

Mr. J. S. Dickson.

AUCKLAND WATER-SUPPLY.

[LOCAL BILL.]

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A BILL INTITULED

AN ACT to regulate the Supply of Water for the City of Auckland and its Suburbs. Title.

WHEREAS the Auckland City Council has, in pursuance of the powers vested in it by the Municipal Corporations Act, 1920, constructed waterworks for the supply of pure water to the inhabitants of the City of Auckland and the surrounding districts, and such waterworks are vested in the Corporation called the Mayor, Councillors, and Citizens of the City of Auckland : And whereas it is desirable to make provision for securing a supply of water from the said waterworks for the water-supply district hereinafter defined, and for settling the terms and conditions upon which such supply shall be given : 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 Auckland Water-supply Act, 1928. Short Title.
- 2. In this Act, if not inconsistent with the context,— Interpretation.

“ City Council ” shall mean the Auckland City Council :

“ Local authority ” shall mean the Council of a borough or county, and the Board of a town district or road district, the whole or any part of whose district is within the water-supply district hereinafter mentioned.

“ Water-supply district ” shall mean the area comprising the following local districts and portions of districts : The City of Auckland ; the boroughs of Mount Eden, Mount

Albert, Newmarket, Onehunga, Otahuhu, Devonport, Takapuna, Birkenhead, and Northcote; the town districts of Ellerslie, New Lynn, Manurewa, Papatoetoe, Glen Eden, and Henderson; and the road districts of One Tree Hill, Mount Roskill, Mount Wellington, and Panmure Township; and the Titirangi and Waikomiti Ridings of the Waitemata County, and the Mangere and Papatoetoe Ridings of the Manukau County. 5

City Council to supply water on request of local authority.

3. (1) Any local authority may, by notice in writing, require the City Council to supply water from its waterworks to the inhabitants of the district of such local authority, or some of them, within the water-supply district. Should the City Council fail or refuse to supply water in accordance with the terms of such notice, or should the local authority and the City Council be unable to agree as to the terms and conditions upon which such water shall be supplied, then the local authority or the City Council may refer the matter in dispute between them to arbitration under and subject to the provisions of the Arbitration Act, 1908, or any then subsisting statutory modification or re-enactment thereof, save that there shall be two arbitrators, one to be appointed by the local authority and one by the City Council; and the local authority and the City Council respectively shall abide by and perform the award made on such reference. 10 15 20

(2) Any agreement or award made under this section may provide for a supply of water by the City Council for such period, at such price, and generally upon and subject to such terms and conditions as may be decided. 25

How price of water to be fixed.

4. In fixing the price to be paid by any local authority or the inhabitants of its district to the City Council for water, the arbitrators or umpire shall proceed upon the basis that the City Council is entitled to a reasonable profit on the sale of its water, and shall find and award accordingly; but otherwise the arbitrators or umpire respectively shall have a wide discretion as to the circumstances which may weigh with them in fixing and determining the price to be paid for such water, and the terms and conditions of supply. 30

Dispute as to continuance or discontinuance of supply to be determined by arbitration.

5. Where the City Council is supplying water to any local authority or to any of the inhabitants within its district, and no binding agreement or award is in force for the time being between the City Council and such local authority, and the parties cannot agree as to whether such supply shall be continued, or as to the terms and conditions on which the same shall be given, then such matter in dispute may be referred to arbitration, as provided in section *three* hereof, by the local authority or the City Council; and the parties to such reference shall abide by and perform the award of the arbitrators or umpire therein. 35 40

City Council may borrow for purposes of water-supply.

6. The City Council may, subject to the provisions of the Local Government Loans Board Act, 1926, from time to time by special order raise special loans under the Local Bodies' Loans Act, 1926, for such sums as may be necessary or expedient for the acquisition of lands or other property, or the construction, extension, or improvement of any dams, buildings, mains, or works, or the provision of plant, machinery, or accessories for or in connection with the waterworks of the City Council, or otherwise required in connection with the supply of water 45 50

by the City Council in or for the water-supply district or any part thereof.

7. The Governor-General may from time to time, by Order in Council, on the application of the City Council alter the boundaries of the water-supply district either by including therein any additional area or by excluding therefrom any area now included therein.

Boundaries of water-supply district may be altered.

8. Nothing herein contained shall prejudice or affect the rights and powers of the City Council in relation to the supply of water to bodies or persons outside the water-supply district, and the powers hereby given to the City Council shall be in addition to and not in substitution for any power now possessed by the City Council.

Right of City Council to supply water outside supply district not affected.