

Mr. T. W. Rhodes.

## THAMES BOROUGH BOUNDARIES ALTERATION.

### [LOCAL BILL.]

#### ANALYSIS.

Title.	
1. Short Title.	7. Local Elections and Polls Act.
2. Excluding portion of existing boundaries, &c.	8. Governor-General to make appointments. Cost of poll.
3. Authority to construct works.	9. Advertising improvements.
4. Proportion of cost and maintenance recoverable from Thames County Council.	10. Effect of carrying proposal and representation.
5. Liability of Thames County Council in respect to Saxon Shaft.	11. Financial adjustments.
6. Taking of poll as to added area.	12. Exoneration of County's obligations. Schedules.

#### A BILL INTITULED

AN ACT to alter the Boundaries of the Thames Borough and to confer upon the Thames Borough Council certain Powers with respect to the Disposal of Flood-waters. Title.

5 WHEREAS the Thames Borough has for many years suffered considerable damage in flood times by the discharge and overflow of mining debris and silt from creeks and aqueducts running through the Waiotahi and Kauaeranga Ridings of the Thames County into and through the Thames Borough: And whereas the Thames  
10 Borough Council has propounded remedial measures involving the erection and construction of catchment-works in the Moanataiari, Waiotahi, Karaka, and Hape Creeks (all of which creeks flow through the Thames Borough): And whereas on the eighteenth day of February, nineteen hundred and eighteen, a Commission  
15 under the Commissions of Inquiry Act, 1908, was set up and subsequently inquired into the said damage and remedial measures: And whereas it is expedient to give effect to the recommendations of such Commission in the manner and to the extent hereinafter appearing:

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

1. This Act may be cited as the Thames Borough Boundaries Alteration Act, 1918, and shall come into force on the  
25 day of \_\_\_\_\_, nineteen hundred and \_\_\_\_\_

Excluding portion  
of existing  
boundaries, &c.

2. The boundaries of the Borough of Thames as constituted by Proclamation bearing date the fifth day of November, eighteen hundred and seventy-three, are hereby altered by excluding from the area so defined all that area described in the *First* Schedule hereto, and from and after the passing of this Act the Borough of Thames shall comprise all that area described in the *Second* Schedule hereto.

5

Authority to  
construct works.

3. The Thames Borough Council may in order to prevent or lessen damage to property within the borough by the discharge and overflow of mining debris, silt, and other waste or noxious material from the Moanataiari, Waiotahi, Karaka, Noke Noke, and Hape Creeks do all or any of the following things, namely:—

10

(a.) Erect impounding-works upon some suitable site upon or adjacent to all or any of the aforesaid creeks, whether inside or outside the boundaries of the Thames Borough.

(b.) Enlarge the present concrete conduit on the Karaka Creek, or supplement that conduit by an additional conduit.

15

(c.) Maintain, alter, and from time to time repair and reinstate any such works.

(d.) At any time or times hereafter dismantle the existing Moanataiari and Waiotahi aqueducts or either of them, and rebuild or reconstruct both or either of them in wood, concrete, or other material to an extent not exceeding double the width and capacity of the present aqueducts.

20

(e.) Alter or enlarge, and from time to time repair or reconstruct either in wood, concrete, or other material, the whole or any part of the existing wooden drain from Noke Noke Creek through Rolleston Street and Richmond Street in the Borough of Thames, notwithstanding that any portion of such drain may be outside the present boundary of the said borough.

25

(f.) Generally construct such further works or do such further acts as may be expedient in connection with the said creeks or the works thereon for the purpose of preventing or lessening the damage above referred to.

35

Proportion of cost  
and maintenance  
recoverable from  
Thames County  
Council.

4. After the completion by the Thames Borough Council of all or any of the works authorized to be constructed by the *last preceding* section the Thames County Council shall, upon demand, pay to the Thames Borough Council one-half of all or any of the moneys expended by the Thames Borough Council in respect of the works so completed, and such proportion shall be recoverable in any Court of competent jurisdiction:

40

Provided that the liability of the Thames County Council shall not exceed the amounts set out in the *Fourth* Schedule hereto in respect of the works described in such Schedule.

45

Liability of Thames  
County Council  
in respect to  
Saxon Shaft.

5. One-half of the yearly cost of maintaining any of the works done or constructed under the authority of section *three* hereof as well as one-half of a sum of one hundred and fifty pounds a year (computed from the first day of March, nineteen hundred and eighteen) for assistance to pumping mine-water at the Saxon Shaft in the Borough of Thames shall be paid and borne by the Thames County Council, and such moneys may be recoverable by or

50

on behalf of the Thames Borough Council, after demand, in any Court of competent jurisdiction :

5 Provided that the yearly liability of the Thames County Council in respect of the maintenance of the said works (exclusive of half of the said annual payment of one hundred and fifty pounds) shall not exceed the sum of two hundred and fifty pounds.

10 6. Not later than twelve months after the passing of this Act a joint poll shall be taken of all the electors upon the district electors roll of the Thames Borough and of all the electors upon the Thames County electoral roll in respect of such portion of the ridings of Waiotahi, Kauaeranga, and Parawai in the Thames County as is within the area described in the *Third* Schedule hereto upon the proposal that the area so described shall be added to and form part of the Thames Borough.

Taking of poll as to added area.

15 7. All the provisions of the Local Elections and Polls Act, 1908, and amendments thereof, as to taking of polls shall, except where the same are modified by or are inconsistent herewith, apply to the taking of such poll.

Local Elections and Polls Act.

20 8. (1.) The Governor-General may by Order in Council make such appointments and arrangements (including the appointment of a Returning Officer and the preparation of a voters roll) as he deems necessary for the purpose of taking such poll.

Governor-General to make appointments.

(2.) All voters at the poll shall have and may exercise one vote and no more.

25 (3.) The omission from the voters roll of the name of any person entitled to be placed thereon or the inclusion on such roll of the name of any person not entitled to be placed thereon shall not invalidate either the roll or the poll.

30 (4.) The costs of all proceedings in respect of the said poll (including the cost of preparing the roll) shall be defrayed and borne by the Thames Borough Council and the Thames County Council in equal shares.

Cost of poll.

35 9. Not less than one calendar month before the taking of this poll the Thames Borough Council shall state generally by publication in a newspaper circulating in the borough—

Advertising improvements.

(a.) The sanitation, lighting, roading, and other improvements to be effected by the Council in the area proposed to be added to the borough and the approximate cost thereof;

40 (b.) The approximate date of the commencement of such improvements; and

(c.) The proposed representation on the Thames Borough Council of the area proposed to be added.

45 10. If such proposal is carried, then the area described in the *Third* Schedule hereto shall, as from a date to be specified in that behalf by the Governor-General by Order in Council gazetted, thereafter form part of and be included in the Thames Borough; and the Governor-General may by Order in Council—

Effect of carrying proposal and representation.

(a.) Declare that the area added shall be divided or undivided or shall form a definite ward or wards :

50 (b.) Fix the name or names of such added area or divisions thereof :

(c.) Fix the number of Councillors that shall represent such added area or any divisions of the same.

Financial  
adjustments.

11. If such proposal is carried a financial adjustment shall be made between the Thames Borough Council and the Thames County Council as provided by section one hundred and twenty-seven of the Municipal Corporations Act, 1908, in respect of the area added to such borough and taken from such county, and in default of such adjustment the same shall be made by the Governor-General as by the said Act is provided. 5

Exoneration of  
County's  
obligations.

12. From and after the date upon which the said proposal (if carried) takes effect the Thames County Council shall be exonerated from all further liability for contributions under this Act, save in respect of obligations by the Thames County Council to the Thames Borough Council that have matured on such date. 10

Schedules.

## SCHEDULES.

### FIRST SCHEDULE.

#### DESCRIPTION OF LAND PROPOSED TO BE DEDUCTED FROM THE BOROUGH OF THAMES.

ALL that area in the Provincial District of Auckland, bounded towards the north by a right line commencing at the north-west corner of the Borough of Thames, being 11681 $\frac{3}{4}$  links distant from Trig. Station F, Block IV, Thames Survey District, on a bearing of 282° 36' 31" (true), and proceeding due east (true) along the northern boundary of the said Borough of Thames, 34 chains; thence towards the north-east by a right line parallel with the south-western boundary of the said Borough of Thames to the southern boundary of the said borough; thence towards the south by a right line bearing due west (true) along the southern boundary of the said borough, 34 chains, to the south-west corner of the said borough; thence towards the south-west by the south-west boundary of the said borough to the point of commencement.

### SECOND SCHEDULE.

#### BOROUGH OF THAMES.

ALL that area in the Provincial District of Auckland, bounded towards the north by a right line commencing at a point 34 chains distant, on a bearing due east (true) from the original north-west corner of the Borough of Thames (the aforesaid original north-west corner of the said borough is 11681 $\frac{3}{4}$  links distant from Trig. Station F, Block IV, Thames Survey District, on a bearing 282° 36' 31" (true) ), and proceeding due east (true) to Rocky Point, 46 chains; thence by a right line bearing 126° 52' (true), 4250 links, to Trig. Station F aforesaid; thence towards the north-east generally by a right line to Trig. Station No. 5, Kuranui Hill; thence by a right line to Trig. Station No. 1, Waiotahi Spur; thence by a right line to the middle of Karaka Road opposite to the middle of Sandes Street; thence by a line along the middle of the said Karaka Road to the middle of Rolleston Street; thence by a line along the middle of the said Rolleston Street to the middle of Grey Street, Shortland; thence by a line along the middle of the said Grey Street to the middle of the Hape Creek; thence by a line along the middle of the said Hape Creek to its confluence with the Kauaeranga River; thence towards the south by a right line due west (true), 46 chains; and thence towards the south-west by a right line to the point of commencement.

### THIRD SCHEDULE.

#### DESCRIPTION OF LAND PROPOSED TO BE ADDED TO THE BOROUGH OF THAMES.

ALL that area in the Provincial District of Auckland, bounded towards the north-east by a right line commencing at Trig. Station F, Block IV, Thames Survey District, and proceeding to Trig. Station D, Punga Flat; thence by a right line to the true right bank of the Kauaeranga River, passing through a point 3650 links distant,

bearing due west (true) from Trig. Station 92, Gentle Annie; thence towards the south generally by the true right bank of the said Kauaeranga River and by the ordinary high-water mark of the true right bank of the said Kauaeranga River to the south boundary of the Borough of Thames at the confluence of the said Kauaeranga River and the Hape Creek; thence towards the south-west generally by the boundary of the said Borough of Thames—namely, by a line along the middle of the said Hape Creek to the middle of Grey Street, by a line along the middle of the said Grey Street to the middle of Rolleston Street, by a line along the middle of the said Rolleston Street to the middle of Karaka Road, by a line along the middle of the said Karaka Road to a point opposite the middle of Sandes Street, by a right line to Trig. Station No. 1, Waiotahi Spur, by a right line to Trig. Station No. 5, Kuranui Hill, and by a right line to Trig. Station F, the point of commencement.

FOURTH SCHEDULE.

	Maximum Amount payable by the Thames County Council.
Moanataiari and Waiotahi Creeks : Erection of impounding-works, and dismantling and reconstruction of aqueducts	£1,550
Karaka Creek, not including cost of enlarging concrete conduit ... ..	£1,200
Hape Creek : Erection of impounding-works ... ..	£750
Noke Noke Creek : Cost of dismantling and reconstruction	£500
Mine-water pumping at Saxon Shaft ... ..	£75

By Authority : MARCUS F. MARKS, Government Printer, Wellington.—1918.