ANALYSIS

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1970, No. 21—*Local*

An Act to empower the North Canterbury Catchment Board to subdivide and develop certain land vested in it and to expend money for certain purposes

[*2 December 1970*

WHEREAS the Waimakariri River Trust, a body corporate constituted under the Waimakariri River Improvement Act 1922, had vested in it certain land as reserves or as endowments or for river conservation purposes: And whereas by a Proclamation of the 10th day of February 1947 and appearing in the *New Zealand Gazette,* No. 8, of the 13th day of February 1947, page 199, the Waimakariri River Trust was dissolved and the powers and functions thereof transferred to the North Canterbury Catchment Board, a body corporate under the Soil Conservation and Rivers Control Act 1941: And whereas the said land formerly vested in the Waimakariri River Trust is now vested in the North Canterbury Catchment Board as the successor of the Waimakariri River Trust subject to all such trusts as affected the same and with the powers conferred on the Waimakariri River Trust by the Waimakariri River Improvement Act 1922 and its amendments: And whereas the North Canterbury Catchment Board desires to subdivide and develop certain of the

land so vested in it in order that the same may be put to the best possible use: And whereas it is doubtful whether the North Canterbury Catchment Board has sufficient powers to subdivide and develop such land:

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

1. Short Title—This Act may be cited as the Waimakariri River Improvement Amendment Act 1970, and shall be read together with and deemed part of the Waimakariri River Improvement Act 1922.

2. Interpretation—In this Act, unless the context otherwise requires, the term "Board" means the North Canterbury Catchment Board.

3. Additional powers conferred on Board—(1) The Board is hereby empowered—

(a) To subdivide, improve, and develop all or any part of the land which is described in the Schedule to this Act and which is for the time being vested in the Board:

(b) To dedicate or transfer any part of that land as road, street, access way, or service lane or as part of a road, street, access way, or service lane or for a reserve or public utility:

(c) To grant or reserve easements over any part of that land:

(d) To expend money—

(i) In the exercise of any of the powers conferred on the Board by paragraphs (a) to (c) of this subsection:

(ii) On the construction, maintenance, or improvement of streets, roads, access ways, or service lanes which are situated on or which provide access to any part of that land:

(iii) On the provision of services to any part of that land:

(iv) On payments in lieu of the provision of reserves in any case where the making of such payments is a condition of approval of any subdivision of that land:

(v) For any other purposes incidental to the subdivision, improvement, and development of any part of that land:

(e) For the purpose of providing funds to enable it to exercise any of the powers conferred on it by this section, to raise a special loan under the Local Authorities Loans Act 1956 as for a public work.

(2) Any land dedicated or transferred by the Board pursuant to paragraph (b) of subsection (1) of this section shall on such dedication or transfer being duly effected by the registration of a transfer or other instrument be no longer subject to any reservation or trust theretofore affecting it.

(3) Nothing in this section shall derogate from any of the provisions of the following enactments:

(a) The Counties Act 1956:

(b) The Municipal Corporations Act 1954:

(c) The Town and Country Planning Act 1954:

(d) The Land Transfer Act 1952:

(e) The Public Works Act 1928.

4. Power to expend money in special Account—Money held in any special Account established pursuant to subsection (2) of section 3 of the Waimakariri River Improvement Amendment Act 1930 may, with the consent of the Minister of Lands, be expended by the Board in accordance with paragraph (d) of subsection (1) of section 3 of this Act.

SCHEDULE

1. All that piece of land in the Canterbury Land District, situated in Block III, Christchurch Survey District, containing 76 acres and 15 perches, more or less, being Part Reserve 1360, parts being Lots 1 and 2 on Deposited Plan 11676; and Rural Sections 38813 and 38814, being the whole of the land in certificates of title, Volume 778, folio 2, 1D/1201, 1D/1202, and 4B/1271, and part of the land in certificate of title, Volume 464, folio 40, as the same is more particularly delineated on plan S.O. 11421, and thereon bordered red.

2. All that piece of land in the Canterbury Land District, situated in Block VI, Christchurch Survey District, containing 182 acres and 36.5 perches, more or less, being Part Reserve 946, comprised in balance certificate of title, Volume 65, folio 83.

3. All that piece of land in the Canterbury Land District, situated in Block VI, Christchurch Survey District, containing 34 acres 1 rood 9 perches, more or less, being Lot 5 on Deposited Plan 10482, and

SCHEDULE—*continued*

being Part Reserve 3542, vested in the North Canterbury Catchment Board for river conservation purposes by *Gazette,* 1902, page 2648.

4. All that piece of land in the Canterbury Land District, situated in Blocks IV, VI, VII, and VIII, Rolleston Survey District, and Blocks I, II, and V, Christchurch Survey District, containing 4,570 acres, more or less, and being Part Reserve 3542 vested in the North Canterbury Catchment Board for river conservation purposes by *Gazette,* 1902, page 2648, and *Gazette,* 1937, page 280, as the same is more particularly delineated on plans S.O. 11353 and 11354, and thereon bordered red.

5. All that piece of land in the Canterbury Land District, situated in Block VIII, Rolleston Survey District, and Block V, Christchurch Survey District, containing 1,220 acres 1 rood, more or less, being Rural Sections 7971, 7972, 10694, 11069, 11070, 15312, 22604, 25881, 25934, 26027, and 37373, comprised in certificates of title, Volume 448, folio 55, and Volume 452, folio 167. All Canterbury Land Registry.