

[AS REPORTED FROM THE LOCAL BILLS COMMITTEE]

*House of Representative, 9 July 1971.*

Words struck out by the Committee are shown in italics within bold round brackets, or with black rule at beginning and after last line; words inserted are shown in roman underlined with a double rule, or with double rule before first line and after last line.

*Mr T. J. Young*

## HUTT VALLEY DRAINAGE AMENDMENT

[LOCAL]

### ANALYSIS

Title	2. Members of Board
1. Short Title	3. Review of representation
	4. Chairman's allowance

### A BILL INTITULED

An Act to amend the Hutt Valley Drainage Act 1967

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

1. **Short Title**—This Act may be cited as the Hutt Valley Drainage Amendment Act 1971, and shall be read together with and deemed part of the Hutt Valley Drainage Act 1967 (*in this Act called*) hereinafter referred to as the principal  
10 Act).

2. **Members of Board**—(1) The principal Act is hereby amended by repealing subsection (1) of section 6, and substituting the following subsection:  
“ (1) The Board shall consist of—  
15 “(a) Five persons to be appointed by the Lower Hutt City Council:  
“ (b) Two persons to be appointed by the Upper Hutt City Council:

“(c) Two persons to be appointed by the Petone Borough Council:

“(d) One person to be appointed by the Eastbourne Borough Council:

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“(e) Three persons to be appointed by the Hutt County Council in respect of those areas of the County within the district of the Board, being those areas described in the Schedule to this Act and in the Schedule to the Hutt Valley Drainage Amendment Act 1971.”

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*New*

“(e) Three persons to be appointed by the Hutt County Council as representatives of those parts of the County of Hutt which are within the drainage district.”

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(2) This section shall come into force on the 9th day of October 1971.

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**3. Review of representation**—The principal Act is hereby amended by adding to section 6 the following as subsections (5), (6), and (7):

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“(5) The Board, by resolution in that behalf, may in the year 1974 and in every fifth year thereafter vary the representation on the Board of the constituent authorities referred to in subsection (1) of section 6 of this Act (as substituted by section 2 of the Hutt Valley Drainage Amendment Act 1971) or, as the case may be, of those local authorities of a local district as are then the constituent authorities.

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“(6) If any of the constituent authorities is aggrieved by any resolution of the Board passed pursuant to subsection (5) of this section, it may, within a period of 2 months after the date of the resolution, give notice of appeal to the Local Government Commission constituted under the Local Government Commission Act 1967 setting out the grounds of its appeal and shall contemporaneously serve a copy of such notice on the Board and on the other constituent authorities.

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“(7) The Local Government Commission may hear evidence on any appeal under subsection (6) of this section and its decision on any appeal shall be final and binding on the Board and on the constituent authorities.”

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**3. New sections substituted**—The principal Act is hereby amended by repealing sections 7 and 8, and substituting the following sections:

5     **“7. Appointment of members**—After each triennial general election of members of constituent authorities and on a day not later than the 31st day of January next following that election, each constituent authority shall hold a meeting which shall proceed to appoint its representatives on the  
10 Board.

**“7A. Review of representation**—(1) The Board may from time to time review the representation on the Board of the constituent authorities and, if it thinks fit, request the Minister of Internal Affairs to change the representation of the  
15 constituent authorities or of any of them.

      “(2) The Minister shall refer every such request to the Local Government Commission to be dealt with in accordance with section 24 of the Local Government Commission Act 1967.

20     “(3) If that Commission recommends under subsection (3) of that section that the request be agreed to the Minister may, by notice published in the *Gazette*, give effect to the request by making such amendments to subsection (1) of section 6 of this Act as may be necessary.

25     “(4) If by any such notice increased representation is given to any constituent authority the Minister may, by the notice, fix a time within which the additional representative or representatives are to be appointed.

30     “(5) If by any such notice representation is take away from any constituent authority the representative or representatives of that constituent authority shall retire from office on the day appointed in that behalf by the notice.

35     “(6) If by any such notice a reduction is made in the number of representatives to which any constituent authority is entitled, a sufficient number of those representatives shall retire on the day appointed in that behalf by the notice so that the representation of that constituent authority may conform to the notice. The representative or representatives so to retire from office shall, in default of agreement among  
40 all representatives of the constituent authority, be determined by the constituent authority.

      “(7) Every notice under this section shall take effect on the date of its publication in the *Gazette* or on such other date as may be specified therein.

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*New*

“8. **Term of office of members**—(1) Every member of the Board shall come into office on the day following that on which he is appointed.

“(2) Subject to any notice under section 7A of this Act, every member of the Board shall, unless he sooner vacates office under section 10 of this Act, continue in office until his successor comes into office.”

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**4. Chairman’s allowance**—(1) The principal Act is hereby amended by omitting the words “two hundred and fifty pounds” in subsection (1) of section 14, and substituting the words “one thousand dollars”.

(2) Notwithstanding anything in subsection (1) of section 14 of the principal Act (as amended by subsection (1) of this section) the Board may authorise the increase of the amount of the honorarium so fixed to be paid as from and inclusive of the 1st day of March 1970.

*New*

**4. Chairman’s allowance**—(1) Section 14 of the principal Act (as amended by section 7 (1) of the Decimal Currency Act 1964) is hereby amended by omitting from subsection (1) the words “five hundred dollars”, and substituting the expression “\$700”.

(2) Notwithstanding anything in subsection (1) of section 14 of the principal Act (as amended by subsection (1) of this section), the allowance of the Chairman of the Board who is in office at the date of the passing of this Act may, by resolution of the Board passed within 6 months after that date, be increased once during his term of office from a date to be specified in the resolution, being a date not earlier than the 1st day of March 1971.

*Struck Out***SCHEDULE****Section 2**

Firstly, all that area in the Wellington Land District, being portion of the County of Hutt, bounded by a line commencing at the intersection of the northern boundary of Section 328, Hutt District, with the western side of a road in Block III, Belmont Survey District, and proceeding generally north-easterly along the generally northern side of the road passing through Sections 332, 334, 337, 341, 342, 345, 433, and 436, Hutt District, Sections 57 and 59, Pauatahanui Agricultural Reserve, and forming the generally southern boundaries of Sections 16, 15, 9, 21, and 7, Block IV, Belmont Survey District, and along the production of the last-mentioned roadside to the eastern side of No. 58 State Highway; thence south-easterly along that side to and along the north-eastern boundaries of Section 452, Hutt District, and Lot 2, D.P. 12488, to the northern boundary of the land shown on D.P. 3448; thence generally south-westerly along the boundaries of the Hutt Valley Drainage District as described in the First Schedule of the Hutt Valley Drainage Act, 1948, to the point of commencement.

Secondly, all that area in the Wellington Land District, being portion of the County of Hutt, bounded by a line commencing at a point on the right bank of the Hutt River in line with the south-western boundary of Section 211, Hutt District, in Block I, Rimutaka Survey District, and proceeding generally northerly to and along that boundary and the western boundaries of Sections 29 and 25, Block XIII, Akatarawa Survey District (including the crossing of Moonshine Road), to a position in line with the southern boundary of Section 26, Block XIII, Akatarawa Survey District; thence easterly to and along that boundary and its production to and along the southern boundary of Section 22, Block XIII, Akatarawa Survey District, the southern and eastern boundaries of Section 10, Block XIII, Akatarawa Survey District, the southern boundary of Section 19, Block XIII, Akatarawa Survey District, the production of that boundary to the eastern side of a road, along the eastern and northern side of that road passing through Section 20, Block XIII, Akatarawa Survey District, and Section 213, Hutt District, to and along the north-western and north-eastern boundaries of Lot 1, D.P. 29844, and the north-western boundaries of Lots 2 and 3, D.P. 27815, to the right bank of the Hutt River; thence southerly and south-westerly along that bank to the point of commencement.

Thirdly, all that area in the Wellington Land District, being portion of the County of Hutt, bounded by a line commencing at a point on the right bank of the Hutt River at the southernmost corner of Lot 29, D.P. 12486, in Block XIV, Akatarawa Survey District, and proceeding westerly along the southern boundaries of Lots 29 and 30, D.P. 12486, to the south-western corner of the said Lot 29; thence north-easterly along the north-western boundaries of Lots 29, 27, 26, 25, 24, 23, 22, 21, 20, and 19, D.P. 12486 and their production to the south-western boundary of Section 362, Hutt District, in Block X, Akatarawa Survey District; thence south-easterly along that boundary and its production to and along the south-western boundaries of Section 361, Hutt District, and Lot 2, D.P. 1820, to the north-western boundary of Lot 2, D.P. 28647; thence generally south-westerly along the boundaries of the Hutt Valley Drainage District as described in the Second Schedule of the Hutt Valley Drainage Act 1948, to the point of commencement.

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Fourthly, all that area in the Wellington Land District, being portion of the County of Hutt, bounded by a line commencing at a point on the north-western side of No. 2 State Highway in line with the western boundary of Lot 1, D.P. 25159, in Block XV, Akatarawa S.D., and proceeding generally southerly to and along that boundary, the southern boundaries of Lots 1 and 2, D.P. 25159, the western boundary of Section 438, Hutt District, the northern boundaries of Section 9, Block XV, Akatarawa S.D., and the eastern boundaries of Sections 299, 787, and 416, Hutt District, to the south-eastern corner of the said Section 416; thence generally south-westerly along the south-eastern boundaries of Sections 416 and 299, Hutt District (including the crossing of a road), the north-eastern boundary of Section 293, Hutt District, the north-western and south-western boundaries of Section 294, Hutt District, the south-eastern and south-western boundaries of Section 290, Hutt District (including the crossing of a road), the north-western boundaries of Section 288, Hutt District, and Section 100, Upper Mangaroa District (including the crossing of a road), the eastern boundary of Lot 1, D.P. 13630, the south-eastern boundaries of Lots 1 and 2, D.P. 13630, the south-western boundary of Section 102, Upper Mangaroa District, the north-western boundaries of Sections 82, 81, 80, 79, and 78, Upper Mangaroa District, Lots 1 and 2, D.P. 3873 (including the crossing of a road), and Section 73, Upper Mangaroa District, along a right line to and along the north-western boundaries of Sections 71, 70, 25, and 69, Upper Mangaroa District, and Lot 19, D.P. 25784, and their production to and along the north-western boundaries of Lot 20, D.P. 25784, and Sections 65 and 64, Upper Mangaroa District, to the westernmost corner of the said Section 64; thence generally westerly along the north-eastern boundary of Section 279, Hutt District, the south-eastern boundaries of Sections 279 and 278, Hutt District, the northern boundary of Section 278, Hutt District, the eastern side of the road passing through Sections 278, 279 and 280, Hutt District, to the southern boundary of the said Section 280, and along a right line across the road, aforesaid, to and along the southern boundary of Section 280, Hutt District, to its south-western corner; thence generally northerly along the western boundary of Section 280, Hutt District, and its production to and along the southern and eastern boundaries of Lot 1, D.P. 2937, and the production of the last-mentioned boundary to and along the again eastern boundary of Lot 1, D.P. 2937, and eastern boundary of Section 236, Hutt District, to the north-eastern corner of the said Section 236; thence generally north-easterly along the boundaries of the Hutt Valley Drainage District as described in the Second Schedule of the Hutt Valley Drainage Act 1948, to the point of commencement.