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Mr. Hockly.

WHAKATANE HARBOUR AMENDMENT.

[LOCAL BILL.]

ANALYSIS.

Title.	4. Number of elective members and by whom elected.
1. Short Title.	5. First Schedule of the Harbours Act, 1923, amended.
2. Section 5 of the Whakatane Harbour Amendment Act, 1922, repealed.	6. Wards may be altered by special order. Schedule.
3. Repeal. Whakatane Harbour District reconstituted.	

A BILL INTITULED

AN ACT to amend the Whakatane Harbour Act, 1921-22. ~~and its~~ Title.
~~Amendments, and the Harbours Act, 1923.~~

5 BE IT 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 Whakatane Harbour Amendment Act, 1928, and shall form part of and be read together with the Whakatane Harbour Act, 1921-22 ~~and the Harbours Act, 1923~~ (herein- Short Title.
10 after referred to as the principal Act).

Struck out.

2. Section five of the Whakatane Harbour Amendment Act, 1922, is hereby repealed. Section 5 of the Whakatane Harbour Amendment Act, 1922, repealed.

15 3. Section six of the Whakatane Harbour Act, 1921-22, and section two of the Whakatane Harbour Amendment Act, 1922, and the Schedules therein referred to, are hereby repealed, and the following is substituted therefor:— Repeal.

20 "6. The Whakatane Harbour District is hereby constituted, and shall comprise the Opouriao Ward, the Taneatua Ward, the Rangitaiki Ward, the Omataroa Ward, the Waimana Ward, and the Whakatane Ward as defined in the Schedule hereto." Whakatane Harbour District reconstituted.

25 4. The elective members of the Board shall be elected as follows: One member by the electors of the Opouriao Ward, one member by the electors of the Taneatua Ward, three members by the electors of the Rangitaiki Ward, one member by the electors of the Omataroa Ward, one member by the electors of the Waimana Ward, and two members by the electors of the Borough of Whakatane: Number of elective members and by whom elected.

30 Provided that the word "electors" herein shall exclude all electors who are qualified to vote for a Maori member of the House of Representatives.

Struck out.

First Schedule of
the Harbours Act,
1923, amended.

Wards may be
altered by special
order.

5. The First Schedule of the Harbours Act, 1923, is hereby amended by excluding that part of the third column thereof which relates to the Whakatane Harbour Board.

6. (1) The Whakatane Harbour Board may from time to time, by special order, alter the number of wards within the harbour district, and the names and boundaries thereof, or any of them; subject to the condition that the harbour district shall not thereby be extended beyond the boundaries defined by this Act or any Act in amendment or substitution therefor.

(2) The provisions of sections ninety-nine, one hundred, one hundred and one, one hundred and two, and one hundred and three of the Counties Act, 1920, shall apply, *mutatis mutandis*, to the Board and such special order, and for that purpose the expressions "the Board" and "the Chairman or Secretary of the Board" shall be read therein in lieu of the expressions "a County Council," or "the Council," or "the Corporation," and "the Chairman or Clerk" respectively.

New.

Principal Act
amended.

2A. (1) Section two of the principal Act, as amended by the Whakatane Harbour Amendment Act, 1922, is hereby further amended by repealing the definition of "elector."

(2) Section five of the Whakatane Harbour Amendment Act, 1922, is hereby consequentially repealed.

Whakatane Harbour
District
reconstituted.

2B. (1) The Whakatane Harbour District constituted by the principal Act shall hereafter consist of the area described in the First Schedule to this Act.

Repeal.

(2) Section six of the principal Act and the Third Schedule thereto, and section two of the Whakatane Harbour Amendment Act, 1922, and the Schedule thereto are hereby consequentially repealed.

Harbour district
divided into
subdivisions.

2C. (1) Subject to the provisions of the *next succeeding* subsection, the harbour district as amended by this Act is hereby divided into the following subdivisions: The Opouriao Subdivision, the Taneatua Subdivision, the Rangitaiki Subdivision, the Omataroa Subdivision, the Waimana Subdivision, and the Whakatane Subdivision, as the same are more particularly described in the *Second* Schedule hereto.

Harbour district
may be redivided
by special order.

(2) The Whakatane Harbour Board may from time to time, by special order, redivide the harbour district into subdivisions with such boundaries and names as are set out in the order.

Counties Act, 1920,
to apply in making
special orders.

(3) A special order hereunder shall be made in the same manner as a special order is made by a County Council, and all the provisions of the Counties Act, 1920, relating to the making of special orders shall, with the necessary modifications, apply to the making of a special order hereunder by the Board.

Number of elective
members and by
whom elected.

2D. (1) The elective members of the Board shall be elected as follows: One member by the electors of the Opouriao Subdivision, one member by the electors of the Taneatua Subdivision, three members by the electors of the Rangitaiki Subdivision, one member by the electors of the Omataroa Subdivision, one member by the electors of the Waimana Subdivision, two members by the electors of the Whakatane Subdivision.

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(2) Any adjustment necessary in the representation of subdivisions on the Board by reason of the provisions of the *last preceding* subsection, or of any redivision of the harbour district pursuant to the *last preceding* section, shall be made in manner provided by the Harbours Act, 1923, in the case of changes in constituent or combined districts.

Adjustments in representation to be made as provided by the Harbours Act, 1923.

(3) No person shall be entitled to vote hereunder as an elector of any subdivision of the harbour district who is qualified to vote for the election of a Maori member of the House of Representatives.

Persons not entitled to vote.

(4) The reference to the Whakatane Harbour Board in the First Schedule to the Harbours Act, 1923, is hereby amended in accordance with this section, and shall be read subject to the provisions of this Act.

Harbours Act, 1923, amended.

SCHEDULES.

Schedule,

New.

FIRST SCHEDULE.

ALL that area in the Auckland Land District bounded by a line commencing at a point at high-water mark, Bay of Plenty, in line with the road forming the boundary between the Whakatane and Opotiki Counties, in Block III, Whakatane Survey District; thence generally in a southerly direction along the said Whakatane County boundary road to its intersection with the eastern boundary of Small Grazing Run No. 3; thence southerly along the eastern boundary of Small Grazing Runs 3 and 4, and of Allotments 361, 360, 352, and 348, Waimana Parish, to the northern boundary of Allotment 345A of the said parish; thence along part of the northern and part of the eastern boundaries of said Allotment 345A to south-western corner of Allotment 357, Waimana Parish; thence easterly along the southern boundary of said Allotment 357 to the north-eastern corner of Allotment 346, Waimana Parish; thence southerly along the eastern boundary of the said Allotment 346, Waimana Parish, to a public road forming the southern boundary of Allotment 330, Parish of Waimana; thence easterly along the southern boundary of the said Allotment 330 to the road forming the western boundary of Allotment 316, Parish of Waimana; thence southerly along the western boundaries of Allotments 316, 317, 328, 329, and Allotments 15 and 16 of Section 307, Parish of Waimana, to a closed road; thence by that closed road to the north-western boundary of Allotment 8 of Section 307, Parish of Waimana; thence southerly along the western boundary of the said Allotment 8 to its south-western corner; thence westerly along the confiscation-line to the north-western corner of Section 18 of the Waimana Estate; thence southerly along the western boundary of the said Section 18 to the main road through the Waimana Village, and by that road, and Allotments 24, 23, and 41 of the said village, and a road to the south-west corner of Allotment 14 of the Waimana Estate, and by Allotment 1B, and the production of the western boundary of Allotment 1B to the southern boundary of Allotment 1c of the Parish of Waimana; thence along the southern boundaries of Allotments 1c, 1c 2, and 1c 3, to the south-western corner of the last-mentioned allotment; thence west to a point B (Turanga Huata); thence southerly along the western boundaries of Blocks VII, XI, and XV, Waimana Survey District, Blocks III, VII, XI, and XV, Uriwera Survey District, Blocks III, VII, XI, and XV, Ruatahuna Survey District, to the south-east corner of Block XIV, Ruatahuna Survey District; thence along the southern boundaries of Blocks XIV and XIII of the said district to the north-eastern corner of Block IV, Tuatawhata Survey District; thence southerly along the eastern boundaries of Blocks IV and VIII, Tuatawhata Survey District, to the point of intersection with the southern boundary of the Whakatane County; thence along that boundary to the south-western corner of the said Whakatane County; thence along a right line to Trig. Pukeroa, and thence along a right line to Trig. Kokomoka; thence along a line running due south from Kokomoka trig. station to its intersection with the Taupo-Napier Road; thence north-westerly along that road to its intersection with the Rangitaiki River;

New.

thence down the left bank of the Rangitaiki River to a point on the river-bank intersected by a production of the westernmost boundary of the Whakatane County, which passes through Trig. station Ahiwhakamura; and thence to and along that boundary through Trig. Station 18 (Maungawhakamana) to the confiscation boundary; thence along the confiscation boundary-line to the left bank of the Tarawera River; thence down the left bank of the Tarawera River to the north-western corner of Allotment 4, Awa-o-teatua Survey District; thence along the left bank of the Tarawera outlet to the high-water mark, Bay of Plenty; and thence easterly along the said high-water mark to the point of commencement: together with all that area known as Whale Island (Motuhora).

SECOND SCHEDULE.

OMATAROA ~~Ward~~ *Subdivision.*

ALL that area in the Auckland Land District, Whakatane County, bounded towards the north generally by the high-water mark of the Bay of Plenty, commencing at the north-west corner of Allotment 28, Parish of Rangitaiki; thence in an easterly direction along the said high-water mark to a point on the left bank at the mouth of the Whakatane River; thence generally in a southerly direction along the left bank of the said Whakatane River to the south-east corner of Allotment 31, Rangitakii Parish; thence westerly along the southern boundary of Allotment 31 aforesaid to its south-west corner; thence in a northerly direction along the western boundary of Allotments 31, 38, 30, 29, and 28, Parish of Rangitaiki, to the point of commencement. Also all that portion of land commencing at a point at high-water mark on the right bank of the Whakatane River at the north-western corner of Allotment 260A, Parish of Waimana; thence south-easterly along the south-western boundary of Allotment 260A aforesaid; thence easterly along the southern boundaries of said Allotment 260A and of Allotment 260B, Parish of Waimana; thence northerly along the eastern boundary of subdivision of Allotment 260C, Parish of Waimana; thence easterly and northerly along the southern and eastern boundaries respectively of the last-named allotment to high-water mark of the Whakatane River; thence westerly along the right bank of the Whakatane River to the place of commencement. Also all the area known as Whale Island (Motuhora), containing 354 acres, more or less.

TANEATUA ~~Ward~~ *Subdivision.*

All that area in the Auckland Land District bounded by a line commencing at a point at high-water mark on the right bank of the Whakatane River in line with the northern boundary of Allotment 273, Parish of Waimana; thence towards the north and east along the Whakatane County boundary and high-water mark, Bay of Plenty, to the boundary road between the Whakatane and Opotiki Counties, in Block III, Whakatane Survey District; thence generally in a southerly direction along the said Whakatane County boundary-road to its intersection with the eastern boundary of Small Grazing-run 3; thence southerly along the eastern boundary of Small Grazing-runs 3 and 4, and of Allotments 361, 360, 352, and 348, Waimana Parish, to northern boundary of Allotment 345A of said parish; thence along part northern and part eastern boundaries of said Allotment 345A to south-western corner of Allotment 357, Waimana Parish; thence easterly along southern boundary of said Allotment 357 to the north-eastern corner of Allotment 346, Waimana Parish; thence southerly along the eastern boundary of the said Allotment 346 and part Allotment 337, Waimana Parish, crossing a public road, and continuing southerly along the eastern boundary of Allotment 337, Waimana Parish; thence westerly along the southern boundary of the said Allotment 337 to its production across a public road, to the right bank of the Waimana River; thence along the right bank of the said Waimana River to its junction with the Whakatane River; thence across said Whakatane River, and southerly along its left bank to the southern boundary of Lot 32, Rangitakii Parish; thence westerly along said southern boundary of Lot 32 to its south-west corner; thence northerly along western boundary of said Lot 32 to southern boundary of Omataroa ~~Ward~~ *Subdivision*, hereinbefore described; thence easterly along said southern boundary of Omataroa ~~Ward~~ *Subdivision* to the Whakatane River; thence generally in a

northerly direction along left bank of the Whakatane River to the Whakatane Borough (as defined in *New Zealand Gazette* No. 56, page 1996, 14th August, 1924); and thence along the southern and eastern boundaries of the said borough, and along the southern and eastern boundaries of part Omataroa ~~Ward~~ *Subdivision*, which includes Allotments 260A, 260B, and 260C, Waimana Parish, hereinbefore described, to a point at high-water mark on the right bank of the Whakatane River; thence generally north along the right bank of the said Whakatane River to the point of commencement.

OPOURIAO ~~Ward~~ *Subdivision.*

All that area in the Auckland Land District bounded towards the north generally by the Taneatua ~~Ward~~ *Subdivision* afore described, commencing at the north-west corner of Allotment 33, Rangitaiki Parish; thence easterly along the southern boundary of the Taneatua ~~Ward~~ *Subdivision* to a point on the Waimana River in line with the production of the eastern boundary of Section 14, Block XIII, Whakatane Survey District; thence by a right line across the Waimana River to the north-east corner of said Section 14; thence generally southerly along the eastern boundaries of Sections 14, 15, 16, 17, and 18 of said Block XIII, Whakatane Survey District, and by the eastern boundaries of Sections 4 and 5, Block III, Waimana Survey District, to the confiscation boundary-line; thence in an easterly direction by said confiscation boundary-line to the north-west corner of Section 1, Waimana Settlement; thence south-westerly to a point (Trig. 10) on the west boundary of Block III, Waimana Survey District; thence south along the west boundaries of Sections 3 and 4, Waimana Settlement, east along part southern boundary of said Section 4 to the north-west corner of Section 1c No. 2; thence southerly along west boundary of said Section 1c No. 2 and of Section 1c No. 3 to the south-west corner of Section 1c No. 3; thence west to a point B (Turanga Huata); thence south along the ~~eastern~~ *western* boundaries of Blocks VII, XI, and XV, Waimana Survey District, of Blocks III, VII, XI, and XV, Uriwera Survey District, and of Blocks III, VII, XI and XV, Ruatahuna Survey District, to the south-east corner of Block XIV, Ruatahuna Survey District; and generally towards the south by the southern boundaries of Blocks XIV and XIII of the said Ruatahuna Survey District; and towards the west generally in a northerly direction along the eastern boundaries of Blocks XVI, XII, VIII, and IV, Ahikereru Survey District, of Blocks XVI, XII, ~~VII~~, VIII, and IV, Galatea Survey District, and of Blocks XVI, XII, VIII, and IV, Rangitaiki Lower Survey District, to the confiscation boundary-line; thence westerly along the said confiscation boundary-line to the south-west corner of Allotment 41, Rangitaiki Parish; thence in a north-westerly direction along the western boundaries of the aforesaid Allotment 41 and of Allotment 33, Parish of Rangitaiki, to the point of commencement.

WAIMANA ~~Ward~~ *Subdivision.*

All that area in the Auckland Land District bounded towards the west generally by the eastern boundary of the Opouriao ~~Ward~~ *Subdivision*, hereinbefore described, commencing at the south-west corner of Section 1c No. 3, Block VII, Waimana Survey District, to a point on the Waimana River in line with the production of the eastern boundary of Section 14 of Block XIII, Whakatane Survey District; thence on the north generally by the southern boundary of the Taneatua ~~Ward~~ *Subdivision*, hereinbefore described, in an easterly direction to the south-west corner of Allotment 330, Parish of Waimana; thence easterly along the southern boundary of the aforementioned Allotment 330; towards the east generally by the western boundaries of part Allotment 316, and of Allotments 317, 328, and 329, Waimana Parish, and by the western boundary of Allotments 15 and 16 of Section 307, Parish of Waimana, part closed road (Section 307A, Parish of Waimana), to the north-western boundary of Allotment 8 of Section 307, Parish of Waimana; thence south along the western boundary of the aforesaid Allotment 8 to its south-western corner; thence westward along the confiscation boundary-line to the north-west corner of Section 18 of the Waimana Estate; thence south along the western boundary of the said Section 18 to the main road through the Waimana Village, and by that road and Allotments 24, 23, and 41 of the said village, and a road, to the south-west corner of Allotment 14 of the Waimana Estate, and by Allotment 1b, and the production of the western boundary of Allotment 1b to the southern boundary of Allotment 1c of the Parish of Waimana; and towards the south by the said southern boundary of Allotment 1c and the southern boundaries of Allotments 1c No. 2 and 1c No. 3, Parish of Waimana, to the point of commencement.

WHAKATANE ~~Ward~~ *Subdivision.*

The Borough of Whakatane.

RANGITAIKI ~~Ward~~ *Subdivision.*

All that area in the Auckland Land District bounded towards the east generally by the western boundaries of the Omataroa, Taneatua, and Opouriao ~~Wards Subdivisions~~, hereinbefore described, from the sea at the north-west corner of Allotment 28, Parish of Rangitaiki, to the point of junction of the western and southern boundaries of the Opouriao ~~Ward Subdivision~~; thence south by the eastern boundaries of Blocks IV and VIII, and ~~part XII~~, Tuatawhata Survey District, to the point of junction of the eastern boundary of the said Block ~~XII VIII~~, Tuatawhata Survey District, with the southernmost boundary of the Whakatane County (*New Zealand Gazette* No. 85, page 3409, 17th December, 1925); towards the south by the south boundary of the said Whakatane County to its south-westernmost point; thence by a straight line to trig. called "Pukeroa"; thence by a straight line to trig. called "Kokomoka"; and thence again towards the east by a line due south to the point of intersection with the Taupo-Napier Road; and thence again towards the south by that road to the point of intersection with the ~~western left~~ bank of the Rangitaiki River; and generally towards the west by the ~~western left~~ bank of the Rangitaiki River to a point on the river-bank intersected by a ~~projection~~ *production* of the westernmost boundary of the Whakatane County which passes through trig. called "Ahiwhakamura"; and thence by that boundary to Trig. 18 (Maungawhakamana); towards the north-west by the confiscation boundary-line to the ~~west left~~ bank of the Tarawera River; and again towards the west by the west bank of the aforesaid Tarawera River to the north-western corner of Allotment 4, Block III, Awa-o-teatua Survey District; and thence in a northerly direction; along the western bank of the Tarawera outlet to the high-water mark, Bay of Plenty; and thence towards the north-east by the sea to the place of commencement.

New.

: as the said areas are more particularly shown and delineated on plan marked M.D. 6525, and deposited in the office of the Marine Department at Wellington.