

## New Zealand.



### ANALYSIS.

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### 1922, No. 15.—*Local and Personal.*

AN ACT to amend the Wanganui River Trust Act, 1891.

Title.

[17th October, 1922.]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows :—

1. This Act may be cited as the Wanganui River Trust Amendment Act, 1922, and shall form part of and be read together with the Wanganui River Trust Act, 1891 (hereinafter called the principal Act).

Short Title.

2. From and after the date mentioned in section five of this Act the Wanganui River Trust shall consist of the persons following, that is to say :—

Altering constitution of Wanganui River Trust.

The members of the House of Representatives for the time being respectively representing the electoral districts within which the Borough of Wanganui is situate, and the electoral districts within which the area or any portion of the area described in the Schedule hereto is for the time being situate :

One person, to be from time to time appointed by the Governor-General, who shall hold office for two years from the date of his appointment, and may be reappointed, but shall be subject to removal at any time by the Governor-General,

who may appoint another in his place and stead or on his resignation, death, or incapacity to act. Any person so appointed shall hold office only for the unexpired residue of the term of the vacating member :

Three persons, qualified to be Councillors of the Borough of Wanganui, to be elected by the electors of the Borough of Wanganui in manner prescribed for the election of Councillors by the Municipal Corporations Act, 1920 :

Two persons, qualified to be Councillors of the Borough of Taumarunui, to be elected by the electors of the Borough of Taumarunui in manner prescribed for the election of Councillors by the Municipal Corporations Act, 1920 :

Three persons, qualified to be Councillors under the Counties Act, 1920, and being "occupiers" within the meaning of the Rating Act, 1908, of rateable property within the area of land firstly and thirdly described in the Schedule hereto, to be elected in manner prescribed by the Counties Act, 1920, for the election of Councillors and by the "occupiers," within the meaning of the Rating Act, 1908, of rateable property within the area aforesaid.

Repeal.

3. On the coming into office of the Trust Board as hereinafter provided the Wanganui River Trust Act 1891 Amendment Act, 1900, is hereby repealed.

Constituting  
Wanganui River  
Trust Board.

4. From and after the date mentioned in section five of this Act a Board to be called "The Wanganui River Trust Board" (hereinafter referred to as the Board) shall be constituted as provided in section two hereof, and thereupon all the provisions of paragraphs (a), (b), (c), (d), and (e) of section twenty-two of the River Boards Act, 1908, *mutatis mutandis*, shall apply.

Election of members  
of Board, &c.

5. (1.) The first election and appointment to be held or made, after the commencement of this Act, of members of the Board shall be held or made, as the case may require, on the twenty-sixth day of April, nineteen hundred and twenty-three.

(2.) Thereafter the election of elective members of the Board shall be held on the days, at the times, and in manner as prescribed by the Municipal Corporations Act, 1920, or the Counties Act, 1920, respectively, as the case may require, and the provisions of the said Acts respectively, as the case may require, shall, *mutatis mutandis*, apply.

(3.) Every member so elected or appointed shall come into office on the day of his election or appointment, and shall, unless his office sooner becomes vacant, continue in office until his successor is elected or appointed and comes into office.

(4.) Until the members of the Board shall come into office as provided in subsection two hereof the present members of the Wanganui River Trust shall continue to hold office.

(5.) The Returning Officers shall immediately after every election notify in writing to the Chairman or Clerk of the Board the name of every person elected to serve as a member of the Board.

(6.) All reasonable costs and expenses incident to any election, except expenses of the scrutineers and other expenses incurred by or on behalf of candidates, shall be paid out of the revenues of the Board.

(7.) The Returning Officers for the purpose of this section shall be—

- (a.) For the Borough of Wanganui, the Returning Officer for the time being of such borough :
- (b.) For the Borough of Taumarunui, the Returning Officer for the time being of such borough :
- (c.) For the district comprising the area firstly and thirdly described in the Schedule, an officer to be appointed by the County Council within whose district the said area is situated.

6. The Board may, as soon as conveniently may be after its reconstitution,— Powers of the Board.

- (a.) Purchase, charter, hire, or otherwise acquire from time to time, as the Board may consider desirable, necessary, or expedient, one or more steamer or steamers, motor-boat or motor-boats, canoe or canoes, launch or launches, or other vessel or vessels (hereinafter referred to as "the vessels"), and all necessary requisite or usual furnishings, fixings, gear, plant, machinery, accessories, matters, belongings, and things appurtenant or belonging to such vessels or any of the same :
- (b.) Carry on the business or businesses of common carriers on the Wanganui River, shipowners, shipping and forwarding agents, or any other business or businesses connected with or incident to all or any of the businesses or undertakings before mentioned :
- (c.) Acquire and undertake the whole or any part of the business or property of any person or company carrying on business on the Wanganui River as a common carrier :
- (d.) Employ the said vessels in the conveyance of passengers, goods, articles, and things of any kind to and from such place or places on the Wanganui River as the Board may deem expedient :
- (e.) Enter into any contract or contracts, deed or deeds, arrangement or arrangements, with the Government of New Zealand for the carriage of His Majesty's mails :
- (f.) Accept and receive any subsidy or subsidies, payment or payments, or other remuneration or reward for the carriage of such mails :
- (g.) Erect, construct, finish, and complete, at such suitable place or places on the Wanganui River as the Board may determine, one or more accommodation house or houses for the entertainment, boarding, or lodging of passengers travelling on the said vessels, or other person or persons :
- (h.) Purchase or otherwise acquire, with or without all or any furniture, fixtures, fittings, and appliances therein, any accommodation house or houses, boarding house or houses, on the Wanganui River :
- (i.) Erect, construct, build, equip, furnish, and complete all buildings, workshops, and conveniences for the overhauling, docking, repairing, redocking, or mending of the said vessels or any of them, or the manufacture, making,

or supply of any machinery, engines, boilers, or other appliances, matters, or things, or the repairs, overhauling, or mending of any such machinery, engines, boilers, appliances, or things aforesaid :

Provided that no such buildings, workshops, or conveniences shall be erected below high-water mark of ordinary spring tides unless and until the approval of the Governor-General in Council has been first obtained in manner provided by section one hundred and fifty of the Harbours Act, 1908 :

- (j.) Purchase, hire, or otherwise acquire any machinery, engines, boilers, tools, or other appliances as the Board may consider desirable, necessary, or expedient :
- (k.) Use the said vessels for clearing and keeping open the navigable waters of the Wanganui River, and for carrying out any works which the Board is empowered to carry out.

Further powers  
of the Board.

7. The Board may from time to time appoint or reappoint fit persons to be master, engineers, officers, and servants to navigate and manage the said vessels, and all other officers, officials, clerks, and servants it may deem necessary to assist in the execution of this Act, and pay such salaries out of its funds as it may think fit.

Power to make  
regulations, &c.

8. The Board may, by resolution from time to time, and subject to the approval of the Minister of Marine, make, alter, and revoke regulations fixing charges to be made for the carriage of goods and passengers by the said vessels, for the storage of goods in any of the Board's goods-sheds or storehouses, and for the use of the jetties, wharves, goods-sheds, or storehouses of the Board and other property under the Board's control.

Repeal.  
Trust to be River  
Board with  
certain powers.

9. (1.) The Board shall be deemed to be a River Board under the River Boards Act, 1908, and may exercise all or any of the powers conferred on River Boards by that Act or any amendment thereof, save that the powers conferred by the River Boards Act, 1908, or its amendments, relating to the borrowing of money shall not apply, and shall not be exercisable by the Board.

(2.) This section is in substitution for section four of the principal Act, and that section is hereby repealed.

Power to borrow.

10. (1.) The Board may from time to time borrow such sums of money as are necessary for all or any of the purposes, objects, or undertakings authorized pursuant to this Act.

(2.) Such sums shall be borrowed in the manner prescribed by the Local Bodies' Loans Act, 1913, all the provisions of which Act (save Parts II and III thereof) shall accordingly extend and apply as if the Board were a local authority within the meaning of that Act :

Rate of interest, &c.

Provided that the rate of interest payable in respect of any such loan shall not exceed five and a half per centum per annum, unless in any case the Minister of Finance has, by writing under his hand, agreed to some higher rate, in which case the rate of interest payable as aforesaid shall not exceed such higher rate.

Roll of ratepayers  
of district.

11. (1.) For the purposes of every poll of ratepayers to be taken under this Act the rolls of ratepayers of the districts comprised wholly or in part within the area described in the Schedule (which area for the purposes of the Local Bodies' Loans Act, 1913, and for

the purposes of sections ten, eleven, twelve, and fourteen of this Act is to be deemed the district of the Board), or so much of those rolls as relates to land within the district of the Board, shall be deemed to be the roll of the ratepayers of the Board's district.

(2.) It shall be the duty of the Clerk of the local authority of each district comprised wholly or in part within the Board's district, whenever requested so to do by the Board, to supply to the Board a certified roll of the ratepayers of such district, together with as many copies as the Board may require.

(3.) The cost of preparing any roll of ratepayers for the purposes of this section and of supplying copies thereof shall be paid by the Board.

12. (1.) At any poll taken on a proposal of the Board to borrow money only those persons whose names appear on the roll of ratepayers shall be entitled to vote, and every such ratepayer shall have one vote only.

Voting on proposal to borrow money.

(2.) If the total number of valid votes recorded in favour of any such proposal is at least three-fifths of the total number of valid votes recorded at the poll, then, and not otherwise, the proposal shall be deemed to be carried.

(3.) At any such poll the vote of any ratepayer may be recorded at any polling-place within the district in which is situated the rateable property in respect of which he is a ratepayer, or at any polling-place within the Board's district which may be specially appointed as a polling-place at which may be recorded the votes of ratepayers irrespective of the location of the rateable property in respect of which they are entitled to vote.

13. In addition to the powers conferred on the Board by section ten hereof, the Board may mortgage or otherwise give security over, and either by way of collateral security or otherwise, the said vessels or any of them, or any other property authorized to be acquired by the Board pursuant to this Act. Such mortgage may contain a power of sale on default being made in payment by the Board of principal or interest moneys, or the breach, non-observance, or non-performance of any covenant or agreement on the part of the Board, and on such default continuing for thirty days, and all other usual and proper covenants applicable to mortgages or securities of chattels.

Power to mortgage.

14. Any general or special rates that may hereafter be made and levied by the Board may be levied on all rateable property within the area described in the Schedule hereto as if that area were the district of the Board.

Rating-area.

## SCHEDULE.

Schedule.

FIRSTLY, all that area of land commencing at a point in the centre of the Wanganui River opposite the northern boundary of Section 2B, Omaru Block, Block XI, Waipakura Survey District; thence generally in an easterly direction along the northern boundary of Subdivision 2B, Omaru Block, the eastern boundary of the Patupa Block, and Subdivision 1, Pukekowhai Block, to the south-western corner of Subdivision 3, Pukenui Block; thence generally in a north-easterly direction by the south-eastern boundaries of said Subdivision 3, Pukenui Block; thence following the north boundary of Section 3 to the southern corner of Subdivision 12c; thence

following the south-eastern and north-eastern boundaries of Subdivision 12c, Kaitangata Block, to the Whariki Stream; thence up that stream to the southern boundary of Subdivision 3A, Kahakaha Block; thence easterly to the south-eastern corner of the said Subdivision 3A; thence following the western boundary of Block VIII, Waipakura Survey District, the south-western boundary of Subdivision 2A, and the eastern boundaries of Section 3, Block VII, to the Pitangi Road; thence along the Pitangi Road in a northerly direction to Section 2k, Tauakira Block; thence following the southern and eastern boundaries of the said Section 2k to the south-eastern corner of Section 2L, Block XVI, Tauakira Survey District; thence in an easterly direction, being the southern boundaries of Sections 2Gg of Tauakira Block and 2E, Tauakira Block; thence north-easterly to the northernmost corner of Section 2D; thence to and along the eastern and northern boundaries of Section 2DD, and part of Section 2EE, to the trig. shown on the plans as Aratawa; thence generally in a north-westerly direction to the Matahiwi-Ohutu Road, being the eastern boundary to Section 1, Block XII; thence following the Matahiwi-Ohutu Road in a south-westerly direction to the south-eastern corner of Section 1, Block VII, Tauakira Survey District; thence following a northerly line along the eastern boundary of Section 1, Block VII aforesaid, to its junction with the Pukupuku Stream; thence following the stream north-westerly to the most northerly point of Section 1, Block VII aforesaid; thence due north to the Orouanga Stream; thence generally westward along the northern boundaries of Ngarakauwhakarara Block, continuing in a westerly direction along the northern boundary of the Ranana Block to the Tunupu Trig.; thence running north-easterly to a junction with the Mathope Stream, and following that stream till it joins the Mangoihe Stream, following that stream to the south-eastern corner of Section 17, Block XV, Rarete Survey District, along the eastern boundary of the said Section 17, to the Mangoihe road-line; thence in a westerly direction along the said road to the north-westerly corner of Section 17, Morikau No. 2; thence in a northerly direction along the eastern boundary of Section 11, Block XI; thence in an irregular north-westerly direction along the eastern boundary of Section 15, Block XI, Rarete Survey District; thence easterly along the southern boundary of Section 18, Block XI aforesaid, to the Pipiriki-Raetihi Road; thence along the northern boundary of the Pipiriki-Raetihi Road to a point in line with the south-eastern corner of Section 8, Block X, Rarete Survey District; thence by a right line across the scenic reserve to the aforesaid south-eastern corner; thence in a northerly direction to the Kaitara Trig., being the eastern boundaries of Sections 8 and 6, Te Autumutu Block; from thence in an easterly direction to Kiekie Trig.; and from thence to the south-eastern corner of the Ngaporo Block; from thence, running in a north-westerly direction, to the Te Ruakaka Trig., being eastern boundary of the Ngaporo Block; from thence to the south-western corner of Section Q, from that point running in a north-westerly direction along the south-western boundary of Section Q to the Manganui-o-te-Ao River; thence northerly along the Manganui-o-te-Ao River to a point in line with the north-eastern boundary of Section A, Waimarino No. 3; thence north-westerly along that boundary to the most northerly corner of Section A; thence south-westerly along the north-western boundary of the said Section A to the south-western corner of Section 8, Block V, Rarete Survey District; thence northerly along the western boundary of the said Section 8 to the road forming the eastern boundary of Section 7, Block XV, Whirinaki Survey District; thence northerly and westerly along the eastern and northern boundaries of the said Section 7 to the Ngapukewhakatara Trig.; thence north-easterly along the south-eastern boundary of Waimarino No. 5 Block to its most easterly corner; thence north-westerly along the north-eastern boundary of the aforesaid Waimarino No. 5 Block to the Whirinaki Trig.; thence generally northerly along the western boundaries of Sections 5, 4, 3, 2, and 1, Block VI, Whirinaki Survey District, to the north-eastern corner of the last-mentioned section; thence northerly and easterly along the northern boundary of Section 1, Block III, Whirinaki Survey District, to the Waipapa Valley Road; thence easterly along that road to its junction with the Raetihi-Ohira Road; thence easterly along that road to the south-eastern corner of Section 4, Block III, Whirinaki Survey District; thence northerly along the eastern boundaries of Sections 4, 8, and 9, Block III, Whirinaki Survey District, to the southern boundary of the Kaitieke County as described in *New Zealand Gazette*, 1917, page 1168; thence by that boundary to the Wanganui River; thence northerly along the left bank of the said Wanganui River to a point opposite the mouth of the Ohura River.

Secondly, all that area comprising the Borough of Taumarunui as described in the *New Zealand Gazette* No. 79, of 25th August, 1910.

Thirdly, all that area of land commencing at a point at the mouth of the Ohura River; thence along the said Ohura River in a northerly direction to the northern boundary of Section 3D, Block VI, Heao Survey District; thence in a north-westerly direction along the northern boundary of 3D and A 5F to the north-western corner of A 5F; thence in a southerly direction along the western boundary of A 5F to the south-eastern corner of A 5C 1; thence westerly along the southern boundary of said section to the Heao Stream; thence in a southerly direction along the Heao Stream to the junction with the Tangarakau River; thence in a north-westerly direction following the Tangarakau River to its intersection with the northern boundary of Block VII, Mahoe Survey District; thence following the northern boundary of Block VII and the western boundary of Blocks VII, XI, and XV of the said Mahoe Survey District to its intersection with the north-eastern boundary of Subdivision 3 of part of Pahautuhia Block, Block XIV, Mahoe Survey District; thence by Subdivision 3 to the trig. known as Whakaihuwaka, Mount Humphries; thence in a southerly direction along the southern boundaries of Sections 1, 2, 3, 4, and 5, along the Whakaihuwaka Road to the Te Mapou Trig.; thence continuing in a southerly direction to the Maungarau Trig., being the boundary between the Stratford, Patea, and Waitotara Counties; thence continuing along the Pokeka Road and Pipiriki Road in a southerly direction to the junction with the Makakaho Road; thence along the Makakaho Road to its junction with the Watershed Road; thence by the Watershed Road to a point near the Taurangapiopio Trig., being the western corner of Section 2, Block XII, Momahaki Survey District; thence in a north-easterly direction along the boundary of Section 2 to Ahuahu Road; then easterly along the Ahuahu Road to the north-eastern corner of Section 2; thence in a southerly direction along the eastern boundary of Section 2 to the north-eastern corner of Section 7, continuing south along the eastern boundaries of Sections 7 and 6, crossing the Kauarapaoa Road, and thence along the south-western boundary of Section 1, Block XVI, Momahaki Survey District, and Section 4, Block XIII, Tauakira Survey District, to the south-western corner of the Ahuahu North Reserve; thence along the southern boundary of the said North Reserve and boundary of Section 1 to its junction with the Kauarapaoa Road; thence in a south-easterly direction by the Kauarapaoa Road to the south-eastern corner of the Kauarapaoa Block; thence along the southern boundary of that block in a westerly direction to the junction with the Mangaiti Stream; thence following the stream in a southerly direction to the northern corner of Sections 21A and 22; thence westerly along the southern boundary of the Tokomaru Block to the Ridge Road; thence in a south-easterly direction along the Ridge Road to the Wanganui River.

Fourthly, all that area of land comprising the Borough of Wanganui as described in the *New Zealand Gazette* No. 92, of the 19th December, 1912.