

[AS REPORTED FROM THE LOCAL BILLS COMMITTEE]

*House of Representatives, 26 July 1966*

Words struck out by the Local Bills Committee are shown with black rule at beginning and after last line; words inserted are shown with double rule before first line and after last line.

*Mrs McMillan*

## DUNEDIN DISTRICT DRAINAGE AND SEWERAGE AMENDMENT

[LOCAL]

### ANALYSIS

Title  
1. Short Title

2. Board may establish accident funds  
3. Consent to construction of cellars  
and basements

### A BILL INTITULED

An Act to amend the Dunedin District Drainage and Sewerage Act 1900

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

1. **Short Title**—This Act may be cited as the Dunedin District Drainage and Sewerage Amendment Act 1966, and shall be read together with and deemed part of the Dunedin  
10 District Drainage and Sewerage Act 1900 (hereinafter referred to as the principal Act).

2. **Board may establish accident funds**—(1) The Board may from time to time set aside out of its General Fund any money to form a fund or funds to meet claims for  
15 accidents arising out of or in connection with the exercise and performance by the Board of its powers, duties, and

No. 62—2

## 2 *Dunedin District Drainage and Sewerage Amendment*

functions under the principal Act or any other Act; but no greater sum shall be set aside in any one year than the amount that at current rates would have been payable for that year in respect of the insurance of workers employed by or vehicles belonging to the Board and in respect of insurance against public risk. 5

(2) The Board may from time to time invest any money so set aside and pay the proceeds into the said fund or funds.

### 3. Consent to Construction of Cellars and Basements—

#### *Struck Out*

(1) Where the owner or occupier of any land proposes to construct a cellar or basement within sixty-six feet from any street, private street, or any adjoining property he shall give notice of his intention to the Board whose consent must first be obtained before the work is commenced. 15

(2) Where under subsection (1) of this section the Board grants its consent to the construction of any cellar or basement, it may grant its consent subject to a condition that neither the owner nor the occupier nor their successors in title shall be entitled to claim against the Board for any damage caused to the cellar or basement or any property therein arising, whether directly or indirectly, from any defect in any drainage system, sewerage system, or other public utility service under the control of the Board. 20

(3) As soon as conveniently may be after the passing of a resolution by the Board granting its consent to the construction of a cellar or basement subject to the conditions specified in subsection (2) of this section, the Board shall send a copy of the resolution, authenticated by the Board, to the District Land Registrar or the Registrar of Deeds, as the case may require, who shall deposit the same in his office and register against the title to the land a memorandum under his hand that the land is subject to those conditions. 25 30

#### *New*

Where pursuant to section 203 of the Municipal Corporations Act 1954 a borough council grants its consent to the construction of any cellar subject to the condition set out in section 203A of that Act, the Board shall not be liable for any damage caused to the cellar or any property therein arising, whether directly or indirectly, from any defect in any drainage system, sewerage system, or other public utility service under the control of the Board. 35 40