

[AS REPORTED FROM THE LOCAL BILLS COMMITTEE, 25TH SEPTEMBER, 1902.]

Mr. Buddo.

OXFORD AND CUST ROAD DISTRICTS ALTERATION OF BOUNDARIES (No. 2).

[LOCAL BILL.]

ANALYSIS.

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| <ul style="list-style-type: none"> <li>Title.</li> <li>1. Short Title.</li> <li>2. Interpretation.</li> <li>3. Boundaries of the Oxford and Cust Road Districts hereby altered.</li> <li>4. Oxford Road Board to have all the powers of a Drainage Board.</li> </ul> | <ul style="list-style-type: none"> <li>5. Validation of construction of Main Drain as it existed at the passing of this Act.</li> <li>6. Main drain deemed a public work.</li> <li>7. Compensation, how ascertained.</li> <li>8. Oxford Road Board may raise a loan. Schedules.</li> </ul> |
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A BILL INTITULED

AN ACT to alter the Boundaries of the Oxford and Cust Road Districts, in the County of Ashley, so as to include in Oxford Road District and to give to the Oxford Road Board the Control of the Main Drain of the River Cust, and for other Purposes relating to such Drain. Title.

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

1. The Short Title of this Act is "The Oxford and Cust Road Districts Alteration of Boundaries Act, 1902 (No. 2)." Short Title.
2. In this Act, if not inconsistent with the context,— Interpretation.
- "The Oxford Road Board" and "the Cust Road Board" mean respectively the Road Boards for the Oxford and Cust Road Districts as constituted respectively under "The Road Boards Act, 1882":
- "The Inhabitants of the Oxford Road District" and "the Inhabitants of the Cust Road District" mean respectively the bodies corporate incorporated under those names respectively under the provisions of such Act:
- "The Oxford Road District" and "the Cust Road District" mean respectively the road districts as constituted under those names respectively by such Act and by this Act as is hereinafter provided:
- "Main Drain of the Cust" means the Main Drain of the Cust as constructed or existing at the time of the passing of this Act, within the Oxford and Cust Road Districts respectively, and within the boundaries of the Oxford Road District as altered by this Act; and such expression

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includes any drains or watercourses which at the time of the passing of this Act may flow into or from any such Main Drain or which are in any way connected therewith, or any other drains, or watercourses, or outlets for water which may hereafter be constructed so as to form part of, or to flow into or from, or which may be in any way connected with, such Main Drain or with the River Cust, either within or without the Oxford Road District :

“Drains,” “drainage,” and “watercourses” shall have the meanings assigned to such words respectively by “The Land Drainage Act, 1893,” and the Acts amending the same.

Boundaries of the Oxford and Cust Road Districts hereby altered.

3. From and after the passing of this Act the boundaries of the Oxford and Cust Road Districts as constituted by “The Road Boards Act, 1882,” shall be altered ; and the new boundaries of such districts respectively shall be as described in the First and Second Schedules hereto, as if the boundaries of such districts respectively had been altered in manner provided by Part I. of such Act for the alteration of the boundaries of road districts : Provided nevertheless that sections five, six, and seven of such Act shall apply to the districts as altered by this Act.

Oxford Road Board to have all the powers of a Drainage Board.

4. The Oxford Road Board shall, in respect of the Main Drain of the Cust, have all the powers and authorities conferred upon Drainage Boards in and by sections nineteen to twenty-three, both inclusive, of “The Land Drainage Act, 1893,” in the same manner and to the same extent as if such Board had been constituted a Drainage Board under such Act ; and such sections shall be deemed to be incorporated in this Act ; and such sections shall be read for the purposes of this Act as if the words “the Oxford Road Board” and “the Oxford Road District” had been inserted therein in lieu of the words “Board” and “district” wherever the words “Board” and “district” occur in such sections of the Act.

Validation of construction of Main Drain as it existed at the passing of this Act.

5. The diversion of the water of the River Cust into the Main Drain of the Cust as heretofore made in or about the year one thousand eight hundred and eighty, or previously thereto, and the construction of such drain as heretofore constructed and as it exists at the time of the passing of this Act, shall as and from the passing thereof be deemed to have been lawfully made and constructed ; and it shall be lawful for the Oxford Road Board for the purposes of this Act to continue to divert such water from such river, and to further divert and take the same from such river, and, if necessary, to return such water to such river at any point or points within or without the Oxford Road District ; and it shall be lawful for the Oxford Road Board, *with the previous consent of the local bodies having control of the lands affected*, to make any drains, outlets for water, or other works, under the powers of this Act, through or on any lands outside the Oxford Road District as constituted hereunder for the purpose of connecting the Main Drain of the Cust with the River Cust outside such district.

Main Drain deemed a public work.

6. From and after the passing of this Act the Main Drain of the Cust within and without the Oxford Road District shall be deemed to be a public work within the meaning of “The Public Works Act,

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1894," and any person having any estate or interest in any lands taken under this Act, or injuriously affected thereby, or suffering any damage from the exercise by the Oxford Road Board of any of the powers hereby given, shall be entitled to full compensation for the same from such Board: Provided that no claim for compensation shall be made in respect of any lands taken after a period of five years after the date of the Proclamation taking the said lands, or in respect of any damage done after a period of twelve months after the execution of the works out of which such claim has arisen or may hereafter arise, and all right and title to any compensation for damage arising out of the execution of such works shall after such period absolutely cease.

7. The amount of compensation shall, unless the parties can agree thereon, be ascertained in the manner provided by Part III. of "The Public Works Act, 1894."

Compensation, how ascertained.

8. The Oxford Road Board may from time to time raise a loan for the purpose of exercising any of the powers conferred by this Act within the Oxford Road District as constituted hereunder in terms of section sixteen of "The Local Bodies' Loans Act, 1886," without taking any poll of the ratepayers of such district thereon, and for that purpose and for the purpose of paying the interest on such loan and repaying the principal thereof the Oxford Road Board shall have and may exercise all the powers of "The Local Bodies' Loans Act, 1886," and all the provisions of that Act where not inconsistent herewith shall apply to such loan.

Oxford Road Board may raise a loan.

SCHEDULES.

Schedules.

FIRST SCHEDULE.

~~ALL that area in the Provincial Land District of Canterbury the boundaries of which are as follows: 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 with the south side of the River Ashley; thence south-westerly following 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 713 aforesaid to the road forming the eastern boundary of Reserve 713 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 eastern-most corner of Rural Section 4643; thence south-westerly along the south-eastern boundary-lines of Rural Sections 4643, 23243, 19574, and 23164 18588, 18704, 15362, 12432, 12751, 14621, to the westernmost corner of Rural Section 15260; thence in continuation of the north-west boundary of the last mentioned section to the Harewood Road by Riccarton; thence south-east along the Harewood Road by Riccarton to the easternmost corner of Rural Section 26299; thence south-west along the south-eastern boundary to the south-eastern corner of the last-mentioned section; thence along a right~~

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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, 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 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 same to the middle of the Waimakariri River; thence following north-westerly and northerly along the middle of the Waimakariri River to the northern boundary of Run 653; thence easterly along the northern boundary of Run 653 to the summit of the Puketirake Range; a point due west of Trig. Station S, Upper Ashley Survey District; thence easterly along a right line to the said Trig. Station S; thence north-easterly along the summit of the Puketirake 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 straight right line to the source of the River Ashley; thence along the right bank of the River Ashley to the commencing-point.

#### SECOND SCHEDULE.

ALL that area in the Provincial Land District of Canterbury the boundaries of which are as follows: 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 Districts, and proceeding thence following the boundaries as described of the Oxford Road District, hereinbefore described, to the easternmost corner of Rural Section 4643; thence south-easterly along the North Eyre Road, Boys's Tram Road, and Ohoka Road to the western boundary of Rural Section 4525; thence northerly along the western boundary of said the last-mentioned section to Boundary Road; thence easterly along Boundary Road to Richmond's Road; thence easterly along a line in continuation of the northern side of Boundary Road to its intersection with a line running due north through Trig. Station C 30 in the Rolleston Survey District; thence due north along the said line to the River Ashley; thence westerly along the River Ashley to the commencing-point.