

Hon. Mr. Buddo.

ASHLEY SUBDIVISION, AND THE WAIMAKARIRI-
ASHLEY WATER-SUPPLY BOARD.

[LOCAL BILL.]

ANALYSIS.

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A BILL INTITULED

AN ACT to divide the County of Ashley into Local Government Areas, and to continue the Waimakariri-Ashley Water-supply Board as a Corporation and the Waimakariri-Ashley Water-supply District as a Water-supply District under the Water-supply Act; 1908. Title.

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

10 1. (1.) This Act may be cited as the Ashley Subdivision, and the Waimakariri-Ashley Water-supply Board Act, 1911. Short Title.

(2.) This Act shall come into operation on the first day of April, nineteen nine hundred and *twelve*.

15 2. (1.) That portion of the Ashley County described in the *First* Schedule hereto, being the Rangiora and the Cust Road Districts, is hereby constituted as a county by the name of "The Rangiora County." Constitution of new counties.

20 (2.) That portion of the Ashley County described in the *Second* Schedule hereto, being the Eyreton and West Eyreton Road Districts, is hereby constituted a county by the name of "The Eyre County."

(3.) That portion of the Ashley County described in the *Third* Schedule hereto, being the Oxford Road District, is hereby constituted a county by the name of "The Oxford County."

25 (4.) That portion of the Ashley County described in the *Fourth* Schedule hereto, being the Kowai Road District, is hereby constituted a county by the name of "The Kowai County."

(5.) The remaining portion of the Ashley County described in the *Fifth* Schedule hereto, being the Ashley Road District, is hereby constituted a county by the name of "The Ashley County."

30 3. (1.) The Rangiora, the Cust, the Eyreton, the West Eyreton, the Oxford, the Kowai, and the Ashley Road Districts are hereby abolished, and shall be deemed to be merged in the respective counties of which they form part. Road districts abolished.

Ashley Subdivision, and the Waimakariri-Ashley Water-supply Board.

(2.) The Counties Act, 1908, shall be deemed to be in full force in such counties respectively.

Jurisdiction of new counties:

4. From and after the coming into operation of this Act no local body or authority other than the Council of any of the respective counties hereby constituted, save as hereinafter provided by this Act, shall within the limits of that county exercise any jurisdiction or authority whatsoever over any roads, or over or in relation to any matter or thing whatsoever, in respect of which jurisdiction is conferred upon County Councils under any Act: 5

Provided that nothing herein shall affect the power of the Governor to proclaim any portion of any such county a borough or town district. 10

Provisions as to Oxford County Council.

5. (1.) The Oxford County Council shall have and may exercise all the powers and authorities conferred upon the Oxford Road Board by section four of the Oxford Road District Act, 1905, in respect of the main drain of the Cust, and as if the Oxford County Council had been constituted a Drainage Board under the Lands Drainage Act, 1908, as provided by that section in the case of the Oxford Road Board. 15

(2.) The said Oxford Road District Act, 1905, shall be read as if the words "Oxford County Council," "the Oxford County," and "the Eyre County" had been inserted in such Act for the words "Oxford Road Board" and "the Oxford and Cust Road District" respectively wherever the latter words occur in the said Act, and all other consequential alterations had been made. 20 25

Jurisdiction of Waimakariri-Ashley Water-supply Board.

6. (1.) The Waimakariri - Ashley Water-supply Board, constituted a corporation under the Water-supply Act, 1908, Part II (hereinafter called the "Water Board"), shall continue and remain and be deemed to be a corporation, without change of corporation entity or otherwise; and the Waimakariri-Ashley Water-supply District, constituted a water-supply district under the said part of the said Act (hereinafter called the "water-supply district") shall, save as regards that part thereof constituted and known as the Cooper's Creek Subdivision, continue, remain, and be deemed to be a water-supply district; and the counties constituted by this Act shall not within the limits of the said water-supply district exercise any jurisdiction or authority over or in relation to any matter or thing in respect of which jurisdiction is conferred upon Water-supply Boards in water-supply districts under the Water-supply Act, 1908. 30 35 40

New.

(1A.) The said Cooper's Creek Subdivision shall after the coming into operation of this Act be under the jurisdiction and authority of, and the water-races therein shall be deemed to be vested in, the Oxford County Council. 40

(2.) Such Water Board within such water-supply district shall continue to have and may continue to exercise within the said district (save as regards the said Cooper's Creek Subdivision thereof) all the powers, duties, and authorities conferred on County Councils by Part I, and as provided by Part II, of the Water-supply Act, 1908. 45 50

New.

(2A.) The inclusion of the said Cooper's Creek Subdivision within the Oxford County shall not affect any loan or special rate as security therefor subsisting at the time of the coming into operation of this Act raised and made by the Water-supply Board under the provisions of the Waimakariri-Ashley Water-supply Board Loan Act, 1894, but such loan and rate shall continue to be charged and levied 55

upon that part of the water-supply district which is included in the said Cooper's Creek Subdivision, and the Governor in Council may, on the written application of the Water-supply Board or of the Oxford County Council, adjust all proportions of liability in respect of such loan between the Water-supply Board and the Oxford County Council.

(2B.) The liability in respect of the amount of such loan so apportioned shall, in respect of the area included in the said Cooper's Creek Subdivision, become a liability of the Oxford County Council, and all the powers and authorities in connection with the loan given by the Waimakariri-Ashley Water-supply Board Loan Act, 1894, to the Water-supply Board shall be deemed to be transferred from the Water-supply Board to the Oxford County Council with reference to the area included in such subdivision, and the Oxford County Council shall take all such steps as may be necessary for collecting and recovering such rate or for making any further rate or rates that may be required to meet the charges or interest from time to time payable in respect of the amount of the said loan so to be apportioned as aforesaid as provided by the said Act in the case of the Waimakariri-Ashley Water-supply Board.

(3.) Section sixty-seven of the Water-supply Act, 1908, and sections seventy-one, seventy-two, seventy-three, and seventy-four shall for the purposes therein mentioned, and for the exercise of the powers conferred thereby respectively, be read as if the words "county or part of a county," "electors of such county or part of a county," "County Councils," and "the Counties Act, 1908," had been inserted in such sections respectively for the words "road district or part of a road district," "ratepayers of such road district or part of such road district," "Road Boards," and "the Road Boards Act, 1908," wherever the latter words occur in such sections respectively, and all other consequential alterations had been made.

(4.) The Oxford County Council, notwithstanding the provisions contained in section seventy-five of the Water-supply Act, 1908, with reference to water-races constituted by Road Boards prior to the passing of the Water-supply Act, 1891, shall, as regards any water-races constituted by *the Road Board* within the Oxford Road District prior to the passing of the Water-supply Act, 1891, have and may exercise all the powers, duties, and authorities conferred on County Councils by Part I of the Water-supply Act, 1908, in lieu of the provisions of the said sections; and the said races shall be deemed to be vested in the Corporation of the County of Oxford.

(5.) All appointments, special orders, districts, subdivisions, warrants, maps, plans, regulations, rolls, resolutions, notices, by-laws, licenses, and rates and rate-books made, prepared, given, and held by the Water Board under and in pursuance of the Water-supply Act, 1908, and by the Oxford Road Board under and in pursuance of the provisions of section seventy-five of the said Act, and generally all *Proclamations*, acts ~~or~~ of authority which originated under the said Act relating to and affecting water-races vested by that Act in the Water Board and in the Oxford Road Board, and which at the time of the coming into operation of this Act are subsisting and in force in the said water-supply district and in the Oxford Road District, shall continue to be in force, and shall enure therein for the purposes of this Act and of the Water-supply Act, 1908, until lawfully altered or revoked by the Water Board and by the Oxford County Council.

Schedules.

SCHEDULES.

FIRST SCHEDULE.

RANGIORA COUNTY.

ALL that area in the Canterbury Land District bounded by a line commencing at the junction of Bowick's Road with the south side of the River Ashley, in Block II, Mairaki Survey District, and proceeding thence south-westerly along Bowick's Road, and Carlton Road to Dickinson's Road; thence westerly along Dickinson's Road to Bennett's Road; thence south-easterly along Bennett's Road to Boundary Road; thence north-easterly along Boundary Road to the road forming the south-western boundaries of Rural Sections 32061 and 23352; thence south-easterly along the last-mentioned road to the north-east corner of Rural Section 11124; thence southerly along the eastern boundary of Rural Sections 11124 and 10176 to the north-west corner of Educational Reserve 713; thence easterly along the northern boundary of Reserve 7153 aforesaid to the road forming the eastern boundary of that reserve; thence southerly along the said road to the Cust River; thence across the Cust River to a fence, as delineated on Map 60 (red) in the office of the Chief Surveyor, Christchurch; thence along the said fence to the eastern boundary of Rural Section 4214; thence southerly along the eastern boundary of Rural Section 4214 to the Oxford and Rangiora Railway Reserve; thence westerly along the northern boundary of the Oxford and Rangiora Railway Reserve to the North Eyre Road; thence south-easterly along the North Eyre Road to Boy's Tram Road, forming the south-western boundary of Educational Reserve 927; thence south-easterly along that road to the road intersecting Educational Reserve 927 and forming the southern boundary of Rural Section 4286; thence easterly along that road to the eastern boundary of the last-mentioned section; thence northerly along the said eastern boundary-line to Boundary Road; thence easterly along that road and a line drawn in continuation of its northern side to its junction with a line drawn southerly in continuation of the western boundary-line of Rural Section 3811; thence northerly along the last-mentioned line to the road forming the south-western boundary of Rural Section 3811 aforesaid along the southern side of the Oxford-Rangiora Railway-line; thence south-easterly along that road to the Oxford and Kaiapoi Road; thence again south-easterly along the said Oxford and Kaiapoi Road and the Main Drain and Road Reserve to the north branch of the River Waimakariri; thence easterly along the north branch of that river to the north-west boundary of the Borough of Kaiapoi; thence generally easterly, south-easterly, south-westerly, and again south-easterly, and southerly, following the northern and eastern boundaries of the Borough of Kaiapoi and a line in continuation of its easternmost boundary to the middle of the River Waimakariri; thence south-easterly along the middle of the said river to the ocean; thence bounded towards the east by the ocean to the right bank of the River Ashley; and thence following the right bank of the River Ashley to Bowick's Road, the point of commencement: excepting from the above-described area the Borough of Rangiora.

SECOND SCHEDULE.

EYRE COUNTY.

ALL that area in the Canterbury Land District the boundaries whereof are as follows: Commencing at a point on the North Eyre Road, the said point being the easternmost corner of Rural Section 4643; thence westerly along the southern boundary of that section to the south-east boundary of Rural Section 23243; thence south-westerly along the south-east boundary-line of Rural Sections 23243, 19574, and 23164 to the south-east corner of the last-mentioned section; thence by a straight line to the north-east corner of Rural Section 18588; thence along the south-east boundary-line of that section to its south-east corner; thence by a straight line across the River Eyre to the north-east corner of Rural Section 18704; thence along the south-east boundary-lines of Rural Sections 18704, 15362, 12432, 12751, and 14621 to the westernmost corner of Rural Section 15260; thence by a straight line to the easternmost corner of Rural Section 26299; thence along the south-east

boundary-lines of Rural Sections 26299, 3307, 30062, 32641, and 32211 to the southernmost corner of the last-mentioned section; thence south-westerly, following a line in continuation of the south-eastern boundary-line of the last-mentioned section to the Main Race Road forming the southern boundary of Lot 10, part of Rural Section 37080; thence north-westerly along that road to Trig. Station 48; thence south-westerly by a straight line to the north-east corner of Rural Section 32083, Block IV, Hawkins Survey District; thence south-westerly along the road forming the south-east boundary of that section and a line in continuation thereof to the middle of the River Waimakariri; thence easterly by a line along the middle of the River Waimakariri to Stewart's Gully; thence north-easterly by a line along the centre of Stewart's Gully to a point in the middle of the River Waimakariri in line with the eastern boundary of the Borough of Kaiapoi; thence north-westerly to the south-eastern corner of the said borough; thence westerly, north-easterly, and north-westerly, following the boundary of the said borough, to the north-western corner thereof; thence westerly along the ~~north branch of the River~~

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Waimakariri to the Main Drain and Road Reserve; thence north-westerly along the centre of that Reserve, the Oxford and Kaiapoi Road, and the Rangiora and Oxford Road to the road forming the western boundary of Rural Section 3811; thence southerly by a line in continuation of the eastern side of the last-mentioned road to its junction with a line drawn easterly in continuation of the northern side of Boundary Road forming the south-west boundary of Rural Section 4425; thence westerly through Rural Sections 4366, 3880, 4365, and 3813 to Boundary Road aforesaid, and along that road to the north-west corner of Rural Section 4525; thence southerly along the western boundary of that section to the Oxford and Ohoka Road forming the northern boundary of Educational Reserve 926; thence westerly along that road to Boy's Tram Road; thence north-westerly along that road to the North Eyre Road; and from thence returning north-westerly along ~~that road southern boundary of the Rangiora County as described in the First Schedule hereto~~ to the easternmost corner of Rural Section 4643, the point of commencement.

THIRD SCHEDULE.

OXFORD COUNTY.

ALL that area in the Canterbury Land District bounded by a line commencing at the junction of Bowick's Road with the south side of the River Ashley, in Block II, Mairaki Survey District, and proceeding thence south-westerly along ~~Bowick's Road~~

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and Carlton Road to Dickinson's Road; thence westerly along Dickinson's Road to Bennett's Road; thence south-easterly along Bennett's Road to Boundary Road; thence north-easterly along Boundary Road to the road forming the south-western boundaries of Rural Sections 32061 and 23352; thence south-easterly along the last-mentioned road to the north-east corner of Rural Section 11124; thence southerly along the eastern boundary of Rural Sections 11124 and 10176 to the north-west corner of Educational Reserve 713; thence easterly along the northern boundary of Reserve 713 aforesaid to the road forming the eastern boundary of that reserve; thence southerly along the said road to the Cust River; thence across the Cust River to a fence, as delineated on Map 60 (red) in the office of the Chief Surveyor, Christchurch; thence along the said fence to the eastern boundary of Rural Section 4214; thence southerly along the eastern boundary of Rural Section 4214 to the Oxford and Rangiora Railway Reserve; thence westerly along the northern boundary of the Oxford and Rangiora Railway Reserve to the North Eyre Road; thence south-easterly along the North Eyre Road to the easternmost corner of Rural Section 4643; thence westerly along the southern boundary of that section to the south-east boundary of Rural Section 23243; thence south-westerly along the south-eastern boundary-lines of Rural Sections 23243, 19574, and 23164 to the south-eastern corner of the last-mentioned section; thence along a right line to the north-eastern corner of Rural Section 18588; thence along the south-eastern boundary-line of the said Rural Section 18588 to its south-eastern corner; thence along a right line across the River Eyre to the north-eastern corner of Rural Section 18704; thence along the south-eastern boundary-lines of Rural Sections 18704, 15362, 12432, 12751, and 14621 to the westernmost corner of Rural Section 15260; thence along a right line to the easternmost corner of Rural Section 26299; thence along the south-eastern boundary-lines of Rural Sections 26299, 33077, 30062,

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32641, and 32211 to the southernmost corner of the last-mentioned section; thence south-westerly, following a line in continuation of the south-east boundary-line of the last-mentioned section to the main race and road forming the southern boundary of Lot 10, part of Rural Section 37080; thence north-westerly along the said road to Trig. Station 48; thence south-westerly along a straight line to the north-east corner of Rural Section 32083 in Block IV, Hawkins Survey District; thence south-westerly along the road forming the south-east boundary of the said section and along a line in continuation of the same

the western boundaries of Rangiora and Eyre Counties as described in the First and Second Schedules hereto respectively to the middle of the Waimakariri River; thence north-westerly and northerly along the middle of the Waimakariri River to a point due west of Trig. Station S, Upper Ashley Survey District; thence easterly by a right line to the said Trig. Station S; thence north-easterly, along the summit of the Puketiraki Range and the summit of the range leading to Ashley Head, to Ashley Head; thence south-easterly along a right line to Block Hill; thence south-westerly along a right line to the source of the River Ashley; thence along the right bank of the River Ashley to the commencing-point.

FOURTH SCHEDULE.

KOWAI COUNTY.

ALL that area in the Canterbury Land District, the boundaries of which are as follows: Commencing at a point in the middle of the River Waipara, the said point being in line with the western boundary-line of Rural Section 29653, Block XIII, Waipara Survey District; thence towards the north-west generally and south-west by a right line to and thence by the summit of the range east of Bird's Eye Creek, and the summit of the range to Mount Grey; thence towards the west by eastern boundary

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line of a run formerly No. 439, Class 2, to the Makerikeri River; thence by that river to the south-west boundary of a run formerly No. 11; thence towards the south by that boundary-line; thence again towards the west by the said Run No. 11 to its intersection by a road, being the continuation of a road forming the eastern boundary of Rural Section 2163, Rangiora Survey District aforesaid; thence by the said continuation of that road to the south-eastern corner of Rural Section 2163; thence by a road being the continuation of the road running between Rural Sections 1684 and 2673

New.

by the summit of the range to the road at the northernmost corner of Rural Section No. 34744; thence by the road forming the eastern boundaries of Rural Sections Nos. 34744, 34719, and 34532, and the south-eastern boundary of the last-mentioned section and by Rural Section No. 33532 to the Makerikeri River; thence by that river to the northernmost corner of Rural Section No. 33378; thence by a right line to the north-eastern corner of Rural Section No. 5654; thence by a right line to the south-western corner of Rural Section No. 8820; thence by Boundary Road to the Christchurch-Amberley Railway-line; thence by the railway-line to the right bank of the River Ashley; thence towards the south by the right bank of the River Ashley to the ocean; thence towards the east by the ocean from the right bank of the River Ashley to the middle of the River Waipara; and towards the north east and east north by a line along the middle of the River Waipara to the point of commencement.

FIFTH SCHEDULE.

ASHLEY COUNTY.

ALL that area in the Canterbury Land District bounded towards the south and west by the right bank of the Ashley River from the road running between Rural Sections 1684 and 2673, Rangiora Survey District *Christchurch-Amberley Railway-line*, to its source; thence towards the north-west by a right line to Block Hill; thence towards the north-east by a right line from Block Hill to the source of the south branch of the River Waipara; thence by a line along the middle of that river to a point in line with the western boundary-line of Rural Section 29653, Block XIII, Waipara Survey District; thence towards the south east and again towards the north

*Ashley Subdivision, and the Waimakariri-Ashley
Water-supply Board.*

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east by a right line to and thence by the summit of the range east of Bird's Eye Creek and the summit of the range to Mount Grey; thence towards the east by the eastern boundary-line of a run, formerly No. 194, and now forming part of Run No. 439, Class 2, to the Makerikeri River; thence by that river to the south-west boundary of Run formerly No. 11; thence towards the north by that boundary-line; thence again towards the east by the said Run No. 11, to its intersection by a road, being the continuation of a road forming the eastern boundary of Rural Section 2163, Rangiora Survey District aforesaid; thence by the said continuation of that road to the south-eastern corner of Rural Section 2163 aforesaid; and thence by a road, being the continuation of the road ~~running between Rural Sections 1684 and 2673 aforesaid, the east generally by Kowai County as described in the Fourth Schedule hereto~~ to the place of commencement.

By Authority : JOHN MACKAY, Government Printer, Wellington.—1911.