

New Zealand.



ANALYSIS

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| <p>Title.</p> <p>1. Short Title.</p> <p>2. Bruce County Council empowered to undertake reclamation-works.</p> <p>3. Kaitangata Borough Council empowered to undertake reclamation, drainage, and sanitation.</p> <p>4. Works to be deemed public works as defined in the Public Works Act, 1908.</p> | <p>5. Power to raise special loans.</p> <p>6. Reclaimed lands to be Crown lands.</p> <p>7. Power to enter into agreements for reclamation.</p> <p>8. Power to lease lands.</p> <p>9. Application of rents.</p> <p>10. After expiration of twenty-one years, rents to be payable to the Crown.</p> <p>Schedules.</p> |
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1911, No. 41.—*Local.*

AN ACT to authorize the Reclamation of the Tuakitoto and Kaitangata Lakes in the Bruce County, and for the Purposes of Drainage and Sanitation of the Borough of Kaitangata.

[28th October, 1911.]

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

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| <p>1. This Act may be cited as the Tuakitoto and Kaitangata Lakes Act, 1911.</p> <p>2. The Bruce County Council is hereby authorized to undertake such works as may be necessary for the reclamation of the lands described in the First Schedule hereto, and the drainage of the Tuakitoto and Kaitangata Lakes respectively.</p> <p>3. The Kaitangata Borough Council is hereby authorized to undertake such works as may be necessary for the reclamation of the lands described in the Second Schedule hereto, and for the drainage of the part of the Kaitangata Lake described in the said Second Schedule, and the drainage and sanitation of the Borough of Kaitangata.</p> <p>4. All such works shall be deemed to be included within the definition of a public work within the meaning of the Public Works Act, 1908.</p> <p>5. Each of the Councils aforesaid, with the consent of the rate-payers within its district (to be ascertained as provided in the Local Bodies' Loans Act, 1908), may raise a special loan or special loans</p> | <p>Short Title.</p> <p>Bruce County Council empowered to undertake reclamation-works.</p> <p>Kaitangata Borough Council empowered to undertake reclamation, drainage, and sanitation.</p> <p>Works to be deemed public works as defined in the Public Works Act, 1908.</p> <p>Power to raise special loans.</p> |
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for the purpose of the construction and completion of such works or any part thereof as it is by this Act authorized to undertake. No money shall be borrowed under the authority of this Act which shall produce to the lender a higher rate of interest than five per centum per annum.

Reclaimed lands to be Crown lands.

6. All the said lands when reclaimed shall be deemed to be Crown lands vested in His Majesty subject to the special provisions of this Act.

Power to enter into agreements for reclamation.

7. Each of the aforesaid Councils may from time to time enter into provisional agreements with any person for the reclamation of the whole or any portion of the lands which it is hereby authorized to reclaim, and, as regards the Borough Council, for the sanitation and drainage of the said borough, subject, however, in every case to the approval of the Governor.

Power to lease lands.

8. Each of the aforesaid Councils may from time to time dispose of any portion of the lands which it is hereby authorized to reclaim by lease for any period not exceeding twenty-one years from the date of the passing of this Act, at such rent as it thinks fit, but without any covenant for renewal of any such lease beyond the said period of twenty-one years or any covenant for payment of compensation for improvements made during any period of the term of any such lease. Every lease shall be disposed of by public auction or public tender, and shall be subject to a right reserved to His Majesty of re-entry upon the lands included in the lease for the purposes of the construction of railways or other public works; and subject, also, to a provision that the public shall have the right at all times and seasons, without any let or hindrance whatsoever, to enter into or pass through or along the banks or borders of the Lakes Tuakitoto and Kaitangata as existing from time to time, and also through or along the banks or borders of any channels running into the said lakes, or either of them, or connecting the said lakes with each other:

Provided that in any case where there is no convenient way of access to any portion of the said lands, or where any portion of the said lands is insufficient in area to be disposed of by public auction or public tender, or in any other cases of the like kind, the Council having control thereof under this Act may lease such portions of land to the holder or holders of adjacent lands without competition at a price to be determined by a valuer appointed by such Council:

Provided further that before any portions of the lands are leased the aforesaid Councils shall, if they subdivide them into sections, road them to the satisfaction of the Chief Engineer of the district.

Application of rents.

9. The rents arising from the said lands respectively from time to time during twenty-one years after the passing of this Act shall be paid to the Council authorized by this Act to lease such lands, and that Council shall apply the same in the first instance towards maintaining the reclamation-works in proper condition; second, towards paying the interest on any moneys that have been heretofore or may hereafter be raised by that Council for the purpose of reclaiming the said lands; and any moneys then remaining from the said rents may thereafter be applied in new reclamation-works,

and, as regards the Borough Council, in improving the sanitation and drainage of the said borough.

10. After the aforesaid period of twenty-one years from the date of the passing of this Act all rents in respect of such lands shall be paid to His Majesty as revenue arising from the leasing of Crown lands, and such lands shall be dealt with as provided by any Act for the time being in force relating to the disposal of Crown lands.

After expiration of twenty-one years, rents to be payable to the Crown.

SCHEDULES.

Schedules.

FIRST SCHEDULE.

ALL that area in the County of Bruce, containing by admeasurement 2,285 acres, more or less, being Tuakitoto Lake and part of Kaitangata Lake and the adjacent shores; bounded towards the north by the road forming the southern boundary of part of Block VII, South Tuakitoto Survey District; towards the east generally by the road forming the western and south-western boundaries of Blocks VI, V, IV, III, and parts of Blocks VII and II, said survey district; towards the south by the prolongation westerly of the division-line between Sections 4 and 5, Block II, South Tuakitoto District, to a point 25 links from the eastern margin of the canal constructed by the said County Council through said Kaitangata Lake; again towards the east by a line distant 25 links east from the margin of the said canal, running in a southerly direction to the intersection of the road forming the northern boundary of Section 7, Block VII, North Molyneux District; and towards the west generally by the road forming the eastern boundary of Blocks VII, VIII, and IX, North Molyneux District, and Blocks XII, XI, X, IX, and part of Block VIII, South Molyneux District.

SECOND SCHEDULE.

ALL that area in the said county, containing 140 acres, more or less, being the Kaitangata Creek and part of the Kaitangata Lake: bounded towards the north by a prolongation of the boundary-line between Sections 4 and 5, Block II, South Tuakitoto District, to a point distant 25 links from the eastern margin of the canal constructed by the Council of the Bruce County through Kaitangata Lake; towards the east by the road forming the western boundaries of Sections 4, 3, 2, and 1, Block II aforesaid, and the Town of Kaitangata; towards the south by the Clutha River; and towards the west by the road forming the eastern boundaries of Section 1, Block IV, and part of Section 7, Block VII, North Molyneux District, and by a line distant 25 links from and running parallel with the eastern margin of the said canal through said lake.
