

[AS REPORTED FROM THE LOCAL BILLS COMMITTEE]

Hon. Major Atkinson.

PATEA HARBOUR BOARD.

RECONSTITUTION OF PATEA HARBOUR BOARD.

THE constitution of the Patea Harbour Board, as defined in "The Harbours Act, 1878," and in the Second Schedule thereto, provides for four members of the Board to be nominated, three by local bodies and one by the Governor, and three other members to be elected by the ratepayers on the Hawera, Otoia, and Waverley rate-rolls of the Patea County.

It is considered by the present Board that the nominative system of election is prejudicial to obtaining the best representation of the harbour district; and in reference to the present elective system, which provides for a member to be elected to represent the Hawera Riding of the Patea County, such riding, having become merged in the Hawera County, is no longer entitled, under "The Harbours Act, 1878," to return a member, contrary to the original intention of the manner of constituting the Board.

RIVER CONTROL.

In order to prevent deposits in the Patea River in any part of it where such deposits might prove detrimental to the natural ebb and flow of the tides, and to prevent any encroachment on the river-banks, also to give power to effect improvements to the river in any part of it outside the present harbour limits, it is considered advisable to obtain extended powers of river control.

Hon. Major Atkinson.

PATEA HARBOUR BOARD.

ANALYSIS.

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| <p>Title.</p> <p>1. Short Title.</p> <p>2. Incorporation of "The Harbours Act, 1878."</p> <p>3. Interpretation.</p> <p>HARBOUR DISTRICT.</p> <p>4. Harbour district constituted.</p> <p>5. Subdivision into electorates.</p> <p>HARBOUR BOARD.</p> <p>6. Termination of office of existing Board.</p> <p>7. Reconstitution of Board.</p> <p>8. Electors.</p> <p>9. First election.</p> | <p>10. Polling-day.</p> <p>11. Elective members to hold office until coming election.</p> <p>12. Nominated member to hold office for two years.</p> <p>13. Board established as Harbour Board under said Act.</p> <p>RIVER CONTROL.</p> <p>14. Powers of Board as to river works.</p> <p>REPEAL.</p> <p>15. Repeal. Schedules.</p> |
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A BILL INTITULED

AN ACT to reconstitute the Harbour Board for the Port of Patea, and to grant extended powers of river control to the said Board. Title.

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

1. The Short Title of this Act is "The Patea Harbour Board Act, 1885." Short Title.
2. This Act shall be deemed to be a Special Act within the meaning of "The Harbours Act, 1878," and shall be read subject to the said Act. Incorporation of "The Harbours Act, 1878."
3. In this Act, if not inconsistent with the context,— Interpretation.
- "Chairman" means the Chairman of the said Board :
- "Board" means the Patea Harbour Board constituted under this Act :
- "District" and "harbour district," mean the Patea Harbour District constituted under this Act :
- "Public notice" means a notice published in some newspaper generally circulating in the harbour district :
- "River" means all the navigable waters of the River Patea within the harbour district :

"The said Act" means "The Harbours Act, 1878," and all Acts amending the same.

HARBOUR DISTRICT.

Harbour District constituted.

4. The district the boundaries of which are described in the *First* Schedule hereto is hereby constituted a harbour district for the purposes of this Act, by the name of "The Patea Harbour District." 5

Subdivision into electorates.

5. ~~As soon as conveniently may be after the passing of this Act, the Governor shall, by Proclamation, divide the aforesaid district into four parts, each of which shall be a subdivision: Provided that The Patea and Hawera boroughs shall each be a subdivision under this Act, and shall be called the Patea *Borough* and Hawera *Borough* Subdivision respectively.~~ 10

The remainder of the district shall be subdivided into three subdivisions, to be called Hawera, Otoia, and Waverley, whose respective boundaries are described in the *Second* Schedule hereto. 15

HARBOUR BOARD.

Termination of office of existing Board.

6. The members of the Patea Harbour Board in office at the time of the passing of this Act shall continue in office until the new Board constituted under this Act comes into office.

Reconstitution of Board.

7. The Board shall consist of seven members, of whom four shall form a quorum, and such members shall be respectively appointed, succeed to office, and be elected as follows:— 20

(1.) One member shall be appointed by the Governor.

(2.) Two members shall be elected by the ratepayers of the Patea *Borough* Subdivision of the harbour district. 25

(3.) One member shall be elected by the ratepayers of the Hawera *Borough* Subdivision of the harbour district.

(4.) One member shall be elected by the ratepayers of each of the other three subdivisions of the said district.

The elective members of the Board shall be elected in manner provided by the said Act. 30

Electors.

8. Every person whose name at the time of any election of a member of the Board is on the ratepayers' roll in force in any borough, road district, or town district, in respect of property within the said harbour district, shall be entitled to vote at such election for the subdivision wherein his property is situate. 35

Any elector *person* being a ratepayer in any subdivision shall be eligible as a member of the Board for any part of the district.

First election.

9. The Governor, ~~in the shall by~~ Proclamation ~~defining the subdivisions as aforesaid,~~ shall appoint some day not exceeding thirty days after the date of such Proclamation for the election of the members of the first Board, and also shall appoint the day for the first meeting of the Board, and by warrant under his hand shall appoint some fit person as Returning Officer, who shall fix the necessary polling-places, and shall conduct the said election under the provisions of "The Regulation of Local Elections Act, 1876," in so far as the said Act is not inconsistent with the express provisions of this Act. 45

Polling-day.

10. On the day so appointed the electors *ratepayers* of the Patea *Borough* Subdivision shall elect two duly-qualified persons to be the

members of the Board for such subdivision; and the electors within each of the other subdivisions shall respectively elect some one duly qualified person to be the member of the Board for such subdivision.

11. The elective members of the Board shall come into office on their election, and shall hold office from the time of their election until the coming into office of their successors, to be elected at the biennial election of members of the Board to be held on the second Monday in February, in the year one thousand eight hundred and eighty-eight.

Elective members to hold office until coming election.

12. The member of the Board to be appointed by the Governor may be appointed at any time after the passing of this Act, and he shall hold office for a period of two years, to be computed from the first day of July next preceding his appointment.

Nominated member to hold office for two years.

13. The new Board constituted under this Act shall be deemed to be a Harbour Board under the said Act.

Board established as Harbour Board under said Act.

RIVER CONTROL.

14. The Board shall have full control and authority over so much of the River Patea as is herein defined, and may, subject to the provisions of "The Harbours Act, 1878," construct such dams, breakwaters, embankments, walls, docks, quays, wharves, piers, jetties, and other works of a similar character as shall be considered by the Board to be necessary for the requirements of the river, and may do all things necessary for the improvement of the navigation of the river, or for the general protection or conservation of the banks thereof or of property within the limits of the harbour district.

Powers of Board as to river works.

REPEAL.

15. So much of the Second Schedule of "The Harbours Act, 1878," as relates to the constitution of the Board, succession to office, and election of the members of the Board, is hereby repealed.

Repeal.

SCHEDULES.

Schedules.

Struck out.

FIRST SCHEDULE.

PATEA HARBOUR DISTRICT.

BOUNDED on the North by the Waingongoro River, on the South by the Waitotara River, on the East by the inland boundaries of the Patea and Hawera Counties, and on the West by the coast-line from the Waitotara River to the Waingongoro River.

SECOND SCHEDULE.

SUBDIVISIONS OF HAWERA, OTOIA AND WAVERLEY.

Hawera Subdivision.—Bounded on the North by the Waingongoro River, on the South by the Manawapou River, on the East by the inland boundary of Hawera County, on the West by the coast-line from the Manawapou River to the Waingongoro River.

Otoia Subdivision.—Bounded on the North by the Manawapou River, on the South by the Whenuakura River, on the East by the inland boundary of the Patea County from the Whenuakura River to the boundary of the Hawera and Patea Counties, on the West by the coast-line from the Whenuakura River to the Manawapou River.

Waverley Subdivision.—Bounded on the North by the Whenuakura River, on the south by the Waitotara River, on the East by the inland boundary of the Patea County from the Waitotara River to the Whenuakura River, on the West by the coast-line from the Waitotara River to the Whenuakura River.

New Schedules.

FIRST SCHEDULE.

PATEA HARBOUR DISTRICT.

ALL that area in the Provincial Districts of Taranaki and Wellington, bounded towards the North-west by the New Plymouth Harbour Board Rating District, as described in the Second Schedule to "The New Plymouth Harbour Board Ordinance 1875 Amendment Act, 1877," from the mouth of the Waingongoro River to the Wanganui River; thence towards the South-east by the Counties of Waitotara and Patea respectively, to the source of the west branch of the Waitotara River; thence towards the East generally by the said Waitotara River to the ocean; and thence towards the South-west by the ocean to the place of commencement.

SECOND SCHEDULE.

SUBDIVISIONS OF HAWERA, OTOIA, AND WAVERLEY.

Hawera Subdivision.—Bounded towards the North-west generally by the New Plymouth Harbour Board Rating District, as described in the Second Schedule to "The New Plymouth Harbour Board Ordinance 1875 Amendment Act, 1877," from the mouth of the Waingongoro River to the Manawapou River; thence towards the East and South-east by the County of Patea to the ocean; and thence towards the South-west by the ocean to the place of commencement.

Otoia Subdivision.—Bounded towards the North-west and West by the Hawera Subdivision hereinbefore described; again towards the North-west by the New Plymouth Harbour Board Rating District, as described in the Second Schedule to "The New Plymouth Harbour Board Ordinance 1875 Amendment Act, 1877;" towards the East by Whenuakura River; and towards the South-west by the ocean.

Waverley Subdivision.—Comprises all that portion of the Patea Harbour District not included in the Subdivisions of Hawera and Otoia.