NGARUAWAHIA.



Dear Sir,

CONTROL OF FORESHORE - PORT WAIKATO

Listed below are structures erected on the foreshore that are held under licence or permit by this department, and now that the Council's bylaws have been approved by the Minister of Marine and Fisheries, come under your control.

<u>Licence</u>	<u>Structure</u>	<u>Plan Reference</u>	<u>Marine Dept. Reference</u>
<u>Licences</u>			
✓ Raglan County Council	Wharf	-	54/3/138
H Ronald <u>Shepherd Hector</u>	Cottage, fish ship, garage, boatshed	MD.9941	54/11/19
<u>Permits</u>			
✓ Sydney Lancaster	Boatshed	MD.13247	54/9/303
✓ John Raymond & Emily Violet Clinch	Boatshed	MD.13479	54/9/315
✓ Henry Clarence Ward	Boatshed	MD.13243	54/9/302

... Attached are copies of the licences or permits and MD. plans where available.

The licensees have been advised that your council now controls the foreshore and waters in the area.

I am arranging for a refund of rentals collected by this department from 4 February 1972, the date the Minister approved your bylaws, to be made to the council.

The department is aware of two unlicensed boatsheds in the area. One being used by a Mr Lapwood was erected by a person now deceased and one is reputed to be owned by Miss Coburn.

Mrs Whyborn

Please arrange a refund of rentals

.. / 2

B.A. Ranganu
23/2/72

2.

From inquires made by our District Officer, Auckland it would appear that the shed used by Mr Lapwood is past repair, and he is considering approaching Miss Coburn to take over her shed and demolishing the shed he uses. I would be grateful if you would now take this matter up with the persons concerned so that the structures can be licensed by your council.

If there are any other unlicensed structures in the area plans should be obtained, and sent to our District Officer, Auckland for consideration for approval pursuant to section 178(b) of the Harbours Act 1950, in the usual way.

Yours faithfully,

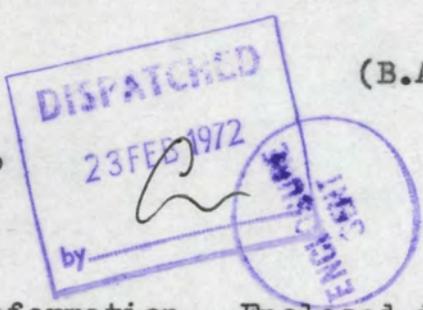
R.N. KERR
Secretary for Marine

per: 

(B.A. Ranger, Miss)

Enc.

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



... Copy for your information. Enclosed is a copy of the letter sent to the licensees. Please delete items nos. 60 and 192 from your district licence register and items nos. 194, 195 and 230 from your district permit register.

R.N. KERR
Secretary for Marine

per: 

(B.A. Ranger, Miss)

Enc.

MARINE DEPARTMENT
H.O. RECORDS
- 4 FEB 1972
RECEIVED

M.54/14/28

180

THE MINISTER OF MARINE AND FISHERIES

BYLAWS - PORT WAIKATO - RAGLAN COUNTY COUNCIL

1. The Raglan County Council controls the waters and foreshores of Port Waikato under the provisions of the Port Waikato Order 1971 and has now submitted draft bylaws.
2. The bylaws have been perused and they give the Council effective control of beaches and waters, and structures on foreshores and do not appear to be repugnant to any Act or regulation administered in this department.
3. A sealed copy of the bylaws is attached and your approval is required by notice in the Gazette to bring the bylaws into operation.
4. There is no departmental objection to the proposed bylaws.

RECOMMENDATION:

5. I recommend that pursuant to section 8A of the Harbours Act 1950 you sign the attached notice which when gazetted will bring the Raglan County Council bylaws 1971 into operation.


R. N. KERR
Secretary for Marine
3.2.1972

Attached for Reference
sealed copy of the bylaws.

Attached for signature
Notice for publication in the Gazette.


4.2.72

NOTICE OF APPROVAL OF BYLAWS -
RAGLAN COUNTY COUNCIL - PORT WAIKATO

PURSUANT to sections 8A and 165 of the Harbours Act 1950 the Minister of Marine and Fisheries hereby gives notice that with respect to the waters and foreshores at Port Waikato he approves the Raglan County Council Bylaws 1971 made by the Raglan County Council by special order and passed at special meeting held on Monday 20 December 1971 and confirmed at ordinary meeting of the Council on Monday 24 January 1972.

Dated at Wellington this *fourth* day of February 1972.

Allan McLeary

Minister of Marine and Fisheries

(M54/14/28)

GAZETTE 1460

8 FEB 1972

[Signature]



NL

copy for file
4/4392.

37

Extract from *New Zealand Gazette*, 7 November 1957, No. 85, page 2114

Granting Control of Parts of the Foreshore to Raglan Harbour Board

COBHAM, Governor-General
ORDER IN COUNCIL

At the Government House at Wellington this 30th day of October 1957

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Harbours Act 1950, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby grants to the Raglan Harbour Board (hereinafter called the Board) control of parts of the foreshore as described in the First Schedule hereto, subject to the terms and conditions set forth in the Second Schedule hereto.

FIRST SCHEDULE
DESCRIPTION OF AREAS

ALL those parts of the foreshore situated in or adjacent to Blocks 1 and 2, Karioi Survey District, in the Raglan Riding of the Raglan County, as follows:

- (a) Commencing at a point on the mean high-water mark on the south side of Whaingaroa Harbour being the north corner of section 15 of the said Block 1, and running easterly along the mean high-water mark of the Harbour and southerly generally along the mean high-water mark of the Opoturu River; thence running generally westerly, southerly, northerly, and easterly along the mean high-water mark of the Pokohue River; thence again along the mean high-water mark of the Opoturu River and the Omahina Creek to the north-east corner of Lot 4, as shown on deposited plan 15904, being part of the Rakaunui Block No. 1, and as shown coloured red on plan marked M.D. 10272 and deposited in the office of the Marine Department at Wellington.
- (b) Commencing at a point on the mean high-water mark of the right bank of the Opoturu River being the north-west corner of Lot 1, as shown on deposited plan 28632, being part of Allotment 35, Whaingaroa Parish, and thence running generally westerly, northerly, easterly, and southerly along the mean high-water mark of the right bank of the Opoturu River, along the southern shores of the Whaingaroa Harbour and along the left bank of the Paraiti Creek to a point being the north-east corner of Lot 22, as shown on Deeds Plan C. 38, being part of Allotment 35, as shown coloured red on plan marked M.D. 10272 deposited in the office of the Marine Department at Wellington.

SECOND SCHEDULE
CONDITIONS

1. In these conditions the term—

“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 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.

2. The concessions and privileges conferred by this Order in Council shall extend and apply only to those parts of the foreshore as shown edged red on plan marked M.D. 10272 and deposited in the office of the Marine Department at Wellington.

3. 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 out and over the said foreshore without payment.

4. Nothing herein contained shall authorise the Board to do or cause to be done anything repugnant to or inconsistent with any law relating to the Customs, or with any regulation of the Minister of Customs, or with any provision of the Harbours Act 1950 or its amendments, or any regulations made thereunder, and that are or may hereafter be in force.

5. The rights, powers, and privileges conferred by this Order in Council shall not apply to those portions of the foreshore required for securing the shore ends of any telegraph cables that are at present or may be at any time laid down within the said areas of foreshore.

6. The Board may, subject to the provisions of section 178 of the Harbours Act 1950, erect or license or permit the erection of baths, bathhouses, boatsheds, boat-building sheds, jetties, and slipways on the foreshore described in the First Schedule hereto, and may make bylaws regulating the use thereof, and may fix charges for such use, provided that the funds so received shall be expended in improving the foreshore for the benefit of the inhabitants of the district.

7. The Board may enclose any part or parts of the shore described in the First Schedule hereto for the purpose of holding athletic sports or games, and may by bylaw fix a charge for admission to such enclosed part or parts, provided that the total number of days on which such enclosures are made shall not exceed six in any one year.

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

9. The Board shall prevent any nuisance being caused and shall not permit fish or fish offal to remain on or about the foreshore.

10. Bylaws made by the Board under the Harbours Act 1950 in respect of the foreshore shall not have effect unless and until approved in writing by the Minister.

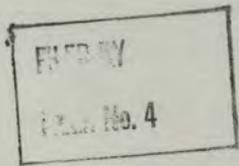
11. The rights, powers, and privileges conferred by or under this Order in Council shall continue to be in force for twenty-one years from the 1st day of November 1957 unless in the meantime such rights, powers, and privileges shall be altered, modified, or revoked by competent authority.

12. The said rights, powers and privileges may be at any time resumed by the Governor-General, without payment of any compensation whatever, on giving to the Board six calendar months' previous notice in writing. Any such notice shall be sufficient if given by the Minister, and delivered at or posted to the last known address of the Board in New Zealand.

T. J. SHERRARD, Clerk of the Executive Council.

(M. 4/4392)

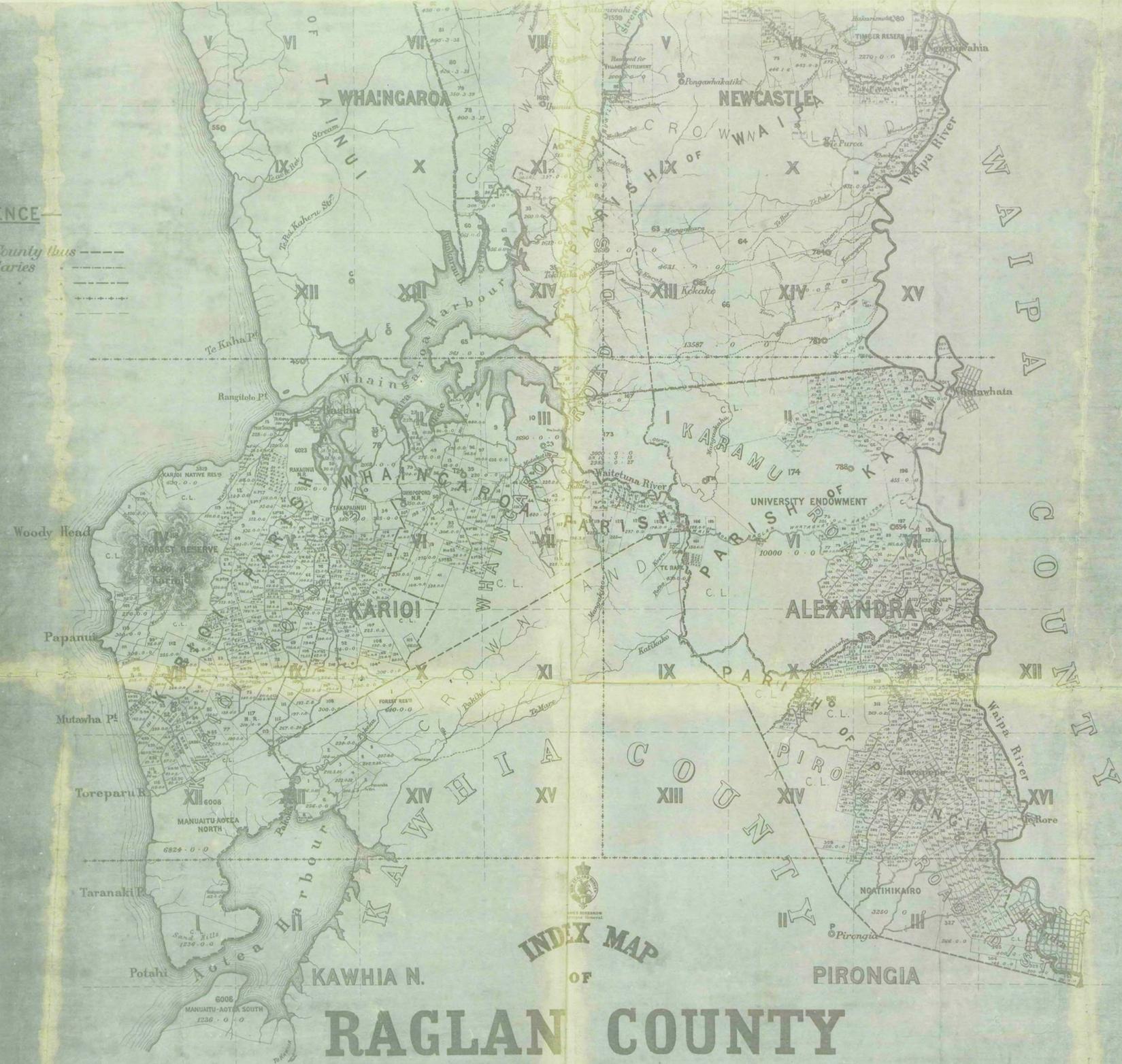
R. E. OWEN, Government Printer, Wellington, New Zealand.



file



REFERENCE
Boundary of County thus -----
Parish Boundaries -----
Road Dist -----
Survey Dist -----
Survey Block -----



5278

Survey Office, Auckland, March 1887.

SCALE, 80 CHAINS TO AN INCH

M.D. 1915

S. Percy Smith, Assistant Surveyor General.

Wilson & Horton, Ltd. Auckland.

M. D. 1915