

Mr. Sutherland

PAEROA BOROUGH WATER-SUPPLY
EMPOWERING

[LOCAL BILL]

ANALYSIS

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A BILL INTITULED

AN ACT to enable the Paeroa Borough Council to take, Title.
divert, and impound Water in a certain Stream in
the Hauraki Mining District for supplying Water
5 to the Borough of Paeroa.

WHEREAS it is expedient to enable the Paeroa Preamble.
Borough Council to take, divert, and impound the
waters flowing into and in the stream in the County
of Ohinemuri in the Hauraki Mining District, called
10 Waitawheta Stream, for the purpose of supplying
water to the inhabitants of the Borough of Paeroa,
and for the same purpose to empower such Council to
lay mains and pipes from such stream to the Borough

of Paeroa over reserves and roads and along and across the Waihi-Paeroa Railway-line and across the Ohinemuri River, which powers are not presently vested in such Council in respect of lands within a mining district: And whereas there is no source of water suitable for the aforesaid purpose available except in the Hauraki Mining District above mentioned: 5

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:— 10

Short Title.

1. This Act may be cited as the Paeroa Borough Water-supply Empowering Act, 1947.

Authority to take water.

2. The Paeroa Borough Council is hereby empowered to take, divert, and impound the water flowing into and in the Waitawheta Stream, situated in Blocks II, VI, and VII of the Aroha Survey District, in such manner as to the Paeroa Borough Council shall seem expedient for the purpose of supplying the same to inhabitants in the Borough of Paeroa, and to lay mains and pipes from the said stream to the Borough of Paeroa through part of the County of Ohinemuri in the Hauraki Mining District, along reserves and roads, and along and across the Waihi-Paeroa Railway-line, and across the Ohinemuri River, and to convey water through such mains and pipes: 15 20 25

Provided that the authority hereby conferred to lay pipes across the said railway-lines and the said river shall be exercised only with the consent of and in a manner approved by the Minister of Railways in respect of the railway, and the Minister of Marine and the Minister of Public Works in respect of the river. 30

Stream excluded from operation of Mining Act, 1926.

3. (1) That part of the said Waitawheta Stream above a point ten chains down-stream from the confluence of the Dubbo Stream with the said Waitawheta Stream, and all tributaries of the said Waitawheta Stream above such point, shall be deemed removed from the operations of the Mining Act, 1926, as from the date of the passing of this Act. 35

(2) From the date of the passing of this Act no mining rights, licences, or easements over such part of the Waitawheta Stream or any of its said tributaries 40

shall be granted or created, and such part of the Waitawheta Stream and such tributaries shall not, nor shall any of them thereafter be, proclaimed tailraces or watercourses into which tailings, mining debris, or
5 waste water may be discharged.

4. (1) The Paeroa Borough Council is hereby empowered from time to time, in or adjacent to that part of the Waitawheta Stream mentioned in subsection *one* of this section, to sink such wells or shafts
10 and make, construct, install, maintain, procure, and alter such reservoirs, dams, weirs, bridges, buildings, machinery, waterworks, cisterns, tanks, filters, purifiers, aqueducts, tunnels, cuts, excavations, races, sluices, pipes, culverts, drains, engines, pumps, and other works
15 and appliances as may be necessary or incidental to the water-supply works above mentioned.

Powers in relation to water-supply works.

(2) The Paeroa Borough Council is hereby empowered to occupy a strip of land not exceeding twenty-five feet wide along the entire length of the
20 course or the proposed course of any water-race or pipe-line which may be constructed pursuant to the powers hereby conferred; and every mining privilege granted after the passing of this Act shall, if it should cross, overlap, or otherwise affect the said strip of
25 land, be made subject to the right of the said Paeroa Borough Council to occupy the said strip of land and subject to such conditions as shall be necessary for the protection of any such water-race or pipe-line, notwithstanding that the said pipe-line or water-race
30 may not then have been constructed nor the said strip of land marked out.

5. The powers conferred by the foregoing provisions of this Act shall not be exercised by the Paeroa Borough Council until loan proposals for the construction of the Water-supply works aforesaid shall
35 have been sanctioned by the Local Government Loans Board pursuant to the provisions of the Local Government Loans Board Act, 1926, and the first or some subsequent poll of the ratepayers in the Borough of
40 Paeroa intended to be reticulated or supplied with water from the aforesaid source shall have been taken pursuant to the Local Bodies Loans Act, 1926, upon and resulted in favour of such loan proposals.

Loan proposal to be carried.

Exemption
from rating.

6. The rights and powers created by this Act or under any agreement hereby authorized or validated shall not be assessable for rating or subject to payment of any licence fees or rentals under the Mining Act, 1926.

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Power to sell
water.

7. The Paeroa Borough Council is hereby empowered to sell water derived from the said stream at such price, in such manner, and subject to such terms and conditions as it shall consider expedient.

Application of
Municipal
Corporations
Act, 1933.

8. The powers conferred by this Act on the Paeroa Borough Council are additional to those conferred by the Municipal Corporations Act, 1933, and the provisions of that Act shall, so far as the same are applicable, apply to the exercise by the Paeroa Borough Council of the powers hereby conferred as if the powers hereby conferred had been conferred by that Act.

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