

Captain Morris.

TAURANGA HARBOUR BOARD.

ANALYSIS.

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A BILL INTITULED

AN ACT to constitute a Harbour Board for the Harbour of Tauranga. Title.

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

5 **1.** The Short Title of this Act is "The Tauranga Harbour Board Act, 1884," and it shall come into operation on the day of , one thousand eight hundred and eighty-four. Short Title.

10 **2.** Subject to the provisions hereinafter contained, this Act shall be deemed to be a special Act within the meaning of "The Harbours Act, 1878," which Act, and all Acts amending the same, shall be incorporated with this Act. Incorporation with Harbours Act.

15 **3.** In this Act, if not inconsistent with the context,— Interpretation.
 "Board" means the Tauranga Harbour Board constituted under the provisions of this Act:

 "Harbour" means the harbour of Tauranga as defined in the First Schedule of this Act, or as it may hereafter be defined under "The Harbours Act, 1878," or any Act amending the same or in substitution thereof:

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

4. A Board is hereby constituted under the said Act for the harbour of Tauranga, and such Board shall consist of nine members, of whom five shall form a quorum. Constitution of Board.

25 **5.** The members of the Board shall be respectively appointed, succeed to office, and be elected as follows:— Members of Board, how elected.

- (1.) One member to be appointed by the Governor;
- (2.) The Mayor for the time being of the Borough of Tauranga;
- (3.) The Chairman for the time being of the Council of the County of Tauranga;

- (4.) Two members to be elected by the Council of the County of Tauranga from the Councillors thereof;
- (5.) Three members to be elected by the burgesses of the Borough of Tauranga;
- (6.) One member to be elected by all persons qualified, as under:— 5
- (a.) All persons who in the year preceding the day of election have paid a sum of not less than two pounds as port, harbour, pilotage, or wharfage rates, dues, or charges levied at or in respect of the harbour;
- (b.) All persons who at the time of such election shall be, or within twenty-eight days preceding such election shall have been, the owners or part owners, and whose names shall appear as such owners or part owners within such twenty-eight days on the books of the Customhouse at Tauranga, of any vessel of a registered tonnage of not less than twenty tons. 15

First election.

6. The first election of the elective members mentioned in the fourth subsection of the fifth section of this Act shall be held on a day and hour to be fixed and publicly notified by the Clerk of the Council of the County of Tauranga. 20

First election.

7. The place and time for the first election of the members to be elected under the fifth and sixth subsections of the fifth section of this Act shall be fixed and publicly notified by the Town Clerk of the Borough of Tauranga, and the election shall be carried on as nearly as may be in the manner provided by "The Regulation of Local Elections Act, 1876." 25

Power to lease or purchase wharves, &c.

8. The Board is hereby empowered to lease from any persons, for any term or terms of years, or to purchase from any persons, any wharf or wharves, tidal lands or other lands, and whether with or without buildings, at such rent or rents, price or prices, and subject to or upon such covenants, conditions, and agreements, either as to tenure, mode of payment, or otherwise, in any respect whatever, as may be mutually agreed upon between the Board and such person or persons. 30

Power to execute deeds, &c.

9. The Board is hereby empowered to execute under its common seal all or any leases, conveyances, mortgages, or other deeds, documents, or writings of whatever nature or kind that may be needful, necessary, or expedient for the purpose of carrying into effect any lease, purchase, sale, or mortgage. 35

Crown grants may be issued.

10. The Governor may issue such Crown grants or order the issue of such certificates of title or other assurances as may be necessary for vesting in the Board an estate of fee-simple, as an endowment for harbour purposes, the lands described in the Second Schedule hereto, and any other lands that may hereafter be granted to the Board, and such grants, certificates, or other assurances may be registered under "The Land Transfer Act, 1870," or any amendment Act, anything therein contained to the contrary notwithstanding. 45

SCHEDULES.

Schedules.

FIRST SCHEDULE.

BOUNDARIES OF THE HARBOUR OF TAURANGA.

COMMENCING at a point at high-water mark on the north side of Matakana Island distant one mile and a half from the Trig. Station on Mount Maunganui; thence by a semicircular line with a radius to seaward of one mile and a half from the said Trig. Station to a point at high-water mark on the north side of the Maire Block; thence by high-water mark around the harbour and inlets of the harbour of Tauranga to Omokoroa Point; thence by a straight line to Oponui; and thence again by high-water mark of the harbour and inlets of the harbour of Tauranga to the commencing point.

SECOND SCHEDULE.

ALL that piece or parcel of land situate below the high-water mark of the harbour to the eastward of the Town of Tauranga. Bounded on the South by a line being the prolongation to the eastward of the south side of Fifth Avenue, nine hundred and forty-five links from high-water mark; on the East by a line bearing seventeen degrees forty-nine minutes, four thousand one hundred and sixty-one links; thence by a line bearing three hundred and fifty-five degrees fifty-two minutes, three thousand five hundred and twenty-four and one-half links; thence by a line bearing two degrees thirty minutes, three thousand five hundred and fifteen links; and thence by a line bearing three hundred and fifty-two degrees thirty minutes, one thousand seven hundred and ninety-two and one-half links; on the North by a line being the prolongation to the eastward of the north side of Cross Street, two hundred links; and on the West by the high-water mark of the eastern side of the Town of Tauranga to the commencing point: be the aforesaid linkages a little more or less; save and except so much hereof as may be granted under "The Tauranga, East Coast, and Hot Lakes District Railway Company (Limited) Empowering Act, 1882."

Also all that remaining portion of the land situated between high-water mark and low-water mark within the boundaries mentioned in the First Schedule hereto.