

RANGITAIKI LAND DRAINAGE BILL

EXPLANATORY NOTE

Up to the year 1910 the Rangitaiki Drainage District was administered under the Land Drainage Act 1908 by a Board of Trustees constituted under that Act. By the Rangitaiki Land Drainage Act 1910 the Board was dissolved and all its assets were vested in the Crown. Under that Act the district has been administered by the Minister of Lands, who has had the responsibility of constructing and maintaining drainage works therein and has made and levied rates to repay the capital cost of the drainage works and to defray the expenses of the administration of the Act in the district.

The purpose of this Bill is to provide that the district shall again be administered by a Board of Trustees under the Land Drainage Act 1908 and to confer on the Board special powers in addition to those conferred on Boards by that Act.

Clause 3 declares that, in its application to the Rangitaiki Drainage District and to the Drainage Board, the provisions of the Land Drainage Act 1908 are to be read subject to the provisions of the Bill.

Clause 4 constitutes the Rangitaiki Drainage District and declares it to be a district for the purposes of the Land Drainage Act 1908. The District comprises the same area as is at present subject to the Rangitaiki Land Drainage Act 1910, with the exception of the township of Edgumbe, for which special provision is made in *clause 19* of the Bill.

Clause 5 constitutes the Rangitaiki Drainage Board. The first members of the Board are to be appointed by the Minister of Lands and are to continue in office until the members elected at the first triennial election of members of Drainage Boards held after 1 April 1957 come into office. The Minister of Lands may at any time revoke the appointments of the members of the Board, and thereupon a general election of the Board is to be held.

Clause 6 provides that on the occurrence of an extraordinary vacancy on the Board the vacancy is to be filled by an appointment by the Board instead of by an election.

Clause 7 provides for the vesting in the Board of all the assets belonging to the Crown in respect of the drainage system at present carried on by the Crown in the district. As payment for those assets the Board is required under *clause 8* to execute a debenture providing for the payment by the Board of the sum of £135,000 with interest at 4 per cent per annum by thirty equal annual instalments. The debenture is to be a first charge on all the assets, revenue, and rates payable to the Board, except special rates made as security for special loans.

Clause 9 confers on the Board the same powers as are at present conferred on the Minister of Lands by section 3 of the Rangitaiki Land Drainage Amendment Act 1948 to constitute parts of the district as subdistricts in which drainage works of a general nature may be carried out, or as subdivisions in which, in addition to drainage works of a general nature, pumping schemes may be installed, maintained, and operated.

Clause 10 confers on the Board the same special powers in relation to land near the Tarawera River as are possessed by the Minister of Lands under section 21 of the Reserves and Other Lands Disposal Act 1938. Those powers are intended to protect the extensive stop banks and river protection works erected along that river, and include provisions authorising the Board to prohibit the construction of drains on land near the river and to prohibit any other interference with the land that may be likely to cause the escape or seepage of water from the river. Other powers conferred on the Board and the rights of occupiers of the land contained in this clause are the same as those contained in the said section 21.

Clause 11 increases temporarily the maximum rates that may be made and levied by the Board. The present valuation roll of the County of Whakatane is based on 1942 values, and the effect of this clause is that, until the valuation roll is revised by the Valuer-General, the Board may make and levy a maximum general rate up to 3d. in the pound on the capital value, or its equivalent on the unimproved value or annual value, or, on a petition of ratepayers, a maximum general rate exceeding 3d. in the pound but not exceeding 4½d. in the pound on the capital value or its equivalent. Under the Land Drainage Act 1908 the maximum general rate that may be levied by Drainage Boards is 1½d. in the pound on the capital value or its equivalent or, on a petition of ratepayers, a rate exceeding 1½d. in the pound but not exceeding 3d. in the pound on the capital value or its equivalent.

Clause 12 provides that the existing classification of lands in the district for rating purposes made under section 6 of the Rangitaiki Land Drainage Act 1910 is to continue in force until a reclassification is made by an elected Board under the Land Drainage Act 1908. The appointed Board will not be entitled to make a classification of the land but will be entitled to amend the existing list.

Clause 13 declares that certain lands are exempted from all rates made and levied by the Board. Those lands are at present exempted from rates levied by the Minister of Lands by sections 20 and 74 (2) of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1922.

Clause 14 provides that the Board may authorise the Whakatane County Council to collect rates on behalf of the Board on such terms as may be agreed upon between the Board and the Council.

Clause 15 confers on the Board power to make bylaws in addition to the powers conferred on Drainage Boards generally by the Land Drainage Act 1908. The additional powers conferred by this clause, except those in paragraphs (b) and (c), correspond to powers possessed by Catchment Boards under the Soil Conservation and Rivers Control Act 1941. Paragraphs (b) and (c) authorise the Board to make bylaws regulating the location and capacity of pumps installed after the commencement of the Act and prescribing such matters in relation to pumping as the Board considers necessary for the effective drainage of the district.

Clause 16 provides that bylaws made by the Board, whether made under the extended powers conferred by the Bill or under the Land Drainage Act 1908, may provide for a maximum fine of £50 and, where the breach is a continuing one, a further maximum fine of £5 for every day during which the breach has continued. The present maximum fine for a breach of any bylaw under the Land Drainage Act 1908 is £10.

Clause 17 authorises the Board, with the consent of the Minister of Internal Affairs, to borrow money in anticipation of its revenue during the first two years of its existence. The money may be borrowed from the Board's bankers or from other persons on overdraft or otherwise, and the Board may give such security for repayment as the Minister of Internal Affairs approves.

Clause 18 authorises the Board to arrange with the Whakatane County Council for the employment by the Board of clerical, engineering, and other staff of the Council.

Clause 19: The land in the Edgecumbe Township does not form part of the drainage district, and this clause provides that the Whakatane County Council shall be entitled to connect with the drains controlled by the Board the storm-water drains in the township. The Council is to pay to the Board an annual fee equal to the amount that the Board would have received from rates over the land in the township if the township had formed part of the district and had been valued as farming land and rated according to the class in which it would have been classified if it were part of the district.

Clause 20 provides for consequential repeals, savings, and amendments.

Hon. Mr Corbett

RANGITAIKI LAND DRAINAGE

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A BILL INTITULED

An Act to constitute the Rangitaiki Drainage District and to provide for its administration by a Board of Trustees under the Land Drainage Act 1908

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

1. Short Title and commencement—(1) This Act may be cited as the Rangitaiki Land Drainage Act 1956, and shall be read together with and deemed part of the Land Drainage Act 1908 (hereinafter referred to as the principal Act).

(2) This Act shall come into force on the *first* day of *April*, 5
nineteen hundred and *fifty-seven*.

2. Interpretation—In this Act—

“Board” means the Board of Trustees for the district constituted under this Act:

“District” means the Rangitaiki Drainage District con- 10
stituted under this Act.

3. Application of Land Drainage Act 1908—In its application to the Rangitaiki Drainage District and the Rangitaiki Drainage Board the principal Act shall be read subject to the provisions of this Act. 15

Rangitaiki Drainage District

4. Rangitaiki Drainage District constituted—The land described in the *First* Schedule to this Act is hereby declared to be a drainage district for the purposes of the principal Act under the name of the Rangitaiki Drainage District as if it 20
had been so constituted under the provisions of section three of the principal Act.

Rangitaiki Drainage Board

5. Rangitaiki Drainage Board constituted—(1) There shall be a Board of Trustees for the district under the name of the 25
Rangitaiki Drainage Board.

(2) Notwithstanding anything in the principal Act, the first Board of Trustees for the district shall be appointed by the Minister of Lands by notice in the *Gazette*, and the Board shall comprise such number of Trustees as the Minister thinks 30
fit.

(3) The first members of the Board may be so appointed at any time after the passing of this Act, and shall come into office on the commencement of this Act or on the date of appointment, whichever is the later. 35

(4) No person shall be so appointed a member of the Board unless, if an election of members were held, he would be qualified under the principal Act to be elected as a member of the Board.

(5) The members of the Board so appointed, unless they sooner vacate their office, shall hold office until the members of the Board elected at the first triennial election of members of Drainage Boards held after the commencement of this Act
5 come into office:

Provided that the Minister of Lands may at any time, by notice in the *Gazette*, revoke the appointments of all the members of the Board appointed by him, and thereupon a general election of the members of the Board shall be held. The provisions of section five of the principal Act shall apply to that
10 election as if a new district had been constituted under that Act.

(6) The number of members of the Board to be elected at the first general election of members of the Board shall be
15 fixed by the Governor-General by Order in Council.

6. Extraordinary vacancies—Notwithstanding anything in section ten of the principal Act, if any Trustee, whether appointed by the Minister of Lands or elected as a member of the Board,—

- 20 (a) Dies; or
(b) Becomes incapable of acting; or
(c) By writing addressed to the Chairman resigns his office as Trustee; or
(d) Ceases to reside permanently in New Zealand; or
25 (e) Is absent without leave from three consecutive meetings of the Board,—

his office shall be deemed to be vacated, and the Board may by resolution appoint some qualified person to be a Trustee in his stead. The person so appointed, unless he sooner vacates
30 his office, shall hold office as Trustee for so long only as his predecessor would have held office had he remained a Trustee.

Vesting of Assets in the Board

7. Land, drainage works, etc., to vest in the Board—
35 (1) Upon the execution by the Board and delivery to the Minister of Lands of the debenture referred to in section *eight* of this Act, all the lands, easements and other interests in land, drains, pumps, machinery, tools, implements, and drainage works owned by the Crown in respect of the drainage system

carried on by the Crown at the commencement of this Act on the land described in the *First* Schedule to this Act shall vest in and become the property of the Board.

(2) The decision of the Minister of Lands as to what assets have vested in the Board under subsection *one* of this section shall be final. 5

(3) A notice in the *Gazette* by the Minister of Lands specifying that any land, easement, or other interest in land has vested in the Board under subsection *one* of this section shall be conclusive evidence of that vesting to the District Land Registrar, and shall be sufficient authority to him to issue a certificate of title to the land in the name of the Board and to make such memorials in the Register Book and on any instrument of title as are necessary to record the vesting in the Board of any such easement or other interest. 10 15

8. Board to execute debenture in favour of the Crown—

(1) As soon as the members of the first Board of Trustees constituted under this Act come into office, the Board shall execute in favour of Her Majesty the Queen a debenture securing to Her Majesty the sum of one hundred and thirty-five thousand pounds, together with interest thereon as from the date on which those members came into office at the rate of four pounds per cent per annum, by thirty annual instalments each of seven thousand eight hundred and seven pounds one shilling and fourpence. 20 25

(2) That debenture shall be in a form approved by the Minister of Lands, and shall be secured over, and be a first charge on, all property both real and personal whatsoever and wheresoever at any time owned by the Board and all revenues of the Board from any source and all rates payable to the Board: 30

Provided that the debenture shall not be secured over any special rates made as security for any special loans raised by the Board.

Special Powers of the Board

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9. Subdivision of district—(1) Without limiting the powers of the Board under sections sixteen and thirty-one A of the principal Act, the Board may from time to time for the purpose of the better carrying out of drainage works and to facilitate the general administration of the principal Act in the district, by special order made on the petition of not less than half in number of the occupiers of the rateable property 40

in any particular area of the district or on the petition of the occupiers of not less in the aggregate than half of the rateable property in any particular area of the district,—

- 5 (a) Constitute that area a subdistrict, to be known by a distinctive name, in which drainage works of a general nature may be carried out; or
- 10 (b) Constitute that area a subdivision, to be known by a distinctive number or name, within which, in addition to drainage works of a general nature, pumping schemes may be installed, maintained, and operated. Any such subdivision may be wholly within the boundaries of any subdistrict, or may be partly in one subdistrict and partly in another or others.

15 (2) Notwithstanding the constitution of any subdistrict or subdivision under this section, all rateable property therein shall continue to be liable as part of the district to all rates levied from time to time on the whole district under section thirty-one of the principal Act.

20 (3) The Board may at any time abolish any such subdistrict or subdivision by special order made on the petition of not less than half in number of the occupiers of the rateable property in the subdistrict or subdivision or on the petition of the occupiers of not less in the aggregate than half of the rateable property in the subdistrict or subdivision.

25 **10. Special provisions as to lands near the Tarawera River**—(1) The Board may from time to time, by notice in writing given to the occupier of any land within the district and situated near the Tarawera River, prohibit the construction of drains on the land or on such part thereof as may
30 be specified in the notice, and also prohibit any other interference with the surface of the land or part thereof that may cause or be likely to cause the escape or seepage of water from that river. The decision of the Board as to whether or not any land is near the Tarawera River for the purposes of this section
35 shall be final.

(2) A notice to any occupier under this section may be given by delivering it to him personally, or by posting it upon a conspicuous part of the land and posting a copy thereof by registered letter addressed to the occupier at his last known
40 place of abode or business in New Zealand, or to the agent or representative of the occupier. A notice so posted shall be deemed to have been given at the time when the registered letter would in the ordinary course of post be delivered.

(3) Any notice given under this section may be at any time in like manner amended or revoked.

(4) Every person who does or causes or permits to be done any act prohibited by a notice given to him under this section commits an offence and is liable on summary conviction to a fine not exceeding one hundred pounds. 5

(5) The Board may from time to time do such things as it deems necessary for the purposes of filling in any drain on any land in respect of which a notice has been given under this section and of remedying any other interference with the surface of any such land, whether the drain was constructed or the interference was made before or after the commencement of this Act or before or after the giving of the notice. 10

(6) For the purposes of this section the Board and all persons authorised by it in that behalf may enter upon and pass over any land within the district, with or without vehicles, and may take from any land in the immediate vicinity such spoil as may be required. 15

(7) Every person suffering any damage from the exercise of any of the powers conferred on the Board by subsection *six* of this section shall be entitled to full compensation therefor in accordance with the provisions of the Public Works Act 1928 relating to compensation. All such claims for compensation shall be made in writing to the Board within twelve months from the time when the claim arose, and no claim for compensation shall be allowed unless made within that period. 20 25

(8) All costs incurred by the Board under subsection *five* or subsection *six* of this section in respect of any drain constructed or other interference made on any land at any time while the construction or making thereof was prohibited by a notice given under this section to the occupier of the land shall constitute a debt forthwith due and payable to the Board by that occupier, and shall be a charge on the land and may be recovered in the same manner as rates that have been validly demanded under the principal Act. 30 35

(9) Subject to the provisions of subsection *eight* of this section, all costs incurred by the Board under subsection *five* of this section shall be deemed to be part of the expenses of the general administration of the principal Act in the district. 40

(10) On the application of any owner or occupier of any land affected by a notice under this section, the Board may from time to time exempt that land or any part thereof from liability for rates under the principal Act either wholly or in part and for such period as it thinks fit, and may from time to time remit either wholly or in part any rates made and levied under the principal Act in respect of that land or any part thereof. Any exemption granted under this subsection may be at any time in like manner varied or revoked.

10 (11) Except as otherwise expressly provided in this section, no compensation shall be payable under the Public Works Act 1928 or any other Act in respect of any damage suffered from the exercise of any powers conferred on the Board by this section.

15 (12) Notwithstanding anything to the contrary in the Impounding Act 1955, or any other Act, and notwithstanding that any stopbank along the Tarawera River may not be on fenced land, the Board may claim and recover as a debt from the owner of any stock full satisfaction for any actual damage
20 caused by the stock to the stopbank. For the purposes of this subsection the terms "fenced land" and "stock" have the same meanings as in the Impounding Act 1955.

Rates

25 **11. Maximum general rate**—Until the first revision after the commencement of this Act of the valuation roll of the County of Whakatane is made by the Valuer-General under the Valuation of Land Act 1951,—

30 (a) Section thirty-one of the principal Act (as amended by subsection one of section two of the Land Drainage Amendment Act 1952) shall, in its application to the district, be read as if for the words "six farthings" there were substituted the word "threepence":

35 (b) Section two of the Land Drainage Amendment Act 1913 shall, in its application to the district, be read as if for the words "six farthings but not exceeding threepence" there were substituted the words "threepence but not exceeding fourpence halfpenny".

40 **12. Existing classification of land continued in force**—Notwithstanding anything in sections thirty-three to thirty-six of the principal Act,—

- (a) The classification for rating purposes of the land in the district made under section six of the Rangitaiki Land Drainage Act 1910 (as amended by section two of the Rangitaiki Land Drainage Amendment Act 1948) and in force at the commencement of this Act shall continue in force, as if it had been made under section thirty-three of the principal Act, until the first classification of the land made under that section by an elected Board of Trustees for the district comes into force; and 5
- (b) The Board of Trustees appointed by the Minister of Lands under section *five* of this Act shall not make any classification of the land in the district for rating purposes: 10

Provided that that Board may from time to time amend the classification in force at the commencement of this Act, but no such amendment shall have effect until the expiration of two months after service of the notice of the amendments on all ratepayers affected thereby. The provisions of the principal Act relating to appeals and to the authentication of the classification list shall apply to every such amendment of the list. 15 20

13. Lands exempt from rates—The following lands in the district are hereby declared to be exempt from the payment of all rates made and levied by the Board, namely: 25

- (a) The land described in the *Second* Schedule to this Act: 25
- (b) The land in the Town of Matata and the district adjoining in respect of which the powers of a Borough Council as to the supply of water for domestic purposes have been conferred on the Whakatane County Council by an Order in Council made pursuant to section seventy-four of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1922. 30

14. Board may authorise Whakatane County Council to collect rates—(1) The Board may from time to time, by special order, delegate to the Whakatane County Council all or any of the powers conferred by the principal Act or any other Act upon the Board of making and levying rates within the district, subject to such conditions and stipulations as to the expenditure by the Whakatane County Council of money received from those rates as may be agreed upon by the Board and the Council. 35 40

(2) Upon the making of a special order under this section the Whakatane County Council shall have and may exercise all or any of the powers conferred upon and vested in the Board by the principal Act or any other Act of making and
5 levying the rates referred to in the special order, subject to such special conditions (if any) as are specified in the special order.

(3) Subject to the provisions of any agreement under subsection *one* of this section, all such rates shall be handed over
10 to the Board as collected:

Provided that the Whakatane County Council shall be entitled to retain all reasonable costs and expenses incurred in and about making, levying, collecting, and recovering any such rate, and a reasonable remuneration for clerical and other
15 work; and if any dispute arises as to the amount so to be retained, or otherwise in relation thereto, the same shall be decided by the Audit Office, whose decision shall be final.

Miscellaneous Provisions

15. Extending power of Board to make bylaws—Without
20 limiting the power to make bylaws conferred on the Board by the principal Act or any other Act, the Board may from time to time, in the manner provided by section fifty of the principal Act, make bylaws—

- 25 (a) Preventing or regulating the overflow of artesian wells or the pumping of water into any watercourse within the district, whether the watercourse is under the control of the Board or not:
- (b) Regulating the location and capacity of pumps installed after the commencement of this Act:
- 30 (c) Prescribing such matters in relation to pumping as the Board considers necessary for the effective drainage of the district:
- (d) Regulating the use of any constructed watercourse under the control of the Board:
- 35 (e) Prescribing conditions on which other constructed watercourses may be connected or continue to be connected with any constructed watercourse under the control of the Board, including in those conditions the payment to the Board of any annual or
40 other charges:

- (f) Preventing the widening and deepening of watercourses under the control of the Board or the alteration of the course thereof without the consent of the Board:
- (g) Prohibiting or regulating the removal of shingle, sand, or other material from any watercourse under the control of the Board: 5
- (h) Prohibiting or regulating access to or the passing over or along any bank, dam or other defence against water, or other work of any kind whatsoever constructed, or maintained by, or under the control of, the Board: 10
- (i) Prohibiting or regulating the erection of any structures or fences within a specified distance from the banks of any watercourse under the control of the Board or in any place where they will obstruct or be likely to obstruct the free flow of floodwaters in any existing flood channel, and regulating the maintenance of any such structures or fences: 15
- (j) Generally preventing trespasses, nuisances, obstructions, and damage to watercourses under the control of the Board or to plantations established or maintained by the Board, and making all such provision as the Board deems necessary or expedient for the protection and proper management of its property and all machinery and works of every kind under its care, control, and management. 25

16. Penalty for breach of bylaws—Notwithstanding the provisions of subsection two of section fifty of the principal Act, bylaws made by the Board under this Act or the principal Act may prescribe fines not exceeding fifty pounds for any breach thereof, and in the case of a continuing breach may prescribe a further fine not exceeding five pounds for every day or part of a day during which the breach has continued. 30

17. Power of Board to borrow in anticipation of revenue—Notwithstanding anything in section *three* of the *Local Bodies' Finance Act 1921–22*, or in the *Local Bodies' Loans Act 1926*, or in the *Local Government Loans Board Act 1926*, the Board during the first two years of its existence may, with the consent of the Minister of Internal Affairs and upon such terms 35

as he specifies, borrow money in anticipation of its revenue, whether on overdraft or otherwise, from its bankers or from any person or persons, and may give such security for the repayment thereof and interest thereon by debenture or otherwise as the Board, with the approval of the Minister of Internal Affairs, thinks fit.

18. Appointment of officers—(1) Without limiting the powers conferred on the Board by section forty-three of the principal Act, the Board may agree with the Whakatane County Council for the employment by the Board, on a part time or other basis, of clerical, engineering, and other employees of the Council and to pay to the Council such sums as remuneration for those services as may be agreed on between the Board and the Council.

(2) The Council is hereby empowered to enter into contracts with the Board for the purposes of this section upon such terms as it thinks fit.

19. Special provisions as to land in Edgecumbe Township—The following provisions shall apply with respect to the land in the Edgecumbe Township (being the land described in the *Third Schedule* to this Act and referred to in this section as the township), namely:

(a) The Whakatane County Council shall be entitled to connect with the drains controlled by the Board, in a manner approved by the Board, all stormwater drains within the township:

(b) So long as the Whakatane County Council connects the stormwater drains within the township with the drains controlled by the Board, there shall be payable each year by the Council to the Board an amount equal to the total amount that would have been received in that year by the Board in respect of land in the township if the township had formed part of the district and rates on that land had been levied by the Board on the basis of the special rateable value determined by the Valuer-General under paragraph (c) of this section and according to the class in which the land would have been classified had it formed part of the district:

- (c) For the purposes of paragraph (b) of this section, the Valuer-General shall as soon as possible after the commencement of this Act, and thereafter whenever the values on the district valuation roll of the County of Whakatane are revised under the Valuation of Land Act 1951, determine a special rateable value for the land in the township as if the land were used in such number of farms as the Valuer-General thinks fit for farming purposes of the kind generally carried on on the farming land in the district, and shall notify the Board and the Council of the total special rateable value so determined. 5 10

20. Repeals, savings, and amendments—(1) The enactments specified in the *Fourth* Schedule to this Act are hereby repealed. 15

(2) The repeal of any enactment by this Act shall not affect the liability of any person for the payment of any rate made and levied under any such enactment before the commencement of this Act, and all such rates shall continue to be owing to the Crown, which shall have the same powers for the recovery thereof as if this Act had not been passed. All such rates when collected shall be paid into the Public Account to the credit of the Consolidated Fund. 20

(3) Section nineteen of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1922 is hereby amended by omitting the words “the Rangitaiki Land Drainage Act 1910”. 25

(4) Section fifty-four of the Statutes Amendment Act 1938 is hereby amended by omitting from subsection four the words “the Rangitaiki Land Drainage Act 1910”. 30

(5) Section two of the Soil Conservation and Rivers Control Act 1941 is hereby amended by omitting from the definition of the term “special Act” (as inserted by section fifteen of the Soil Conservation and Rivers Control Amendment Act 1948) the words “the Rangitaiki Land Drainage Act 1910”. 35

SCHEDULES

FIRST SCHEDULE

Section 4

DESCRIPTION OF RANGITAIKI DRAINAGE DISTRICT

ALL that area in the South Auckland Land District, situate in Whakatane County, bounded towards the north by the sea; towards the east generally by the Whakatane River; towards the south by Block VIII, Whakatane Survey District, and Block XII, Rangitaiki Upper Survey District; again towards the east generally by the summit of the western watershed of the Waimea Stream; again towards the south by Block XV, Rangitaiki Upper Survey District; towards the west generally by the western bank of the Rangitaiki River; again towards the south by the southern boundaries of Sections 114, 115, 116, 117, 125, and 127, Block X, Rangitaiki Upper Survey District, and a right line from the south-western corner of the last-mentioned section to the southernmost point of Lake Moturoa; and thence again towards the west generally by the western shore of that lake to the eastern boundary line of Section 41, Block IX, Rangitaiki Upper Survey District, by that section and its eastern boundary line produced to Lake Rotoroa; thence by the western shore of that lake and the north-western boundary line of Section 38 to the northernmost corner of that section; thence by a right line to the angle of the Matamata Main Road about 12 chains south of where it crosses the Mangowhiki Stream, and by that road to the Township of Richmond, and by the south-western and north-western boundaries of the Township of Richmond to the sea, but excluding the land described in the *Third* Schedule to this Act.

SECOND SCHEDULE

Section 13 (a)

LAND EXEMPTED FROM RATES

ALL that area in the South Auckland Land District situate in Blocks IV and V, Whakatane Survey District, County of Whakatane, containing approximately one thousand four hundred and fifty-nine acres: bounded, commencing at the junction of the northern boundary of part Rangitaiki Lot 21A and the western bank of the Whakatane River; thence in a south-westerly direction by the aforesaid boundary to and across a public road, and again by the north boundary of part Rangitaiki 21A to its junction with Lot 5 on deposited plan number 14700; thence westerly and generally in a southerly direction by the northern and western boundaries of the aforementioned Lot 5 to its intersection with the block boundary between Blocks IV and VIII, Whakatane Survey District; thence in an easterly direction by that block boundary to its intersection with the Whakatane River; thence generally northwards by the western bank of that river to the point of commencement; as the same is delineated on a plan marked L. and S. 15/11/3, deposited at the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

DESCRIPTION OF LAND IN EDGECUMBE TOWNSHIP

ALL that area commencing at the extreme north-eastern boundary of Section 1 of Allotment 11s, on Deposited Plan number 36764, Block III, Rangitaiki Upper Survey District; thence running south-easterly along a straight line parallel to the south-western boundary of Section Part 184 to its coincidence with the western bank of the Rangitaiki River; thence following the western bank of the Rangitaiki River in a general southerly direction to a point which is coincident with the projection westwards of the northern boundary of Section Part 81, Deposited Plan number 28083s; thence eastwards along a straight line joining that point to a further point which is at the projection $3\frac{1}{2}$ chains eastwards (across East Bank North Road) of the said northern boundary of Section Part 81, Deposited Plan number 28083s; thence southwards along a straight line parallel to and $2\frac{1}{2}$ chains eastwards of the eastern boundary of East Bank North Road (across the Awakeri – Te Teko Main Highway and the East Coast Main Trunk Railway) to a point where this straight line intersects a line parallel with and $2\frac{1}{2}$ chains eastwards of the eastern boundary of East Bank South Road; thence south-easterly along the said parallel line to a point coincident with the projection $3\frac{1}{2}$ chains north-eastwards of the south-eastern boundary of Section 22n; thence south-westwards along the said projection (across East Bank South Road) and along the south-eastern boundary of Section 22n, to its junction with the eastern bank of the Rangitaiki River; thence in a general southerly direction along the eastern bank of the Rangitaiki River to a point which is coincident with the projection eastwards of the northern boundary of Section 53A; thence westwards in a straight line across the Rangitaiki River) along the said projection and the northern boundary of Section 53A to a point coincident with the eastern boundary of the Awakeri – Te Teko Main Highway; thence north-westwards (across the Awakeri – Te Teko Main Highway) to the extreme south-eastern boundary of Section 75 of Allotment 142 (Reynold's Block); thence westwards along the southern boundary of the said Section 75 to its intersection with the western boundary of Section 24, Allotment 142 (Reynold's Block); thence northwards along the said western boundary of Section 24 and Section 4, Deposited Plan number 32926s; thence again northwards and north-westwards along the western boundary of Section 3, Deposited Plan number 20326s, to a point coincident with the projection south-westwards of the south-eastern boundary of the Edgcumbe station yards; thence north-eastwards along the straight line, which comprises the said projection, the south-eastern boundary of the Edgcumbe station yards and a projection of that boundary (across Railway Road West) for a depth of $2\frac{1}{2}$ chains north-eastwards from the northern boundary of that road; thence at right angles in a south-easterly direction along a straight line $2\frac{1}{2}$ chains from and parallel to the northern boundary of Railway Road West; thence northwards along the western boundary of Section 3 (Matchitt's proposed subdivision) to the extreme north-western corner of the said Section 3; thence generally north-eastwards and northwards along a line parallel to and $2\frac{1}{2}$ chains westwards from the western boundary of the Thornton–Edgcumbe Main Highway to a point $2\frac{1}{2}$ chains westwards

*THIRD SCHEDULE—continued*DESCRIPTION OF LAND IN EDGECUMBE TOWNSHIP—*continued*

along the southern boundary of Section 1, Deposited Plan number 24550s; thence westwards along the balance of the southern boundary of the said Section 1; thence northwards along the western boundary of the said Section 1 to its intersection with the southern boundary of Part 138A (School); thence westwards along the balance of the southern boundary and northwards along the western boundary of the said Part 138A (School) and Section 2, Deposited Plan number 23062s, to its point of intersection with the south-western boundary of Part 138A, Deposited Plan number 20891s; thence north-westwards along the balance of the said south-western boundary of Part 138A, Deposited Plan number 20891s, and the southern boundary of Section 1; thence northwards and south-eastwards along the western and northern boundaries of Section 1 respectively, south-eastwards along part of the northern boundary of Part 138A, Deposited Plan number 20891s, to a point which is the intersection of the said boundary with a line parallel to and $2\frac{1}{2}$ chains westwards of the western boundary of the Thornton—Edgumbe Main Highway; thence in a generally northerly and north-easterly direction along that parallel line and through Section 1, Deposited Plan number 24550s, and Section 1 of Allotment 11s, Deposited Plan number 36764, until that line intersects with the north-eastern boundary of Section 1 of Allotment 11s; thence south-easterly along the said north-eastern boundary of Section 11s to the extreme north-eastern corner of the said Section 1 of Allotment 11s, which is the point of commencement.

FOURTH SCHEDULE

Section 20 (1)

ENACTMENTS REPEALED

1910, No. 2 (Local)—

The Rangitaiki Land Drainage Act 1910. (1931 Reprint, Vol. IV, p. 574.)

1922, No. 50—

The Reserves and Other Lands Disposal and Public Bodies Empowering Act 1922: Section 20 and subsection (2) of section 74.

1924, No. 55—

The Reserves and Other Lands Disposal and Public Bodies Empowering Act 1924: Section 72.

1932, No. 11—

The Finance Act 1932: Section 14.

1937, No. 36—

The Finance Act (No. 2) 1937: Section 11.

1938, No. 13—

The Finance Act 1938: Section 15.

1938, No. 19—

The Reserves and Other Lands Disposal Act 1938: Section 21.

1948, No. 41—

The Rangitaiki Land Drainage Amendment Act 1948.