

*This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and having this day passed as now printed is transmitted to the LEGISLATIVE COUNCIL for its concurrence.*

*House of Representatives,  
21st November, 1887.*

*Mr. Hamlin, for Sir G. M. O'Rorke*

## ONEHUNGA WATER RESERVES.

### ANALYSIS.

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### A BILL INTITULED

AN ACT to apply certain Water Reserves in the Borough of Onehunga to the Purpose of Supplying the Inhabitants of the said Borough with Water. Title.

5 WHEREAS under authority of "The Onehunga Reserves Act, 1875," Allotment number ten of Section fourteen in the Borough of Onehunga, containing one acre, and whereon are the sources or heads of the natural springs of water known as Bycroft's Springs, was, by Crown grant dated the sixth day of July, one thousand eight hundred and  
10 seventy-six, granted to the governing body of the Town of Onehunga in trust as a water reserve: And whereas the said allotment is bounded on one side by part of a street called Spring Street, and on another side by part of another street called Princes Street: And whereas such part of Princes Street has not been formed and not used by reason of  
15 the water from the aforesaid springs flowing over the said part of the street, and the lower part of Spring Street which runs into the aforesaid part of Princes Street is not used for the same reason and has not been formed; and no injury to the public would be caused by the closing of the said parts of streets and the providing a way of road elsewhere:  
20 And whereas under the provisions of "The Onehunga Water Reserves Act, 1879," Allotments numbers six and eight of Section number fourteen in the same borough, each containing one acre, and adjoining to the aforesaid Allotment number ten, have been vested in the Corporation of the Borough of Onehunga, to be held upon trust  
25 as a general public reserve for water purposes, to be laid out, managed, improved, and ornamented as the said Corporation shall think fit, with a proviso that no portion of the said two acres shall be alienated by sale, mortgage, lease, or otherwise, and upon the condition that it shall be lawful for any person, either with or without cattle of any  
30 description, to pass and repass over the said Allotments numbers six

and eight to the springs known as Bycroft's Springs on Allotment number ten, and there to water such cattle or to take water therefrom free of charge :

And whereas the Borough Council of Onehunga are desirous of utilizing the aforesaid springs for the benefit of the inhabitants generally of the said borough, and of constructing waterworks for the distribution of the said water ; and it is necessary for such object to enclose the spring heads aforesaid to prevent the water from being polluted to the injury of the public at large :

And whereas the said Borough Council have, since the commencement of the present year, entered into contracts for the construction of works to enclose the Allotment number ten and the water thereon, under the impression they were duly authorized in that behalf, and it is expedient to validate the making of such contracts :

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

Short Title.

1. The Short Title of this Act is "The Onehunga Water Reserves Act, 1887."

Commencement.

This Act shall have retrospective effect, and be deemed to have come into operation on the first day of January, in the year one thousand eight hundred and eighty-seven ; which is herein called the commencement of this Act.

Reserve to vest in Corporation, in trust, as a general public reserve for water purposes.

2. It is hereby declared that Allotments numbers six, eight, and ten of Section fourteen of the Town of Onehunga shall vest and be deemed to have vested from the date of the commencement of this Act in the Corporation of the Borough of Onehunga, in trust, as a general public reserve for water purposes, and it shall be lawful to use the said reserve for the purpose of providing a water-supply for the inhabitants of the said borough, and the construction of all necessary waterworks for such purpose :

Provided always that it shall be incumbent upon the Borough Council of Onehunga either to allow the public free access at all times for themselves and their cattle to the said springs, or to provide, in a convenient position, to which the public generally and their cattle shall at all times have free access, a sufficient supply of water from the said springs free of charge :

And provided, further, that in the event of any corporate body or bodies in the County of Eden being desirous of obtaining a supply of water from the said springs for the use of the inhabitants of the district or districts under the control of such corporate body or bodies, then it shall be lawful for it or them, either separately or in conjunction with the Borough of Onehunga, to obtain and take, by pumping-machinery erected on the said allotments or otherwise, water from the said springs, but so that each body so participating in the use of such water shall be entitled to an equal proportionate supply with the said Borough of Onehunga and no more.

Powers of Borough Council as to reserve.

3. The Borough Council of Onehunga shall, in respect of the reserve and the springs of water thereon vested as in the *last-preceding* section mentioned, have and may exercise all the powers and authorities granted under "The Municipal Corporations Act, 1886," in respect to waterworks, as if the lands in the said reserve and the

water thereon had been taken for waterworks under "The Public Works Act, 1882;" and also—

- 5 (1.) May erect on any portion of the said Allotments eight and ten a wall or other structure for enclosing the springs of water on the said Allotment ten, and also any other structures or buildings for the purpose of waterworks they may think necessary : May enclose springs.
  - 10 (2.) May absolutely close any part of Princes Street or Spring Street they may require for the purpose of preventing the pollution of the water at the springs on the said Allotment ten, and may include the portion of the streets so closed within the enclosure round the springs aforesaid : May close parts of streets and adjoining springs.
  - 15 (3.) May, in consideration of closing the said parts of streets, open a new street through the said Allotments six, eight, and ten, to connect the unclosed portions of Spring Street and Princes Street; the course of such new street to be such as the said Council shall think best for the benefit of the public : May open new street through reserve.
  - 20 (4.) May lay out, manage, improve, or ornament any part of the said Allotments six, eight, and ten as they think best : May ornament reserve.  
 Provided that no part of any of the said allotments shall be alienated by way of sale, mortgage, lease, or otherwise.
4. Section two of "The Onehunga Water Reserves Act, 1879," shall be read in conjunction with this Act. Act to be read with section 2 of former Act.

between Her said Majesty, of the one part, and the Corporation of the Mayor, Councillors, and citizens of the City of Dunedin, of the other part, Her said Majesty, by virtue of the powers and provisions of "The Public Reserves Act, 1877," and of all and every other the powers and authorities in anywise enabling her in that behalf, did grant to and vest in the said Corporation all that the said parcel of land and hereditaments called or known as the Town Belt of Dunedin, as the same parcel of land and hereditaments are described in the Schedule thereunder written, together with the rights and appurtenances thereunto belonging, to hold the said parcel of land and hereditaments unto the said Corporation in trust for the purposes of public recreation for the City of Dunedin and its inhabitants: And whereas it is expedient to appropriate and set apart for the purposes of a public cemetery the portion of the said Town Belt of Dunedin which is described in the Schedule to this Act, in order that the same may form an extension of the present North Dunedin Cemetery:

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

Short Title.

1. The Short Title of this Act is "The North Dunedin Cemetery Extension Act, 1887."

Part of Town Belt of Dunedin set apart for public cemetery.

2. All that part of the said Town Belt of Dunedin which is described in the said Schedule hereto is hereby appropriated and set apart, and shall henceforth be used exclusively, for the purposes of a public cemetery for the interment of the dead.

Provisions of "The Cemeteries Act, 1882," and amendments thereof incorporated herewith.

3. The provisions of "The Cemeteries Act, 1882," and "The Cemeteries Act 1882 Amendment Act, 1885," and all amendments of the said Acts, so far as the same or any of them are applicable to the management of public cemeteries by local bodies, shall be deemed to be incorporated with and to form part of this Act.

Schedule.

#### SCHEDULE.

ALL that parcel of land in the Provincial District of Otago and Colony of New Zealand, containing by admeasurement 27 acres 2 roods 26 perches, more or less, being part of the Town Belt of the City of Dunedin, and bounded and admeasured as follows: Commencing at a point on the east-south-eastern boundary of the said Town Belt distant in a south-south-westerly direction along the said boundary 550 links from the east-north-eastern angle of the said Town Belt; thence by a line in a south-south-westerly direction along the said east-south-eastern boundary of the said Town Belt, bearing 201° 38' 42", 1585·3 links; thence in a west-north-westerly direction along the boundary of the present cemetery, bearing 291° 38' 42", 719 links; thence in a north-north-easterly direction along the boundary of the present cemetery, bearing 21° 38' 42", 700 links; thence in a north-north-westerly direction along the boundary of the present cemetery, bearing 291° 38' 42", 996 links; thence in a south-south-westerly direction along the boundary of the present cemetery, bearing 201° 38' 42", 677·8 links; thence in a west-north-westerly direction, bearing 280° 0' 37", 789·4 links; thence in a north-north-westerly direction, bearing 326° 48' 30", 68·5 links; thence in a north-north-easterly direction, bearing 13°, 704·8 links; thence in an east-north-easterly direction, bearing 59° 3', 175·4 links; thence in an east-south-easterly direction, bearing 105° 6', 276·2 links; thence in an easterly direction, bearing 84° 9', 528·5 links; thence in an east-north-easterly direction, bearing 60°, 348 links; thence in a north-easterly direction, bearing 53° 12', 338·4 links; thence in an east-south-easterly direction, bearing 111° 38' 42", 1408·8 links, to the commencing-point.