

INTRODUCTION COPY

Mr Creech

LOCAL GOVERNMENT (WAIRARAPA, MARLBOROUGH AND SOUTH CANTERBURY)

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A BILL INTITULED

An Act—

- 5 (a) To provide for the establishment of the Wairarapa
Region and the Pahiatua District within that
Region; and
- (b) To enable the Marlborough District Council to
exercise the functions, duties and powers of a
regional council; and
- 10 (c) To provide for the inclusion of the Kaikoura
District within the Canterbury Region; and
- (d) To provide for the establishment of the Nelson
Region; and
- (e) To provide for the establishment of the South
Canterbury Region; and
- 15 (f) To make provision for such local government
reorganisation as is incidental thereto

BE IT ENACTED by the Parliament of New Zealand as follows:

1. Short Title and commencement—(1) This Act may be cited as the Local Government (Wairarapa, Marlborough and South Canterbury) Act 1989.

(2) This Act shall come into force on the date on which it receives the Royal assent. 5

2. Interpretation—For the purposes of this Act the words “commission”, “district”, “district council”, “region”, “regional council”, and “scheme” have the meaning given to them by section 2 of the Local Government Act 1974.

Wairarapa Region and Pahiatua District

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3. Commission to prepare scheme for the constitution of Wairarapa Region and Pahiatua District—

(1) Notwithstanding anything in the Local Government Act 1974 or any other Act or anything contained in the Local Government (Wellington Region) Reorganisation Order 1989, 15 the Commission shall forthwith prepare a final scheme to provide that—

- (a) A Pahiatua District Council comprising the areas of the existing Pahiatua Borough Council, Pahiatua Borough, Pahiatua County and Eketahuna County 20 shall be constituted:
- (b) The Tararua District constituted by the Local Government (Manawatu/Wanganui Region) Reorganisation Order 1989 shall be amended as necessary to establish a separate Pahiatua District: 25
- (c) A Wairarapa Region comprising the area delineated on S.O. Plan No. 35958 deposited with the Chief Surveyor of the Wellington Land District and incorporating the Pahiatua District constituted under paragraph (a) of this subsection shall be constituted: 30
- (d) The Wairarapa Region constituted under paragraph (c) of this subsection shall have all the functions, duties and powers of a regional council as set out in the Local Government (Wellington Region) Reorganisation Order 1989 except for the functions set out in clause 35 16 (i) of that Order and further, that any reference to Wellington shall be deemed to be a reference to Wairarapa:
- (e) The Pahiatua District constituted under paragraph (a) of this subsection shall have the functions, duties and powers 40 of a district council of a territorial authority or an administering body under—

- (i) The Local Government Act 1974; and
(ii) Any other public Act relating to any of the existing local authorities to be incorporated in the Pahiatua District; and
5 (iii) Any local Act relating to any of the local authorities incorporated in the Pahiatua District; and
(iv) The Reserves Act 1977 in respect of the reserves being administered by any of the existing authorities immediately before the coming into force
10 of the final scheme required to be prepared by the Commission under this Act.

(2) In preparing the final scheme as required by subsection (1) of this section, the Commission shall provide that—

- (a) The Wairarapa Region shall be completely separate from the Wellington Region:
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(b) The Manawatu/Wanganui Regional Council constituted by the Local Government (Manawatu/Wanganui Region) Reorganisation Order 1989 shall exercise the functions, duties and powers of a catchment board and regional water board under the Soil Conservation and Rivers Control Act 1941 and the Water and Soil
20 Conservation Act 1967 in respect of that part of the catchment of the Manawatu River comprised within the Pahiatua District boundaries.

25 *Marlborough*

**4. Commission to prepare scheme to enable the Marlborough District Council to exercise regional functions, to include Kaikoura District within the Canterbury Region and for the constitution of Nelson
30 Region—**(1) Notwithstanding anything in the Local Government Act 1974 or any other Act or anything contained in the Local Government (Nelson/Marlborough Region) Reorganisation Order 1989, the Commission shall forthwith prepare a final scheme to provide that the Marlborough District
35 Council as constituted under that Order shall have all the functions, duties and powers of a regional council as set out in that Order except that any reference to Nelson or Marlborough shall be deemed to be a reference to Marlborough.

(2) In preparing the final scheme as required by subsection (1) of this section, the Commission shall provide that—

- (a) The Kaikoura District comprising the area delineated on S.O. Plan No. 14455 deposited with the Chief Surveyor of the Marlborough Land District shall be

incorporated within the Canterbury Region constituted by the Local Government (Canterbury Region) Reorganisation Order 1989:

- (b) The Nelson and Tasman constituencies comprising the area delineated on S.O. Plans No. 14477 and No. 14478 deposited with the Chief Surveyor of the Nelson Land District shall be constituted a region to be known as the Nelson Region. 5

South Canterbury Region

5. Commission to prepare scheme for the constitution of South Canterbury Region—(1) Notwithstanding anything in the Local Government Act 1974 or any other Act or anything contained in the Local Government (Canterbury Region) Reorganisation Order 1989 or the Local Government (Otago Region) Reorganisation Order 1989, the Commission shall forthwith prepare a final scheme to provide that— 10 15

- (a) A South Canterbury Region comprising the area delineated on S.O. Plans No. 18049 and No. 18050 deposited with the Chief Surveyor of the Canterbury Land District be constituted: 20

- (b) The South Canterbury Region constituted under paragraph (a) of this subsection shall have all the functions, duties and powers of a regional council as set out in the Local Government (Canterbury Region) Order 1989 except that any reference to Canterbury shall be deemed to be a reference to South Canterbury. 25

(2) In preparing the final scheme as required by subsection (1) of this section, the Commission shall provide that—

- (a) The South Canterbury Region shall be completely separate from the Canterbury Region: 30

- (b) A joint committee comprising an equal number of representatives appointed by the South Canterbury Region and the Canterbury Regional Councils shall exercise the functions, duties and powers of a catchment board and regional water board under the Soil Conservation and Rivers Control Act 1941 and the Water and Soil Conservation Act 1967 in respect of the Rangitata River and its catchment. 35

General Provisions

6. Effect to be given to final scheme—(1) Effect shall be given to every proposal in a final scheme constituted by this Act by Order in Council. 40

(2) An Order in Council giving effect to a particular final scheme constituted by this Act shall revoke any existing Order in Council issued pursuant to the Local Government Act 1974 pertaining to the area or such clauses of any such Order in Council as is necessary to give full effect to a particular final scheme.

7. Restriction on amendment of final scheme—Any Order in Council issued pursuant to the Local Government Act 1974 which revokes, amends, or in any other way varies a scheme or schemes contrary to the provisions of any final scheme prepared pursuant to section 3 or section 4 or section 5 of this Act shall be deemed void.