

New Zealand.



ANALYSIS.

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1910, No. 2.—*Local.*

AN ACT to provide for the Drainage of certain Land in the Title.
Whakatane County. [17th September, 1910.]

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 Rangitaiki Land Drainage Act, Short Title.
1910.

2. (1.) The Rangitaiki Land Drainage District, constituted Drainage Board dissolved.
under the Land Drainage Act, 1908, is hereby abolished, and the Board thereof dissolved, as from the first day of August, nineteen hundred and ten.

(2.) All assets (including unpaid rates) and liabilities of the said Board as existing on that date shall become assets and liabilities of the Crown.

3. The land described in the Schedule hereto is hereby declared District defined.
to be a district for the purposes of this Act.

4. The Minister of Lands is hereby authorized to construct and Minister may construct drainage-works, &c.
carry on such works as he thinks fit for the drainage, reclamation, and roading of the said land, or otherwise for rendering the same fit for settlement.

5. (1.) Out of the moneys available for advances to local Advances by the State-guaranteed Advances Office.
authorities under Part IV of the New Zealand State-guaranteed Advances Act, 1909, there shall from time to time be advanced by the Superintendent under that Act to the Minister of Lands, for the purposes of this Act, such sum or sums of money, not exceeding in the whole the sum of fifty thousand pounds, as are in the opinion of the said Minister required.

(2.) The moneys so advanced shall be expended for the purposes of this Act under the direction of the said Minister:

Provided that all moneys expended by the Government out of the Consolidated Fund in paying off the liabilities of the said Board, and all interest accruing thereon, and all expenses of engineering and drainage operations in connection with the said land undertaken by the Government since the first day of June, nineteen hundred and ten, shall be repaid into the Consolidated Fund out of the moneys so advanced.

(3.) Each sum so advanced shall be treated as a loan to the Crown, on the like instalment system as in the case of a loan to a local authority under the said Part IV of the New Zealand State-guaranteed Advances Act, 1909, and the provisions of section seventy-eight of that Act shall extend and apply accordingly.

Power to levy rate.

6. (1.) For the payment to the Superintendent of the instalments of the moneys advanced as aforesaid, and for the payment of the expenses of the general administration of this Act, the Minister of Lands may from time to time make and levy a rate of an amount sufficient for those purposes.

(2.) The rate shall be made and levied on the unimproved value of all land within the district, whether the same is rateable property within the meaning of the Rating Act, 1908, or not, and whether the land is Crown land or not, except that areas of Native land used for Native settlements and not exceeding fifty acres in any one case shall not be liable to be rated under this Act.

Lands to be classified.

(3.) The rate shall be made and levied on a graduated scale according to the classification of the land, as hereinafter mentioned.

(4.) For the purpose of classifying the land, arbitrators shall be appointed as follows: One arbitrator shall be appointed in writing by the said Minister, and one shall be elected by the occupiers of land within the district, in the manner and at the time prescribed by regulations under this Act; and those two members shall appoint some disinterested person as umpire.

(5.) The provisions of the Arbitration Act, 1908, shall apply to the said arbitrators and umpire in the same manner as if this section were a submission within the meaning of that Act.

(6.) The said arbitrators shall classify all lands within the district that are liable to be rated into the following classes:—

(a.) Lands that will receive direct benefit from the construction of the works authorized by this Act;

(b.) Lands that will receive less direct benefit therefrom; and

(c.) Lands that will receive only an indirect benefit therefrom.

(7.) The rates shall be made and levied upon the aforesaid classes of land in such proportion as the arbitrators appoint.

(8.) In respect of Crown land of which there is for the time being no occupier within the meaning of the Rating Act, 1908, the said Minister shall be deemed to be the occupier, and all rates payable in respect of such land shall from time to time be payable out of the Consolidated Fund without further appropriation than this Act.

(9.) The Governor, by Order in Council gazetted, may from time to time make regulations for giving effect to this section.

Rangitaiki Land
Drainage Account.

7. All moneys advanced by the Superintendent, and all rates collected under this Act, shall from time to time be paid into the

Public Account and credited to an account to be called the "Rangitaiki Land Drainage Account"; and all expenses incurred in administering this Act, or in constructing and carrying on the works authorized by this Act, shall be paid out of that account.

8. (1.) The Governor may from time to time take under the Public Works Act, 1908, as for a public work, or purchase, whether under the provisions of Part XIX of the Native Land Act, 1909, or otherwise, any area of land within the said district the acquisition of which is in his opinion necessary for the more effective carrying-out of the drainage or other works authorized by this Act, or for the better disposal of the Crown or other land within the district:

Power to take land under Public Works Act.

Provided that land used exclusively for the purposes of Native settlement shall not be so taken or purchased unless its acquisition is of paramount importance to the drainage operations.

(2.) The compensation or purchase-money payable in respect of any land so taken or purchased shall be paid, without further authority than this Act, out of the moneys advanced by the Superintendent as aforesaid in the case of land acquired for drainage or other works, and out of the Land for Settlements Account in the case of land acquired for settlement purposes; and in the latter case the land so acquired shall be deemed to be settlement land within the meaning of the Land for Settlements Act, 1908.

9. For the purposes of sections one hundred and forty-five to one hundred and fifty-one of the Land Act, 1908, relating to the payment of thirds and fourths, and of section three hundred and nineteen of the same Act, relating to the payment of royalties on flax and timber, the Minister of Lands and not the Whakatane County Council shall be deemed to be the local authority in respect of the lands within the said district.

Thirds, &c., payable to Minister.

10. In each year, as soon as possible after the thirty-first day of March, a report on the administration of this Act, together with a statement of accounts in connection therewith, shall be prepared, and laid before Parliament within thirty days after the commencement of the next ensuing session.

Report to Parliament.

SCHEDULE.

Schedule.

ALL that area in the 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 Nos. 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 No. 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 No. 38 to the northernmost corner of that section; thence by a right line to the angle of the Matata 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.