

Mr. Major.

OPUNAKE HARBOUR.

[LOCAL BILL.]

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A BILL INTITULED

AN ACT to constitute a Harbour District and a Harbour Board for the Harbour of Opunake. 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 Opunake Harbour Act, 1906." Short Title.

2. 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. Special Act.

3. In this Act, if not inconsistent with the context,— Interpretation.
"Harbour" means the Harbour of Opunake:
"Board" means the Opunake Harbour Board as constituted under the provisions of this Act:
"The said Act" means "The Harbours Act, 1878," and all Acts amending the same:
"District" means the Opunake Harbour District as constituted under the provisions of this Act:
"Electors" shall mean ratepayers as defined by "The Harbours Act, 1878."

4. The Opunake Harbour District is hereby constituted, and shall comprise the whole of the Opunake Survey District in the Land District of Taranaki and that part of the Oeo Survey District west of the Oeo River in the said land district, as the said Opunake Survey District and part of the said Oeo Survey District are more particularly described in the First Schedule hereto. Opunake Harbour District constituted.

5. The district shall be divided into three wards, which shall be called respectively the North Ward, the Central Ward, and the South District divided into wards.

Ward, and the said respective wards shall consist of those respective parts of the district more particularly described in the *Second* Schedule hereto.

Harbour Board constituted.

6. A Harbour Board is hereby constituted under the said Act for the Harbour of Opunake, and such Board shall consist of seven members, of whom four shall form a quorum, and such members shall be elected as follows :— 5

- (a.) Three members shall be elected by the electors of the Central Ward ;
- (b.) Two members shall be elected by the electors of the North Ward ; and 10
- (c.) Two members shall be elected by the electors of the South Ward.

One vote.

Election of members of Board.

7. No elector shall have more than one vote in any one ward. 15
8. The first election for members of the Board shall be held at such time and places within the district and by such Returning Officer as the Governor in Council shall direct and appoint, and the members then elected shall hold office until the second Monday in the month of February following the date of their election.

Power to acquire wharf and other property.

9. It shall be lawful for the Board to take and acquire from the Opunake Wharf Company (Limited), at Opunake; the wharf now erected in the harbour, together with all buoys, chains, derricks, sheds, tramways, rails, ropes, and other material used by the said company in their business of wharfingers at Opunake; and the amount or value to be paid by the Board for such wharf, buoys, chains, derricks, sheds, tramways, rails, ropes, and other material as aforesaid shall be ascertained by arbitration in the manner following, that is to say :— 20 25

(a.) Notice in writing of the intention of the Board to take such wharf, buoys, chains, derricks, sheds, tramways, rails, ropes, and other material shall be served by the Board on the said company by delivering such notice at the registered office of the said company, and such notice shall state the name of an arbitrator appointed by the Board to act on behalf of the Board for the purpose of assessing the amount or value aforesaid. 30 35

(b.) Within fourteen days after the service of the said notice upon the said company the said company shall, by notice in writing served at the office of the Board, appoint an arbitrator to act on behalf of the said company for the purpose of assessing the said amount or value. 40

(c.) The arbitrators appointed by the Board and the said company respectively shall, before entering upon their duties as such arbitrators, appoint an umpire.

(d.) The provisions of "The Arbitration Act, 1890," shall, except in so far as they are not inconsistent herewith, apply to such arbitration as if such arbitration were a "sub-mission" as defined by the last-mentioned Act. 45

Endowments.

10. The Board is hereby endowed with the following, namely :—
(a.) The foreshore, from the eastern bank of the Otahi River to the western bank of the Waiaua River, in the said Opunake Survey District : 50

(b.) All those Crown lands situate in the Opunake Town District, in the said Opunake Survey District, and being as follows, namely: Sections Nos. 1 to 9 (inclusive) of Block XI, containing two acres one rood; Sections Nos. 1 to 11 (inclusive) of Block III, Sections Nos. 1 to 11 (inclusive) of Block VII, and Sections Nos. 1, 2, and 3, of Block XVI, containing six acres two roods fifteen perches; Sections Nos. 1 and 2 of Block XVII, containing one rood thirty perches; Section No. 9 of Block XXII, containing one rood; Section No. 9 of Block XXVII, containing one rood; Subsections Nos. 46, 47, 48, and 49 of Block IX, containing twenty-eight acres one rood; Sections Nos. 1 to 7 (inclusive) of Block XV, containing one acre two roods seven perches; Suburban Section No. 1 of Block IX, containing twenty-one acres two roods twenty-nine perches; Sections Nos. 4 to 12 (inclusive), and Sections Nos. 1 and 2, of Block IX, containing two acres three roods; Sections Nos. 2 to 10 (inclusive) of Block XXII, containing two acres and thirty-four perches; Sections Nos. 2 to 8 (inclusive), and Sections Nos. 10 to 12 (inclusive), of Block XXVII, containing two acres one rood; part of Suburban Section No. 31, containing six acres; Sections Nos. 1 to 12 (inclusive) of Block X, containing three acres; Sections Nos. 1 to 4 (inclusive) of Block XXVIII, containing one acre; Sections Nos. 1 to 5 (inclusive) of Block XLVII.

11. The Board shall, subject to the provisions of the said Act, have power from time to time to borrow moneys: Power to borrow.

30 Provided that no moneys shall be borrowed under the authority of this Act at a higher rate of interest than six pounds per centum per annum, anything contained in the said Act to the contrary notwithstanding.

35 12. From and after the passing of this Act the district shall be exempt from any rate made or levied by the New Plymouth Harbour Board for the purpose of paying interest or other moneys in connection with any future loan raised by the said New Plymouth Harbour Board. Exemption from rates levied by the New Plymouth Harbour Board.

SCHEDULES.

Schedules.

FIRST SCHEDULE.

ALL those parcels of land situate in the Land District of Taranaki, and being, firstly, the whole of the Opunake Survey District, in the said land district, as shown on the public map of the said survey district deposited in the office of the Chief Surveyor, at New Plymouth; and, secondly, all that parcel of land, being Block No. 1, and part of Block No. 2, of the said Oeo Survey District, bounded by a line commencing at the junction of the northern boundary-line of the said Oeo Survey District with the western bank of the Oeo River, thence going southerly along the said western bank to the foreshore, thence north-westerly along the said foreshore to its junction with the boundary-line of the said Opunake and Oeo Survey Districts, thence along the said last-mentioned line to the point of commencement.

SECOND SCHEDULE.

NORTH WARD.

ALL that parcel of land, being part of the said Opunake Survey District, bounded by a line commencing at a point in the centre of the Arawhata Road at its junction with the foreshore, thence going north-easterly through the centre of the said road to its junction with the Forest Reserve, thence north-westerly along the Forest Reserve to its junction with the boundary-line of the Opunake Survey District, thence westerly along the said boundary-line to the foreshore, thence southerly along the foreshore to the point of commencement.

CENTRAL WARD.

All that parcel of land, being part of the said Opunake Survey District, bounded by a line commencing at a point in the centre of the Arawhata Road at its junction with the foreshore, thence going north-easterly along the centre of the said road to its junction with the Forest Reserve, thence south-easterly along the said reserve to the boundary-line of the Opunake Survey District, thence along the last-mentioned line to its junction with the centre of the Taungatara River, thence along the centre of the said river to the foreshore, thence north-westerly along the foreshore to the point of commencement.

SOUTH WARD.

All that parcel of land, being part of the Opunake and Oeo Survey Districts respectively, bounded by a line commencing at a point in the centre of the Taungatara River at its junction with the foreshore, thence going north-easterly through the centre of the said river to its junction with the boundary-line of the Opunake Survey District, thence south-easterly and along the last-mentioned line to its junction with the northern boundary-line of the Oeo Survey District, thence westerly along the last-mentioned boundary-line to its junction with the western bank of the Oeo River, thence south-westerly along the said bank to the foreshore, thence north-westerly along the foreshore to the point of commencement.