

This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and, having this day passed as now printed, is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

House of Representatives,

22nd November. 1907.

[AS AMENDED BY THE LEGISLATIVE COUNCIL.]

Hon. Mr. McGowan.

CHRISTCHURCH DISTRICT DRAINAGE ACT
AMENDMENT.

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A BILL INTITULED

AN ACT to amend the Christchurch District Drainage Act, 1875.

Title.

WHEREAS owing to the operation of the Christchurch District Drainage Act, 1875, and of the Acts amending the same, the Christchurch District Drainage Board has been compelled by law to levy and collect from the ratepayers in the areas described in the *First* Schedule hereto certain rates amounting in all to the sum of twenty-seven thousand five hundred pounds, which rates ought in equity to have been paid by the ratepayers in the area described in the *Second* Schedule hereto: And whereas owing to dissatisfaction arising in this matter and for other reasons a Commission was appointed to report upon the working of the Christchurch District Drainage Act, 1875, and its amendments, and such Commission has held an inquiry and has recommended that the matter be adjusted in the manner hereinafter set forth:

Preamble.

BE IT THEREFORE 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 Christchurch District Drainage Act Amendment Act, 1907, and shall form part of and be read together with the Christchurch District Drainage Act, 1875.

Short Title.

2. In this Act, unless a contrary intention appears from the context or subject-matter,—

Interpretation.

“Board” means the Christchurch District Drainage Board incorporated under the Christchurch District Drainage Act, 1875:

“Drainage district” means the district within the jurisdiction of the said Board :

“Local authority” means a County Council, Borough Council, Town Board, or Road Board :

“Rural areas” means the areas described in the *First* 5
Schedule hereto :

“Sewerage area” means the area described in the *Second*
Schedule hereto.

Board to raise loan.

3. (1.) The Board shall, in accordance with this Act, borrow the sum of twenty-seven thousand five hundred pounds, at a rate of interest not exceeding *five* per centum, upon the security of a special rate or special rates to be levied by the Board over the lands in the sewerage area sufficient to meet interest and sinking fund on such loan. 10

(2.) The Board may raise such loan in one or more sums and at such time or times as may in its opinion be necessary for the purpose of complying with the provisions of this Act, but the whole of such moneys shall be raised and expended by the Board within five years from the date of the passing of this Act. 15

Expenditure of loan.

4. (1.) The money so borrowed shall be expended by the Board, in the proportions set forth in the *Third* Schedule hereto, upon permanent drainage or sewage works in and for the benefit of the various rural areas. 20

(2.) It shall not be lawful for the Board to pay out of the money so borrowed any expenses incurred by the Board in raising such loan, or any interest payable in respect thereof, and the said expenses shall be deemed to be part of the general expenses of the Board. 25

(3.) Section two of the Christchurch District Drainage Act 1875 Amendment Act, 1877, shall not apply to the expenditure of the said sum of twenty-seven thousand five hundred pounds. 30

Local Bodies' Loans Act to apply.

5. The provisions of the Local Bodies' Loans Act, 1901, shall apply to the loan hereinbefore authorised, as if the Board were a local authority within the meaning of that Act, except that it shall not be necessary to take the steps mentioned in sections seven to thirteen thereof. 35

Section 73 of Rating Act to apply.

6. The provisions of section seventy-three of the Rating Act, 1894, shall extend and apply to any special rate made as security for the loan authorised by this Act.

Board to keep separate accounts.

7. (1.) The Board shall keep separate accounts showing its financial position with respect to each of the rural areas and the sewerage area, and shall prepare yearly statements of its estimates, assets, liabilities, income, and expenditure, showing its position with respect to each such area separately, as well as its position with respect to the drainage district as a whole. 40 45

(2.) As soon as any such statement has been adopted by the Board, the Board shall forward a copy thereof to each local authority exercising jurisdiction within any portion of its district ; and shall also, on application in writing from any such local authority, supply such other information in connection with anything contained in such statement as such local authority may from time to time reasonably require. 50

8. The Registrar of the Supreme Court at Christchurch is hereby empowered to tax and settle the costs and expenses incurred or paid by the representatives of the rural areas in preparing and promoting a Local Bill presented to Parliament in the year nineteen hundred and six for the amendment of the Christchurch District Drainage Act, 1875, and for the appointment of the Commission mentioned in the preamble to this Act, and in preparing their claims for presentation to and prosecuting such claims before the said Commission, and in proceedings consequent upon the award of the said Commission; and any amount in excess of the sum of three hundred pounds already provided for by the award of the said Commission under the authority of the Commissioners Act, 1903, which the Registrar may decide to have been reasonably and justly expended, or to be reasonably and justly payable, by such representatives, together with the costs of such taxation as determined by the said Registrar, shall be paid by the Board to such representatives, and shall be charged to general expenses.

Drainage Board to pay costs of Local Bill, &c.

Struck out.

9. (1.) Every local authority required by the Board under section seventy-three of the Rating Act, 1894, to make, levy, or collect any rate on behalf of the Board shall, once in each month, render an account to the Board showing all rates collected by such local authority on behalf of the Board up to and including the last day of the then preceding month, and shall pay over the rates so collected to the Board.

Each local authority to render monthly account of rates collected.

(2.) When any rate or portion of any rate levied on or in respect of any property by any local authority, as provided by the said section seventy-three, is more than six months overdue and unpaid, the Board may at any time within two years from the date on which such rate became due and payable sue for and recover such rate or portion of such rate either in the name of the Board or in the name of the local authority which levied the rate, and in any action or proceeding to recover such rate the Board shall have and may exercise all of the remedies, powers, and authorities which the local authority possesses or may exercise in respect of the recovery of such rate.

Board may sue for rates.

10. In addition to any powers of investment which are now exercisable by the Board or by any Sinking Fund Commissioners or other the trustees for the time being of any moneys belonging to or forming part of any sinking fund now or hereafter created in respect of any loan raised by the Board, the Board or such Commissioners or trustees shall have and shall be deemed and taken to have had power to invest any such moneys in any of the securities or investments which are authorised in respect of trust funds by the Trustee Act, 1883, or any Act amending the same, or in the purchase of any debentures lawfully issued by any Harbour Board or Tramway Board in New Zealand.

Sinking fund may be invested in securities authorised by the Trustee Act, 1883, or in purchase of any Harbour Board's debentures.

11. Section three of the Christchurch District Drainage Act 1875 Amendment Act, 1905, is hereby amended by omitting the words "but not exceeding the sum of twenty-five thousand pounds in any one year."

Section 3 of Act of 1905 amended.

SCHEDULES.

FIRST SCHEDULE.

RURAL AREAS.

Rural Heathcote.

ALL that area in the Canterbury Land District known as Rural Heathcote District, and commencing at the southernmost corner of original Section 438, Block XVI, Christchurch Survey District, and proceeding north-westerly along Canal Reserve to the River Avon; thence northerly, easterly, and southerly by the River Avon and estuary of the Heathcote and Avon to place of commencement.

Also all that area commencing at the southernmost corner of original Section 96, Block XVI, Christchurch Survey District, and proceeding southerly, westerly, northerly, and again westerly along the River Heathcote to Wilson's Road; thence north-easterly by the said Wilson's Road to the Christchurch-Lyttelton Railway; thence south-easterly by the said Christchurch-Lyttelton Railway to place of commencement.

Also all that area commencing at the south-western corner of Section 227, Block XV, Christchurch Survey District, and proceeding easterly along Tennyson Street to the River Heathcote; thence southerly, westerly, and northerly along the bank of the said River Heathcote to Colombo Road; thence northerly by the said Colombo Road to place of commencement.

Rural Woolston.

All that area in the Canterbury Land District known as Rural Woolston District, and commencing at the westernmost corner of original Section 1144, Block XII, Christchurch Survey District, and proceeding south-easterly along Canal Reserve to the estuary of the Heathcote and Avon; thence southerly by the said estuary to the Heathcote River; thence westerly generally by the said Heathcote River to where it crosses the Christchurch-Lyttelton Railway at the south-eastern corner of original Section 96, Block XVI, Christchurch Survey District; thence north-west along the said railway to Ensor's Road; thence north-east by the said Ensor's Road to Ferry Road; thence easterly by the said Ferry Road to Aldwin's Road; thence by the said Aldwin's Road to the place of commencement.

Rural Avon.

All that area in the Canterbury Land District and known as Rural Avon District, commencing at a point on the sea-coast, and proceeding west along the road forming the southern boundary of Section 33047, intersecting Section 1579, reserve, and forming the southern boundary of Section 16034, Block VIII, Christchurch Survey District; thence southerly along the road forming the eastern boundary of Sections 6757, 4832, 4738, and 3096, Blocks VIII and XII, Christchurch Survey District; thence by the production of the same line to the River Avon; thence by the River Avon in a westerly and southerly direction to a point on the eastern boundary of original Section 197, Block XI, Christchurch Survey District, in line with the southern side of the southern part of the North Avon Road; thence in a right line to and by the southern side of the said North Avon Road and its production to Hills Road; thence northerly by the said Hills Road to Shirley Road; thence by the said Shirley Road to the easternmost corner of original Section 345, Block XI, Christchurch Survey District; thence by the road forming the eastern and northern boundary of the said Section 345 to Philpott's Road forming the eastern boundary of original Section 324A, Block XI, Christchurch Survey District; thence by the said Philpott's Road to McFadden's Road; thence south-westerly by the said McFadden's Road to Church Hill Road; thence northerly by the said Church Hill Road to May's Road; thence south-westerly by the said May's Road to Papanui Road; thence southerly by the said Papanui Road to Norman's Road; thence south-westerly by the said Norman's Road to the easternmost corner of original Section 453, Block XI, Christchurch Survey District; thence north-westerly by a line forming the eastern boundary of original Sections 453, 2382, 1101, and 2200, Blocks X and XI, Christchurch Survey District; thence easterly by the northern boundary of original Section 151, Blocks X and XI, Christchurch Survey District; thence north-easterly by the easternmost boundary of original

Section 64, Blocks VII and XI, Christchurch Survey District, to the Papanui Road; thence south-easterly by the said Papanui Road to North Road; thence north-easterly and northerly by the said North Road to the intersection of the said North Road with the north side of the Purarekanui Stream; thence by a line running due east to the sea-coast; thence southerly by the sea-coast to the place of commencement.

Rural Riccarton.

All that area in the Canterbury Land District and known as Rural Riccarton District, commencing at the southernmost corner of original Section 159, Block XIV, Christchurch Survey District, and proceeding in a north-westerly direction along Junction Road to Middle Lincoln Road; thence south-westerly by the said Middle Lincoln Road to the Lincoln and Riccarton Road; thence north-westerly by the said Lincoln and Riccarton Road to Ilam Road; thence northerly by the said Ilam Road to the Waimairi Creek; thence by the said creek to the southernmost corner of original Section 117, Block X, Christchurch Survey District; thence by the south-western boundary of original Sections 117 and 199, Block X, Christchurch Survey District, to the Avonhead Road intersecting the said Section 199; thence northerly by the said Avonhead Road to the Harewood Road; thence easterly by the said Harewood Road to Gardner's Road; thence northerly by the said Gardner's Road to the south-west corner of Section 1165, Block VI, Christchurch Survey District; thence along the road forming the western boundary of original Sections 1165, 734, 566, 533A, Block VI, Christchurch Survey District, to Styx Road; thence easterly along the said Styx Road to Boundary Road; thence north and north-easterly by the said Boundary Road to the Purarekanui Stream; thence southerly and easterly by the said stream to the North Road; thence south and south-westerly along North Road to Papanui Road; thence north-westerly along the said Papanui Road to the easternmost corner of original Section 64, Blocks VII and XI, Christchurch Survey District; thence along the easternmost boundary of the said original Section 64 to original Section 151, Blocks X and XI, Christchurch Survey District; thence westerly by the northernmost boundary of the said Section 151; thence south-easterly by the westernmost boundary of Sections 151 and 135, Blocks X and XI, Christchurch Survey District, to the easternmost corner of Section 453, Block XI, Christchurch Survey District; thence along the road forming the westernmost boundary of original Sections 299, 142, and 133, Block XI, Christchurch Survey District, to Boundary Road; thence by the said Boundary Road to the River Avon; thence westerly by the River Avon to the West Belt; thence southerly by the said West Belt to Moorhouse Avenue; thence easterly by the said Moorhouse Avenue for a distance of about 10 chains; thence south-westerly and parallel to Lincoln Road for a distance of about 40 chains; thence south-easterly for a distance of 5 chains to Lincoln Road at Jerrold Street; thence south-westerly by Lincoln Road to the place of commencement.

Rural Spreydon.

All that area in the Canterbury Land District known as Rural Spreydon District, and commencing at the southernmost corner of original Section 159, Block XIV, Christchurch Survey District, and proceeding north-east along Lincoln Road to Jerrold Street; thence easterly by Jerrold Street to Jackson's Creek at Hamilton Street; thence by Jackson's Creek to the boundary of the sewerage area; thence south-easterly by the said boundary to a point 3 chains south of Milton Street; thence at a right angle north-easterly to Strickland Street; thence south-easterly by the said Strickland Street to Colombo Road; thence by Colombo Road to the River Heathcote; thence westerly and northerly by the said River Heathcote to place of commencement.

Rural New Brighton.

All that area in the Canterbury Land District and known as Rural New Brighton District, commencing at the north-east corner of Section 6757, Block VIII, Christchurch Survey District, and proceeding east along the road forming the southern boundary of Section 16034, intersecting Section 1579, reserve, and forming the southern boundary of Section 33047, Block VIII, Christchurch Survey District, to the sea-coast; thence southerly along the sea-coast to the mouth of the estuary of the Heathcote and Avon; thence northerly along the east bank of the said estuary of the Heathcote and Avon to the River Avon; thence by the River Avon to a point opposite the road-line forming the eastern boundary of Sections 3096, 4738, 4832, and 6757, Block VIII, Christchurch Survey District; thence by a right line to the said road; thence north by the said road forming the eastern boundary of Sections 3096, 4738, 4832, and 6757, Block VIII, Christchurch Survey District, to place of commencement.

Rural Richmond.

All that area in the Canterbury Land District known as Rural Richmond District, commencing at a point on the North Avon Road about 5 chains east of Stanmore Road, and proceeding south and parallel to the said Stanmore Road to the River Avon; thence north-westerly generally by the said River Avon to a point on the eastern boundary of original Section 197, Block XI, Christchurch Survey District, in line with the southern side of the southern part of the North Avon Road; thence in a right line to and by the south side of the said North Avon Road to the place of commencement.

Rural Linwood.

All that area in the Canterbury Land District known as Rural Linwood District, commencing at a point on the Avon River about 5 chains east of Stanmore Road, and proceeding south and parallel to the said Stanmore Road to within about 5 chains of Tuam Street; thence easterly and parallel to Tuam Street to Rolleston Street and the production thereof to a point 3 chains south of Tuam Street; thence south-westerly by a line 3 chains from and parallel with Matheson's Road; thence westerly along Ferry Road to about 2 chains west of Barbour Street; thence south for about 4 chains; thence westerly to Wilson's Road; thence south-westerly by Wilson's Road to the Christchurch-Lyttelton Railway line; thence south-easterly by the said railway-line to Ensor's Road; thence north along Ensor's Road to Ferry Road; thence east by Ferry Road to Aldwin's Road; thence north-easterly by Aldwin's Road to Canal Reserve; thence north-west by Canal Reserve to the River Avon; thence west by the River Avon to place of commencement.

Rural Sydenham.

All that area in the Canterbury Land District known as Rural Sydenham District, commencing at a point on Wilson's Road $2\frac{1}{2}$ chains south of Junction Street; thence due west by a line parallel with Junction Street and Moorhouse Avenue to a point 4 chains east of Waltham Road; thence due south and parallel to Waltham Street to about $2\frac{1}{2}$ chains south of Brougham Street; thence west and parallel to Brougham Street to within about 5 chains of Colombo Road; thence south and parallel to Colombo Road to about 3 chains south of Milton Street; thence west and parallel to Milton Street to Strickland Street; thence south-east by Strickland Street to Tennyson Street; thence east by Tennyson Street to River Heathcote; thence north-easterly by River Heathcote to Wilson's Road; thence by Wilson's Road to place of commencement.

Also all that area in the Canterbury Land District commencing at the eastern junction of Jerrold Street and Jackson's Creek, and proceeding west and north-west along Jerrold Street to Jackson's Creek; thence easterly generally by the said Jackson's Creek to place of commencement.

Rural St. Albans.

All that area in the Canterbury Land District known as Rural St. Albans District, commencing at a point on Hills Road about 7 chains south of Gresford Street, and proceeding due west for a distance of about 10 chains; thence due south for a distance of about 8 chains; thence due west for a distance of about 7 chains; thence due north and parallel to Barbadoes Street to about $2\frac{1}{2}$ chains north of Edgware Road; thence due west to St. Albans Creek; thence northerly and westerly by the said creek to Church Road; thence north-westerly by the said road for a distance of about $2\frac{1}{2}$ chains; thence south-westerly about 5 chains from and parallel to St. Albans Lane to about 5 chains west of Papanui Road; thence south-easterly and parallel to the said Papanui Road to the Bealey Avenue; thence west along the Bealey Avenue to the River Avon; thence by the River Avon to Boundary Road; thence north-west by the said Boundary Road to the road forming the northernmost boundary of Section 7, Block XI, Christchurch Survey District; thence south-west by that road to the Wairarapa Stream; thence north-westerly by the said stream and drain forming the western boundary of Sections 142 and 299 to Norman's Road; thence north-easterly by Norman's Road to Papanui Road; thence north-westerly by the said Papanui Road to May's Road; thence north-easterly by May's Road to Church Hill Road; thence south-easterly by Church Hill Road to McFadden's Road; thence north-easterly by McFadden's Road to Philpott's Road; thence southerly by Philpott's Road to Innes Road; thence north-easterly by Innes Road to the northernmost corner of Section 345, Block XI, Christchurch Survey District; thence south-easterly by the easternmost boundary of the said Section 345 to Shirley Road; thence south-easterly by Shirley Road to Hills Road; thence south by Hills Road to place of commencement.

SECOND SCHEDULE.

SEWERAGE AREA.

THE City of Christchurch, as described in the First Schedule to the Christchurch District Drainage Act, 1875, together with the surrounding lands, bounded as follows: Commencing at a point about $5\frac{1}{2}$ chains west of the intersection of the north side of the North Belt with the west side of the Papanui Road; thence north-westerly by a line 5 chains distant from and parallel to the Papanui Road for a distance of 48 chains or thereabouts; thence easterly by a line parallel to and 5 chains distant from the St. Albans Road to Church Road; thence southerly along the western side of the latter road to St. Albans Creek; thence along the southern and western side of the said creek to a point $2\frac{1}{2}$ chains north of the Edgeware Road; thence easterly by a line parallel to Edgeware Road to a point 5 chains east of the prolongation of Packe's Road; thence at a right angle southerly by a line parallel to and 5 chains distant from Packe's Road to a point 5 chains north of the North Belt; thence easterly at a right angle to a point 5 chains west of the North Avon Road; thence at a right angle northerly for a distance of about $8\frac{1}{2}$ chains; thence easterly at a right angle to a point 5 chains east of the Stanmore Road; thence by lines parallel to and 5 chains east of the Stanmore Road to a point 5 chains north of the Drain Road (now called Tuam Street East); thence easterly at a right angle to the road running north from the pumping-station (now called Rolleston Street); thence southerly along the western side of the said road and a line in continuation thereof to the southern boundary of the pumping-station; thence southerly by a line parallel to and 3 chains distant from Matheson's Road to the Ferry Road; thence westerly along the Ferry Road to a point $2\frac{1}{2}$ chains east of Wilson's Road; thence at a right angle southerly to a point $2\frac{1}{2}$ chains south of the south side of Junction Street; thence westerly by a line parallel to and $2\frac{1}{2}$ chains distant from Junction Street to a point 4 chains east of the Gasworks Road (now called Waltham Road); thence southerly at a right angle to a point $2\frac{1}{2}$ chains south of the prolongation of the Pound Road (now called Brougham Street); thence westerly at a right angle to a point 5 chains east of Colombo Street; thence at a right angle southerly to a point 3 chains south of the prolongation of Smart's Road (now called Milton Street); thence westerly to a point about 3 chains east of Smart's Road; thence southerly by a line parallel to and 3 chains distant from Smart's Road to a point 3 chains west of the South Christchurch Road (now called Strickland Street); thence north-westerly by a line parallel to the latter road to the north side of Jackson's Creek; thence along the north side of the said creek to Jerrold Street; thence along its eastern side and a line in continuation thereof across the Lincoln Road to a point 5 chains distant therefrom; thence at a right angle north-easterly and parallel to the Lincoln Road to the South Town Belt; thence along the South Town Belt, East Belt, and North Belt to the commencing-point.

THIRD SCHEDULE.

APPORTIONMENT OF THE LOAN OF £27,500 HEREIN AUTHORISED.

	£
Rural Heathcote District	3,589
Rural Woolston District	1,295
Rural Avon	2,901
Rural Riccarton	7,353
Rural Spreydon	1,783
Rural New Brighton	939
Rural Richmond District	235
Rural Linwood District	1,986
Rural Sydenham District	4,934
Rural St. Albans District	2,485
Total	<u>£27,500</u>