

401

Hon. Sir. J. G. Findlay.

HAWKE'S BAY RIVERS.

[LOCAL BILL.]

ANALYSIS.

<p>Title. Preamble. 1. Short Title. 2. Repeal. 3. Saving. 4. Interpretation. 5. Hawke's Bay Rivers District constituted. 6. Provisions of River Boards Act, 1908, incorporated. 7. Subdivisions of district. 8. Constitution of Board. 9. Term of office of members. 10. System of rating. 11. Differential rating. 12. In case of Wards Nos. 1 and 5 Board may demand from local authority proceeds of rate in lump sum. Service of demand. Enforcement of demand. 13. Board to take measures for prevention of floods. Diversion of rivers. 14. Board may acquire and improve unproductive lands within district. And may borrow moneys for that purpose. Incidence of special rates. Application of profits of lands.</p>	<p>15. Power to acquire lands, how restricted. 16. Local authorities to contribute to cost of works in certain cases. In case of disagreement Governor-General to apportion cost. Governor-General may appoint Commissioner to inquire into matter. 17. Contributions from Hawke's Bay County Council and Napier Harbour Board. 18. Sections 80, 81, and 82 of principal Act extended. 19. Extension of borrowing-powers. 20. Flood-prevention loan. May be raised by special order. Conditions precedent to raising of loan. Carrying out of flood-prevention scheme to be entrusted to competent engineer. Appointment of engineer to be approved by Minister of Public Works. 21. Section 26 of the Appropriation Act, 1915, negatived. 22. Board to be a leasing authority. 23. Refund of expenses to Chairman and members. 24. Board to pay costs of promoting Act. Schedules.</p>
--	---

A BILL INTITULED

AN ACT to declare and amend the Law relating to the Hawke's Bay Rivers District and the Hawke's Bay Rivers Board. Title.

WHEREAS by section three of the Hawke's Bay Rivers Amendment Preamble.  
5 Act, 1917, it was provided (*inter alia*) that a Commission (hereinafter  
should be set up to determine the matters following—that is to say,  
the area and boundaries of the Hawke's Bay Rivers District, the  
number of wards or subdivisions of the said district, and the areas  
10 and boundaries of those wards or subdivisions respectively, the  
number of members of the Hawke's Bay Rivers Board and the  
distribution of those members among the several wards, and the  
manner of levying rates throughout the said district (whether they  
should be levied on a uniform or on a graduated scale, and, in the  
15 latter case, upon what scale as between the component parts of the  
district); and in and by the said section it was further provided that

the decisions of the said Commission on the matters aforesaid should be gazetted, and from and after the gazetting thereof should have the force of law, and that from and after the gazetting thereof all statutory provisions relating or applicable to the said district or the said Board which might be repugnant to or inconsistent with the said decisions or any of them should be deemed to be *ipso facto* repealed to the extent of such repugnancy or inconsistency as aforesaid: And whereas the said Commission was duly set up, and in the month of March last the Commissioners sat to hear evidence both at Napier and Hastings, and then and there heard evidence touching the matters aforesaid, and in due course reported their decisions to the Governor-General, and on the thirteenth day of June last the said decisions were published in the *New Zealand Gazette*: And whereas the said Commissioners have made certain recommendations on matters outside the questions submitted to them for decision: And whereas certain provisions of the statute law relating to the said district and the said Board have been repealed by the said decisions, and it is expedient that the remaining provisions of that law should be repealed and re-enacted with additions and amendments, and also that effect should be given to ~~the recommendations or~~ some of the recommendations of the said Commissioners, and that the said decisions, re-enactments, additions, amendments, and recommendations should be embodied in a single Act:

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

Short Title.

1. This Act may be cited as the Hawke's Bay Rivers Act, 1919.

Repeal.

2. The Acts cited in the *Third* Schedule hereto are hereby repealed.

Saving.

3. (1.) The Hawke's Bay Rivers District and the Hawke's Bay Rivers Board, as the same were respectively subsisting immediately prior to the passing of this Act, shall be deemed to be constituted under this Act.

(2.) The Chairman and members of the Hawke's Bay Rivers Board in office immediately prior to the passing of this Act shall, subject to the provisions of this Act, hold office until the coming into office of their successors under this Act.

(3.) All Proclamations, Orders in Council, orders, warrants, special orders, regulations, resolutions, rolls, lists, rate-books, rates, apportionments of rates, records, instruments, offices, and appointments made, and generally all acts of authority done under or by virtue of any statute hereby repealed or under or by virtue of any decision of the late Hawke's Bay Rivers Commission and subsisting or in force immediately prior to the passing of this Act shall enure for the purposes of this Act as though they had been made or done respectively under or by virtue of this Act, and accordingly shall, where necessary, be deemed to have been so made or done.

(4.) All matters and proceedings commenced under any statute hereby repealed or under or in pursuance of any decision of the late Hawke's Bay Rivers Commission and pending or in progress at the time of the passing of this Act may be continued, completed, and enforced under this Act.

4. In this Act, if the context so admits,—
- Interpretation.
- “The Board” or “the said Board” means the Hawke's Bay Rivers Board as constituted under this Act :
- 5 “The district” or “the said district” means the Hawke's Bay Rivers District as constituted under this Act :
- “The Minister” means the Minister of Public Works :
- “The principal Act” means the River Boards Act, 1908, and includes the amendments of that Act.
- 10 5. There is hereby constituted a district, to be called “The Hawke's Bay Rivers District,” comprising the area described in the *First* Schedule hereto. Hawke's Bay Rivers District constituted.
- 15 6. The said district shall be deemed to be a river district within the meaning of the principal Act, and all the provisions of that Act shall, *mutatis mutandis*, and so far as the same are applicable, extend and apply to the said district and to the Hawke's Bay Rivers Board hereinafter mentioned : Provisions of River Boards Act, 1908, incorporated.
- Provided always that if and whenever the provisions of this Act shall be found to conflict with the provisions of the principal Act, then and in every such case the provisions of this Act shall prevail.
- 20 7. The said district shall be divided into five subdivisions or wards numbered one to five inclusive. The respective areas and boundaries of these wards are set out in the *Second* Schedule hereto. The validity of this division of the district shall not be called in question on account of anything in section seven of the principal Subdivisions of district.
- 25 Act.
8. (1.) There shall be a River Board in and for the said district, to be called “The Hawke's Bay Rivers Board,” and to consist of ~~ten~~ *nine* members—namely, one member elected by the ratepayers of Number One Ward, three members elected by the ratepayers of Number Two Constitution of Board.
- 30 Ward, two members elected by the ratepayers of Number Three Ward, two members elected by the ratepayers of Number Four Ward, one member elected by the ratepayers of Number Five Ward, and ~~one member appointed by the Governor General.~~
- 35 (2.) The provisions of subsection one of section fifteen of the principal Act are hereby negatived or modified in so far as they conflict with the provisions of the *last preceding* subsection.
- (3.) The Hawke's Bay Rivers Board established under this Act shall be deemed to be the same body corporate as the Hawke's Bay Rivers Board existing immediately prior to the passing of this Term of office of members.
- 40 Act, and accordingly all property, assets, liabilities, contracts, and engagements of the latter Board shall be deemed to be property, assets, liabilities, contracts, and engagements of the Hawke's Bay Rivers Board established under this Act.
- 45 9. (1.) The members of the Hawke's Bay Rivers Board, as constituted immediately prior to the passing of this Act, shall hold office as members of the Board established under this Act until the second Tuesday in January, nineteen hundred and twenty-one, and on that day and on the second Tuesday in January in every third year thereafter all the elective members of the Board shall go out of Term of office of members.
- 50 office and a general election of members shall take place.

*Struck out.*

(2.) The first member of the Board to be appointed by the Governor-General shall be appointed as soon as may be after the passing of this Act, and he and his successors in office shall hold office during the Governor-General's pleasure.

5

System of rating.

10. All rates made by the Board shall be levied—

In Wards Numbers One and Five on the unimproved value of the property rateable.

In Wards Numbers Two, Three, and Four on the capital value of the property rateable.

10

Differential rating.

11. (1.) Every general rate made by the Board and every special rate so made and levied over the whole of the district shall be levied on a graduated scale as between the several wards in such wise that of the sum required to be raised by the rate two equal twenty-fifth parts shall be raised in Ward Number One, fifteen equal twenty-fifth parts shall be raised in Wards Numbers Two and Three, six equal twenty-fifth parts shall be raised in Ward Number Four, and two equal twenty-fifth parts shall be raised in Ward Number Five.

15

(2.) Before striking any general rate the Board shall determine the total sum required to be raised thereby as well as the amounts of the various rates to be levied in the said wards respectively, in order to provide the contributions imposed upon those wards respectively.

20

(3.) Every rate levied throughout any ward shall be levied equally upon all rateable property within that ward.

25

In case of Wards Nos. 1 and 5 Board may demand from local authority proceeds of rate in lump sum.

12. (1.) Notwithstanding anything herein or in any other statute to the contrary contained, it shall be lawful for, but not encumbent on the Board, when making and levying any general or special rate throughout the district, or any separate rate within Ward Number One or within Ward Number Five, or any special rate within any portion of the district comprising either Ward Number One or Ward Number Five or both those wards, in lieu of collecting the rate within those wards, or the one or the other of them, to demand in the case of Ward Number One from the Napier Borough Council, and in the case of Ward Number Five from the Hastings Borough Council, a sum of money equal to the gross amount that according to the borough valuation roll for the time being in force ought to be produced by the collection of the rate in Ward Number One or in Ward Number Five, as the case may be.

30

35

Service of demand.

(2.) Every demand made in pursuance of this section shall be in writing signed by the Chairman of or by the Clerk to the Board, and shall be deemed to be well and sufficiently served if delivered to the Town Clerk or Assistant Town Clerk of Napier or of Hastings, as the case may be, or if left at the Borough Council Chambers, Napier, or at the Borough Council Chambers, Hastings, as the case may be, with any clerk or servant of the Borough Council concerned.

40

45

Enforcement of demand.

(3.) Upon any such demand being made the Borough Council concerned shall within six months after service of the demand pay to

the Board in full the sum demanded; and if ~~they shall refuse or neglect~~ *the said Council refuses or neglects* so to do, then the Board may recover ~~from them~~ in any Court of competent jurisdiction as a debt owing by ~~them~~ *the said Council* to the Board the said sum or

5 so much thereof as shall for the time being remain unpaid.

13. (1.) The Board shall ~~use their best endeavours~~ *do all such things as in its judgment it thinks necessary* to prevent the occurrence of floods within the district, and may employ engineers and other competent persons to devise schemes for that purpose or to

Board to take measures for prevention of floods.

10 report on any scheme or schemes of flood-prevention proposed to be adopted, and may ~~out of their own moneys~~ pay any engineers or other persons so employed as aforesaid such remuneration as to the Board shall seem proper.

(2.) Notwithstanding anything in the Harbours Act, 1908, or

15 its amendments, or in any other statute now in force, it shall be lawful for the Board in furtherance and as part of the general scheme of flood-prevention referred to in section *twenty* hereof so to divert the course of either the Tutaekuri River or the Ngaruroro River or so to divert the overflow from those rivers respectively as to carry

20 the waters thereof or the overflow thereof into the Ahuriri Lagoon wherever in the shores of that lagoon an outlet for the said waters or overflow can, in the opinion of the Board, be most conveniently made, and that whether the place of outlet is within or without the district; and the Board may execute any works, whether within or

25 without the district, which ~~they~~ *it* shall consider necessary or proper for the purpose of any such diversion as aforesaid; and every such work shall be deemed to be a public work within the meaning of the Public Works Act, 1908, and its amendments.

(3.) Nothing herein shall be deemed or taken to debar the

30 Board from diverting (in furtherance and as part of the general scheme aforesaid) the waters or the overflow waters of the Tutaekuri River in such manner as to carry the same into the open sea at any point in the coast-line (being within the boundaries of the district) which the Board may choose or from making (as part of the general

35 scheme aforesaid and within the boundaries aforesaid) a new outlet into the sea for the waters or the overflow waters of the Ngaruroro River.

Diversion of rivers.

14. (1.) It shall be lawful for the Board to purchase or other-

wise acquire any barren or unproductive lands within the district—

40 that is to say, any swamps, shingle-beds, or other areas of little or relatively little value, and by draining, planting, top-dressing, or other appropriate means to reclaim and improve the said lands and render them marketable, and to sell, exchange, lease, or otherwise dispose of or deal with any lands so acquired for such consideration and on such

45 terms as the Board shall in each case deem adequate and proper.

Board may acquire and improve unproductive lands within district.

(2.) For the purpose of acquiring and improving any such lands as aforesaid the Board may from time to time borrow moneys under the provisions of the Local Bodies' Loans Act, 1913.

And may borrow moneys for that purpose.

(3.) Any special rate levied to provide interest and sinking fund

50 in respect of any moneys so borrowed may be levied either on all rateable property within the district or on all rateable property within any ward or wards thereof.

Incidence of special rates.

Application of profits of lands.

(4.) The rents and profits of any such lands as aforesaid and the proceeds of any sale or other disposal thereof may be applied in any manner in which the Board ~~are~~ *is* authorized by this Act or by the principal Act to apply ~~moneys coming into their hands~~ *the moneys of the Board* :

5

Provided ~~always~~ that in any case where moneys have been borrowed for the purpose aforesaid and a special rate has been levied as security for those moneys and the interest thereon, the rents and profits of the lands purchased with those moneys, and the proceeds of the sale or other disposal of the same lands shall be expended for the benefit of the area, subject to that special rate :

10

Provided further that in the case last aforesaid it shall be lawful for the Board ~~at their discretion~~ *in its discretion* to apply in the first instance all or any such rents, profits, and proceeds in or towards meeting the interest on and providing for the repayment of the moneys so borrowed, and to expend the balance only (if any) for the benefit of the said area, and either to remit the said special rate or so much thereof as may no longer be required or to continue collecting the same and from time to time to expend the same or so much thereof as aforesaid in such manner as the Board shall judge to be for the greatest advantage of the said area.

15

20

Power to acquire lands, how restricted.

15. Nothing in the *last preceding* section shall be construed as empowering the Board to acquire for the purposes of that section the fee-simple of any tidal lands as defined by the principal Act or to acquire for the said purposes any lands whatsoever, except with the consent of all persons having any estate or interest therein.

25

Local authorities to contribute to cost of works in certain cases. In case of disagreement Governor-General to apportion cost.

16. (1.) If and whenever it appears that an area lying outside the district is deriving benefit or will certainly derive benefit from any works executed or proposed to be executed by the Board and no preliminary agreement for apportioning the cost of ~~these~~ *those* works has been made between the Board and the local authority exercising control within the said area, then, and in every such case, the Board may call upon the said local authority to pay a fair and reasonable proportion of the cost of the said works, and, in case the said local authority shall refuse or neglect to pay such a proportion of the said cost, or in case the Board and the said local authority cannot agree as to what proportion of the said cost is fairly chargeable upon the said area, the Board may apply to the Governor-General to apportion the said cost between the Board and the said local authority, and the Governor-General may thereupon, by notice gazetted, apportion the cost accordingly, and the apportionment so gazetted shall be final and binding on all parties concerned.

30

35

40

Governor-General may appoint Commissioner to inquire into matter.

(2.) Before making the apportionment aforesaid the Governor-General may, if he thinks proper, appoint some fit person to be a Commissioner with all the powers of a Commissioner appointed by the Governor-General in Council under the Commissions of Inquiry Act, 1908, for the purpose of inquiring into the matters in dispute between the Board and the said local authority, and the Commissioner so appointed shall inquire into the said matters and shall report to the Governor-General thereon, but it shall be in the discretion of the Governor-General whether he will or will not act in accordance with any opinion that may be expressed by the Commissioner, and whether he will or will not give effect to any recommendation contained in the Commissioner's report.

45

50

407

17. All and singular the provisions of the *last preceding* section shall, *mutatis mutandis*, apply—

Contributions from Hawke's Bay County Council and Napier Harbour Board.

5 (a.) As between the Board and the Hawke's Bay County Council in every case where it appears that any works executed or proposed to be executed by the Board are safeguarding or will safeguard from damage any public highway or other public work under the control or management of the said Council or any property of the said Council :

10 (b.) As between the Board and the Napier Harbour Board in every case where it appears that any works executed or proposed to be executed by the Board are safeguarding or will safeguard from damage any harbour-work or other work made or maintained or proposed to be made or maintained by the said Harbour Board, or any property of the said Harbour Board, or are reclaiming or otherwise improving, or will reclaim or otherwise improve, any lands belonging to the said Harbour Board.

15 18. For the purposes of this Act the expression "local authority" wherever used in sections eighty, eighty-one, and eighty-two of the principal Act shall be deemed to extend to and include the Napier Harbour Board.

Sections 80, 81, and 82 of principal Act extended.

20 19. (1.) For the purpose of completing the purchase of all or any lands which the Board ~~have~~ *has* prior to the passing of this Act agreed to acquire as reserves for river-works the Board may, by special order, raise a special loan under the Local Bodies' Loans Act, 1913, without taking any of the steps described in sections eight to twelve of that Act.

Extension of borrowing-powers.

25 (2.) For the purpose aforesaid the Board may from time to time borrow money on the security of the rents and profits of the reserves vested in ~~them~~ *it* or any of those reserves.

30 (3.) The word "reserves" where used in the *last preceding* subsection shall be deemed to mean and include all lands for the time being vested in or belonging to the Board.

35 20. (1.) For the purpose of carrying into effect a general scheme of flood-prevention throughout the district the Board may borrow, or may borrow from time to time, by way of special loan under the Local Bodies' Loans Act, 1913, any sum not exceeding or any sums not exceeding in the whole one hundred and fifty thousand pounds.

Flood-prevention loan.

40 *Struck out.*

(2.) The Board may raise the said loan by special order without taking any of the steps described in sections eight to twelve of the said Act :

May be raised by special order.

45 Provided always that before proceeding to raise the said loan the Board shall submit its scheme to the Minister and shall obtain his approval thereof, or shall alter or modify their scheme, or shall adopt a new scheme as the Minister shall direct :

Conditions precedent to raising of loan.

50 Provided further that not less than seven clear days before submitting their scheme to the Minister the Board shall cause particulars of the scheme to be published once at least in each of the following newspapers: the *Hawke's Bay Herald*, the *Napier Daily Telegraph*, and the *Hawke's Bay Tribune*; and shall, for the space of one calendar month at the least from and after the first publication of the said particulars, keep open to public inspection during office hours

in their office in Browning Street, Napier, a full description in writing of the said scheme, together with all necessary plans and specifications pertaining thereto, and in and by each such publication as aforesaid shall give notice that the said description, plans, and specifications can be inspected at their said offices during the period and hours aforesaid, and shall further give notice that the said scheme will, on a certain day be submitted to the Minister for his approval, and that any and every person having any well-grounded objection to the said scheme or to any part thereof must put his objection into writing and deliver or send such writing to the Minister within forty days after the day last referred to; and on the expiration of the said period of forty days the Minister shall take into consideration all objections received by him (if any), and may either approve of the scheme (with or without alterations or modifications) or may reject the scheme altogether, and in the latter case may either direct the Board to adopt a new scheme or may prohibit them from doing anything further in the matter :

5  
10  
15  
20  
25  
30

Carrying out of flood-prevention scheme to be entrusted to competent engineer Appointment of engineer to be approved by Minister of Public Works.

Provided lastly that in case any such scheme as aforesaid shall be finally adopted, and the Board shall succeed in borrowing the moneys required for carrying the scheme or some part of the scheme into effect, then the Board shall appoint a qualified and competent engineer to supervise and control the execution of the works comprised in the scheme or in the part thereof that is in the meantime to be carried into effect, but the Board shall not proceed to execute any such work until their appointment of an engineer for the purpose aforesaid shall have been approved and confirmed by the Minister; and every subsequent appointment of an engineer for the same or any like purpose that may be made by the Board in the course of carrying the scheme into effect shall be subject to the like approval and confirmation.

Section 26 of the Appropriation Act, 1915, negatived.

21. Notwithstanding anything contained in section twenty-six of the Appropriation Act, 1915, it shall be lawful for the Board to borrow money under either or both of the *last two* preceding sections of this Act without first obtaining the consent of the Governor-General in Council.

35

Board to be a leasing authority.

22. (1.) The Board ~~are~~ is hereby declared to be a leasing authority within the meaning of the Public Bodies' Leases Act, 1908.

(2.) No lease heretofore made by the Board shall be impeached or called in question merely on the ground that the making of the same was *ultra vires* of the Board.

40

Refund of expenses to Chairman and members.

23. The Board shall at the beginning of each financial year refund to ~~their~~ the Chairman for the time being out of any moneys ~~in their hands~~ available for the purpose all expenses reasonably incurred by him during the preceding financial year while engaged on the business of the Board, and every member for the time being of the Board shall be entitled to be reimbursed out of any such moneys as aforesaid all travelling-expenses actually and reasonably incurred by him while engaged in like manner.

45

Board to pay costs of promoting Act.

24. All costs and expenses of and incidental to the promotion of this Act shall be chargeable against the Board, and shall be paid out of moneys belonging to the Board.

50



49

## SCHEDULES.

Schedules.

## FIRST SCHEDULE.

## DESCRIPTION OF DISTRICT.

ALL that area of land situate within the County of Hawke's Bay and comprised within the boundaries hereinafter described, which area contains approximately 73,740 acres, and is bounded as follows: Commencing at the point of intersection of the left bank of the Ohiwia Stream and the Okawa-Napier Road, thence easterly by that road to its intersection with the Fernhill-Moteo Road; thence northerly by that road to the south-western boundary of the Omaha No. 3A of No. 3 Block; thence north-westerly by the south-western boundary of that block to the foot of the hills on the western side of the Omaraenui Swamp; thence northerly by the foot of those hills through Omaha No. 3B of No. 3 Block, Pirau Nos. 3 and 1 Blocks, and Moteo Hapu te Pirau Block, to the north-western boundary of the last-named block; thence north-easterly by the western boundary of that block to the right bank of the Tutaekuri River; thence south-easterly by the right bank of that river to the Moteo Bridge; thence south-westerly by the Moteo-Puketapu Road to its junction with Moteo-Napier Road; thence north-western boundary by that road to its junction with the Fernhill-Moteo Road; thence southerly by that road to the southern boundary of Subdivision 13A of the Omaraenui Block; thence southerly by an old surveyed road to the foot of the hills to the Repokai-te-Rotorua Stream; thence south-easterly and north-easterly by the Repokai-te-Rotorua and Paheremanihi Streams to the Fernhill-Napier Road; thence easterly by that road to its junction with another public road which forms the south-western boundaries of the Waiohiki 1B 2D and 2E Blocks, Paipaitahi Block, Omaraenui No. 2 Block, and Subdivisions 1, 2, and 3 of Omaraenui B Block; thence north-westerly by that road to the northernmost corner of the said Subdivision 1 of Omaraenui B Block; thence by a straight line due east to the left bank of the Tutaekuri River; thence south-easterly by the left bank of that river to the western boundary of Block I, Puketapu Crown Grant District; thence north-easterly by the western boundaries of that block, Meanee Suburban Sections 64, 63, 62, 61, 60, 43, and 41, and Block 94, Puketapu Crown Grant District, to the northernmost point of the last-mentioned block; thence north-easterly by a right line to the boundary of the Borough of Napier at Pandora Point; thence southerly and easterly by the western and southern boundaries of that borough and Hyderabad Road to the western end of Carlyle Street; thence north-easterly by the southern side of that street to and across the street on the north-eastern side of Clive Square; thence north-westerly by the north-eastern side of that street to Tennyson Street; thence north-easterly by the south-eastern side of that street to Dalton Street; thence south-easterly by the south-western side of that street to Raffles Street, and across that street to the north-western corner of Napier Town Section 289; thence southerly by the western boundaries of Napier Town Sections 289, 291, 293, 295, and 297, across Edwards Street, and by the western boundaries of Sections 299, 301, 303, 305, and 307 to Sale Street; thence south-easterly across that street to the north-western boundary of Lot 6 of Napier Town Section 309; thence southerly by the western boundaries of Lots 6, 5, 4, 3, 2, and 1 of the said Section 309 and Section 311, and by the western boundary of Lot 8 of Section 313, to the northern boundary of Lot 7 of that section; thence easterly by the northern boundary of the said Lot 7 to the north-western corner of Lot 2 of the said Section 313; thence southerly by the western boundaries of Lots 2, 3, and 4 of the said Section 313 to the northern boundary of Napier Town Section 568; thence westerly by that boundary of that section to Munroe Street; thence south-easterly and southerly by that street, Hastings Street, and the lower Awatoto Road to Awatoto; thence southerly along the lower road to the railway-crossing at Waitangi; thence by a right line due east to high-water mark on the ocean-beach; thence south-easterly along high-water mark to the mouth of the Tukituki River; thence across the mouth of that river to the south-western shore of the lagoon; thence south-easterly by the lagoon to a county road; and thence again south-easterly by the said county road as far as Education Reserve 107; thence south-westerly, south-easterly, and north-easterly, by the north-western, south-western, and south-eastern boundaries of that section; thence south-easterly by the north-eastern boundaries of Clive Suburban

Sections 157 and 158 to a public road; thence south-westerly by that road to its junction with another public road forming the south-western boundary of Clive Suburban Section 163 and by a right line running across that road and through Clive Suburban Sections 188, 190, 165, 166, 167, 168, and 169 to the crossing of the old and new road in the last-named section; thence again south-westerly by the south-eastern boundary of the said section 169; thence southerly by a closed road through section 279 and a public road running through that section and Sections 278 and 277 to the southern boundary of the last-named section; thence westerly by the southern boundary of the said Section 277; thence southerly and westerly by the eastern and southern boundaries of Clive Suburban Section 282 and across a public road to the right bank of the Tukituki River; thence north-westerly by a right line to a point in the eastern boundary of Subdivision 3 on deposited plan 814, 34 chains southwards of the northernmost corner of that lot; thence southerly by that boundary to a road reserve; thence westerly, southerly, and westerly by that road reserve to a road forming the north-eastern boundaries of Lots 1, 2, and 3; thence north-westerly by the north-eastern side of that road, the north-eastern boundaries of Lots 18, 4, 3, and by a right line to a point on the eastern side of the Mangateretere Road due east from the north-eastern corner of Lot 35; thence across that road and south-westerly by the north-western boundaries of Lots 35 and 36 to a public road; thence south-easterly and south-westerly by that road to the Mangateretere Stream; thence westerly by that stream to its junction with a drain forming the boundary between Lots 22 and 23; thence south-westerly by that drain and its continuation to Danvers Creek; thence westerly by Danvers Creek to the old Ngaruroro river-bed; thence south-westerly by that river-bed to the north-western corner of Havelock Suburban Section 27; thence south-easterly by that section to its south-western corner, and by a right line across the Te Aute Road to the westernmost point of Havelock Town Section 14, and by the south-western boundary of that section to the Middle Road; thence south-westerly by that road to peg 36 at the junction of road with a disused road from Pakipaki; thence north-westerly by the line of the said disused road crossing the Kaokaoroa and Whenuakura Blocks to the Te Aute Road; thence again north-westerly by the Te Aute Road to a public road forming the boundary between the Kahumoko and Pekapeka No. 2 Blocks; thence south-westerly by that road to the south-eastern corner of the Pekapeka No. 1 Block; thence northerly by the western boundary of the last-mentioned block to its northernmost point; thence westerly by the northern base of the hills forming part of the Mangaroa Block to a point marked "A" on plan S.G. 26, 498A; thence north-westerly by a right line across the Mangaroa Swamp to the north-eastern corner of the Ngatarawa No. 5 Block; thence north-easterly by the south-eastern boundary of the Ngatarawa No. 4 Block to the Raukawa-Hastings Road, and by that road to the north-western boundary of Lot 3, Mangaroa Block; thence westerly by that lot to its westernmost point and by a right line to the south-western corner of Lot 1, Ngatarawa No. 4 Block, and by the Hampden-Hastings Road to the south-eastern corner of the Ngatarawa No. 2c Block; thence north-easterly by the south-eastern boundaries of that block and the Ngatarawa No. 2B Block; and westerly by the northern boundary of the last-named block to the eastern boundary of land taken for railway purposes; thence southerly and westerly by the eastern and southern boundaries of that land to the right bank of Ngaruroro River; thence north-easterly by that river to the north-eastern boundary of the land taken for railway purposes; thence south-easterly by the said north-eastern boundary to the easternmost point of the land so taken and by a right line to a point on the southern boundary of Ngatarawa No. 1A Block, distant 1,900 links from the Maraekakaho-Omahu Road; thence easterly by the southern boundary of the last-named block to the said road; thence north-easterly by that road to the easternmost point of Ngatarawa No. 1 Block; thence north-westerly by the northern boundary of the last-named block to other land taken for railway purposes; thence southerly and westerly by the eastern and southern boundaries of that land to the right bank of the Ngaruroro River; thence northerly and easterly by that bank of the Ngaruroro River to a point opposite the mouth of the Ohiwia Stream; thence northerly by a right line across that river to the mouth of that stream; and thence north-westerly by that stream to the point of commencement.

## SECOND SCHEDULE.

## DESCRIPTION OF WARDS.

*Ward No. 1.*—All that portion of the district being part of the Borough of Napier, containing 480 acres, more or less, bounded as follows: Commencing at the western end of Carlyle Street, thence north-easterly and south-easterly by the boundary of the district to the southern boundary of the Napier Borough; thence westerly and north-westerly by the south-western boundary of that borough to the Hyderabad Road; thence easterly by that road to the commencing-point.

*Ward No. 2.*—All that portion of the district, containing 23,240 acres, more or less, bounded by a line commencing at a point being the junction of the Ohiwia Stream and Ngaruroro River near Fernhill, thence generally northerly, easterly, and southerly by the boundaries of the district to the westernmost corner of Ward No. 1; thence south-easterly by the south-western boundary of that ward to the lower Napier-Awatoto Road; thence southerly by the boundary of the district to the Ngaruroro River; thence generally westerly by the middle line of that river to the point of commencement.

*Ward No. 3.*—All that portion of the district, containing 13,900 acres, commencing at the Fernhill Bridge over the Ngaruroro River; thence south-easterly by the Hastings-Fernhill Road to a point 15 chains from its junction with the Maraekakaho-Fernhill Road; thence north-easterly by a right line to the north-western corner of Lot 3, part of Lot 5, Subdivision A, Heretaunga Block; thence south-easterly and north-easterly by the south-western and south-eastern boundaries of the said Lot 3 to the boundary of Lot 4, Subdivision B, Heretaunga; thence south-easterly by the south-western boundary of that lot to the north-western boundary of Lot 1, deposited plan 2248; thence north-easterly by the north-western boundaries of that lot, and of Lots 68, 67, 66, 65, 64, and 63 of the said Lot 4, Subdivision B, Heretaunga Block, to the north-eastern corner of the said Lot 63; thence south-easterly by the south-western boundary of Lot 62, by a road reserve, and by the south-western boundaries of Lots 55 and 52 of the said Lot 4, Subdivision B, Heretaunga Block, to the south-western corner of the said Lot 52; thence south-easterly by a right line to the north-western corner of Lot 3 of the Mahora Settlement; thence north-easterly and south-easterly by the north-western boundary of that lot and by the north-western and north-eastern boundaries of Lot 2 of the said settlement to a public road; thence south-easterly by that road to the Pakowhai Road; thence north-easterly by that road to the Pomoana Settlement Road; thence south-easterly by that road and by its north-eastern side (produced) to the boundary of Lot 1, Subdivision D, Heretaunga Block; thence north-easterly by the north-western boundary of that block to a public road; thence south-easterly by that road to the Wellington-Napier Railway; thence north-easterly by that railway to a public road in the Karamu Reserve; thence south-easterly by that road to the boundary between Lots 16 and 18 of the Karamu Reserve; thence easterly by that boundary to the north-eastern corner of Lot 16; thence southerly by the eastern boundaries of Lots 16, 14, 12, 10, 8, and 1 of the Karamu Reserve, to the Karamu Road; thence north-easterly by that road to its intersection with the Havelock-Napier Road; thence south-westerly by that road to Danvers Creek; thence generally easterly and northerly by the boundaries of the district to the mouth of the Ngaruroro River; thence generally westerly by the middle line of that river to the point of commencement.

*Ward No. 4.*—All that portion of the district (exclusive, however, of the Borough of Hastings) containing 33,500 acres, more or less, and included within the following boundaries: Commencing at the Fernhill Bridge over the Ngaruroro River, thence generally easterly and southerly by the southern and western boundaries of Ward No. 3 to Danvers Creek; thence generally south-westerly, north-westerly, and north-easterly by the south-eastern, south-western, and north-western boundaries of the district to the mouth of the Ohiwia Stream; thence easterly by the middle line of the Ngaruroro River to the point of commencement.

*Ward No. 5.*—All that portion of the district, containing 2,620 acres, more or less, being the Borough of Hastings as existing on the 27th day of March, 1918.

## THIRD SCHEDULE.

## ACTS REPEALED.

- 1910, No. 30 (Local).—The Hawke's Bay Rivers Act, 1910.  
1912, No. 26 (Local).—The Hawke's Bay Rivers Amendment Act, 1912.  
1914, No. 39.—The River Boards Amendment Act, 1914.  
1917, No. 8 (Local).—The Hawke's Bay Rivers Amendment Act, 1917.

---

By Authority : MARCUS F. MARKS, Government Printer, Wellington.—1919.