

New Zealand.



ANALYSIS.

- | | |
|--|--|
| <p style="text-align: center;">Title.</p> <ol style="list-style-type: none"> 1. Short Title. 2. Special drainage district constituted. 3. Board. 4. Dissolution of old Boards. 5. Ratepayers list. 6. Voting-powers of ratepayers. 7. Classification of land. 8. General rate. | <ol style="list-style-type: none"> 9. Existing special rates. 10. General powers of the Board. 11. Particular powers of the Board. 12. Diverting water on to private land. 13. Borrowing-powers. 14. Endowment. 15. Application of rates. 16. Assets and liabilities of old Boards. Schedules. |
|--|--|

1907, No. 48.

- Title.** AN ACT to make Better Provision for the Drainage of certain Land in Otago. [19th November, 1907.]
- BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—
- Short Title.** 1. This Act may be cited as the Taieri Land Drainage Act, 1907.
- Special drainage district constituted.** 2. (1.) The area described in the First Schedule hereto is hereby constituted and declared to be a special drainage district to be called the Taieri Drainage District (hereinafter referred to as the district).
 (2.) Such district shall be deemed to be a district within the meaning of the Land Drainage Act, 1904, and subject to the provisions of this Act the provisions of that Act shall apply accordingly.
 (3.) The district shall be subdivided into six subdivisions, with the names and boundaries described in the Second Schedule hereto.
 (4.) The Board may by special order from time to time alter the boundaries of any such subdivision.
- Board.** 3. There shall be for the district a Board, under the name of the Taieri Drainage Board, consisting of nine members, one of whom shall be elected by the ratepayers of each of the six subdivisions, and three shall from time to time be appointed by the Governor in Council.
- Dissolution of Boards.** 4. The first members of the Board shall come into office on a day to be fixed by the Governor by notice in the *Gazette*; and on that day the following Boards (hereinafter called the old Boards) shall be dissolved, that is to say:—

The Otokia Drainage Board ;
 The West Taieri River Board ;
 The West Taieri Drainage Board ;
 The Henley River Board ;
 The Maungatua Drainage Board ; and
 The Berwick Drainage Board.

5. The Returning Officer shall prepare for each subdivision a Ratepayers list. ratepayers list, in manner provided by the Land Drainage Act, 1904, with this exception, that there shall be inserted opposite the name of each ratepayer the total area of land held by him within the subdivision in lieu of the value thereof.

6. At all elections and polls of ratepayers in the district every Voting-powers of ratepayers. person whose name appears on the corrected list of ratepayers shall be entitled to exercise the number of votes following, that is to say :—

If he appears as occupier of land not exceeding fifty acres in area, he shall have one vote :

If he appears as occupier of land exceeding fifty but not exceeding two hundred and fifty acres, he shall have two votes :

If he appears as occupier of land exceeding two hundred and fifty acres, he shall have three votes :

Provided that those occupiers who, in accordance with the classification hereinafter required, are so classed as to pay no rates shall not, so long as such classification is in force, be entitled to any vote.

7. The Board shall from time to time classify the land within the district in accordance with the Land Drainage Act, 1904. Classification of land.

8. The Board may for the purposes of this Act levy on all lands within the district (subject, however, to classification as aforesaid) a general rate not exceeding four shillings per acre. General rate.

9. Where the Board levies and collects special rates already made by any of the old Boards as security for past loans, the Board may levy and collect the same on the rateable value of the land heretofore rated, but all special rates made by the Board shall be on an acreage basis. Existing special rates.

10. The Board shall have full power to do all such things as may in its opinion be necessary to effectively cope with the drainage of the district and the flooding of the Taieri Plain either from the surface water or by floods and freshes in the Waipori and Taieri Rivers or any of their tributaries. General powers of the Board.

11. In particular, and without restricting the general powers hereby given, the Board— Particular powers of the Board.

(a.) May erect or make any dam or reservoir in, about, or across the Taieri or Waipori River or any of its tributaries, and exercise all the powers of a River Board at any part of the said rivers or on any land anywhere in their watershed, whether within or outside the district :

(b.) May enter upon any land within the district, divert any drain, stream, or river, and close up any outlet or inlet to or from the same without payment of any compensation for loss of riparian or other water rights.

Diverting water on to private land.

12. In addition to the matters for which the Board may, under the Land Drainage Act, 1904, make by-laws, the Board may from time to time make by-laws concerning the taking or diverting of water from any drain within the district, and may by any such by-law impose a fine not exceeding fifty pounds for any breach thereof.

Borrowing-powers.

13. The Board may from time to time, without any poll of the ratepayers, borrow for the purposes of this Act such money (not exceeding in the whole seventy-five thousand pounds) as it from time to time determines by special order.

Endowment.

14. The beds of Lakes Waipori and Waihola are hereby vested in the Board as an endowment, with power for the Board to grant leases of the same or any part thereof, at such rent, for such terms, and on such conditions as the Board thinks fit.

Application of rates.

15. (1.) The annual charges on any loan or on any part of a loan expended on works solely for the benefit of lands on the eastern side of the Taieri River, and the cost of maintenance of such works, shall be paid out of rates levied on such lands.

(2.) The annual charges on any loan or on any part of a loan expended on works solely for the benefit of lands on the western side of the said river, including all land on the south side of the river lying between Allanton Township and the steel traffic-bridge near Henley, and the cost of maintenance of such works, shall be paid out of rates levied on such lands.

Assets and liabilities of old Boards.

16. (1.) On the dissolution of the old Boards all their property shall be vested in the new Board, and all the liabilities and engagements of the old Boards shall become liabilities and engagements of the new Board; and all rates payable to any of the old Boards shall be paid to the new Board, and all proceedings and actions pending by or against any of the old Boards may be carried on by or against the new Board.

(2.) The liabilities of the old Boards, whether for loans or otherwise, shall remain the same charge upon the area of land comprised in the old Board districts as if the old Boards had not been dissolved; and the new Board shall continue to levy the same special rates made as security for loans and other special rates only within the area over which they were originally levied by the old Boards, in order to liquidate all liabilities of the old Boards.

Schedules.

SCHEDULES.

FIRST SCHEDULE.

BOUNDARIES OF TAIERI DRAINAGE DISTRICT. ●

COMMENCING at West Taieri Traffic-bridge; thence along main road Outram towards Mosgiel to Wyllie's Crossing of the Mosgiel-Outram Railway; thence along Wyllie's Road to the Dunedin and North Taieri Road; thence along that road to the Black Bridge over the Silverstream; thence along the said road to the boundary of the Taieri District; thence along the Taieri District boundary in a south-easterly direction to the south-east corner of Block XIII, said district; thence along the southern boundaries of Blocks XIII and V to the Otago Central Railway; thence by said railway to the Wingatui Railway-station on the Hurunui-Bluff Rail-

way line; thence in a south-westerly direction by said railway to the Gordon Road; thence by a road in continuation of Gordon Road to the Main South Road; thence by Main South Road to the steel traffic-bridge at Henley; thence along the Main South Road to the south-western side of the Township of Waihola; thence along the boundary of the said township to the shores of Lake Waihola; thence along the southern, western, and northern shores of said lake to the south-eastern corner of Block XVI, Waihola District; thence by the southern and western sides of said block to the north-east corner of Block XVII; thence along northern boundary of said block to its north-western corner; thence in a south-western direction along the boundary of said block to the south-eastern corner of Section 5, Block VII, Clarendon District; thence along the south side of said Section 5 to the road-line bounding that section; thence along said road to Berwick; thence by the right bank of Waipori River up to a point immediately opposite the south-west corner of Section 45, Block II, Maungatua District; thence along the north-western and north-eastern boundaries of Section 45, the north-eastern boundary of Section 46, the north-western boundary of 1 of 47 and 2 of 47, and the north-eastern boundary of 2 of 47 to the main road Berwick to Outram; thence along the Berwick-Outram Road to the Woodside Road to its intersection with the north-east corner of Section 1, Block IV, West Taieri District; thence by Woodside Road to Woodside; thence by Woodside-Outram Road to western boundary of River Section 38, West Taieri; thence along western and northern boundary of said Section 38 to the Taieri River; thence along the river and the West Taieri Bridge to the point of commencement: excluding the Borough of Mosgiel and the Government railways.

SECOND SCHEDULE.

BOUNDARIES OF SUBDIVISIONS OF TAIERI DRAINAGE DISTRICT.

Silverstream Subdivision.

COMMENCING at the intersection of the eastern boundary of Section 4, Block XVII, East Taieri District, with the south side of main road Outram to Mosgiel; thence along that road towards Mosgiel to Wyllie's Crossing of the Mosgiel-Outram Railway; thence along Wyllie's Road to the Dunedin and North Taieri Road; thence along that road to the Black Bridge over the Silverstream; thence along the said road to the boundary of the East Taieri District; thence along the East Taieri District boundary in a south-eastern direction to the south-east corner of Block XIII, said district; thence along the south boundaries of Blocks XIII and V to the Otago Central Railway; thence by said railway to the Wingatui Railway-station on the Hurunui-Bluff Railway line; thence in a south-western direction by said railway-line to the Gordon Road; thence by a road in continuation of Gordon Road to the Main South Road; thence by Main South Road to boundary between Sections 15 and 16, Irregular Block, East Taieri District; thence by that boundary produced in a north-western direction to the starting-point, said line being the centre section-line through Blocks IV, VIII, and XII, East Taieri District: excluding the Borough of Mosgiel and Government railways.

Owhiro Subdivision.

Commencing at the centre of south side of West Taieri Traffic-bridge; thence along main road Outram towards Mosgiel to boundary of Silverstream Subdivision; thence south-east by said boundary to Main South Road; thence south-west along said road to south-west side of Township of Grey; thence along boundary of said township to centre of Taieri River; thence up centre of Taieri River to point of commencement on the West Taieri Traffic-bridge: excluding Government railways.

West Taieri Subdivision.

Commencing at the centre of south side of the West Taieri Traffic-bridge; thence southerly by Owhiro Subdivision to Momona Subdivision boundary; thence by boundary of Momona Subdivision to Berwick-Outram Road; thence along said road to Woodside Road to its intersection with north-east corner of Section 1, Block IV, West Taieri; thence by Woodside Road to Woodside; thence by Woodside-Outram Road to west boundary of River Section 38, West Taieri District; thence along western and northern boundary of said Section 38 to Taieri River; thence along river to point of commencement: excluding Government railways.

Momona Subdivision.

Commencing at the north-east corner of Section 2 of 8, Block I, Maungatua District, on the Berwick-Outram Road; thence north-east along said road to boundary of West Taiari Survey District; thence by south-west boundaries of Sections 36, 37, the south-eastern boundary of Section 38, Irregular Block, West Taiari District, and south-western boundary of Sections 65 and 66, Block III, Maungatua District; thence by south-eastern boundary of Sections 66, 67, 56, 38, 32, 25, said Block III, Section 4, Irregular Block, and River Section 23, West Taiari District, and boundary produced to Owhiro Subdivision boundary, centre of Taiari River; thence southerly along said boundary to Main South Road; thence south-westerly along said road to River Section 7, Taiari District; thence by north-east boundary of said Section 7 and boundary produced to south-east corner of Section 46, Block IV, Maungatua District; thence by north-east boundary of Sections 46, 37, 26, 19, 8, and 3, said Block IV, and Section 2 of 8, Block I, Maungatua District, to point of commencement: excluding Government railways.

Lee Creek Subdivision.

Commencing at the north-east corner of Section 10, Block II, Maungatua District, on the Berwick-Outram Road; thence along said road to boundary of Momona Subdivision; thence south-east along said boundary to Main South Road; thence along that road to Section 50, Block IV, Otokia, by north-east boundary of said Section 50, and by right line to south-east corner of Section 78, Block II, Maungatua District, and by north-east boundary of said Block VI, Maungatua District, and Section 10, Block II, Maungatua District, to starting-point: excluding Government railways.

Lakes Subdivision.

Commencing at the north-east corner of Section 10, Block II, Maungatua District, on the Berwick-Outram Road; thence south-east by Lee Creek Subdivision to Main South Road; thence along the said road to steel traffic-bridge at Henley; thence along the Main South Road to western side of the Township of Waihola; thence along the boundary of said township to the shores of Lake Waihola; thence along the southern, western, and northern shores of said lake to south-eastern corner of Block XVI, Waihola District; thence by the south and west sides of said block to north-eastern corner of Block XVII; thence along northern boundary of said block to its north-western corner; thence in a south-westerly direction along boundary of said block to south-eastern corner of Section 5, Block VII, Clarendon District; thence along south side of said Section 5 to road-line bounding that section; thence along said road to Berwick; thence by right bank of Waipori River up to a point immediately opposite south-western corner of Section 45, Block II, Maungatua District; thence along the north-western and north-eastern boundaries of Section 45, the north-eastern boundary of Section 46, the north-western boundary of Section 1 of 47 and 2 of 47, and north-eastern boundary of 2 of 47 to main road Berwick to Outram; thence along the Berwick-Outram Road to point of commencement: excluding Government railways.