

NORTH SHORE BOROUGHES (AUCKLAND) WATER BOARD.

NORTH SHORE BOROUGHES WATER SUPPLY BY-LAW NUMBER 1.

By-law of the North Shore Boroughs (Auckland) Water Board made in pursuance of the Powers and Provisions contained in the North Shore Boroughs (Auckland) Water-supply Act, 1924, and the Proclamation of His Excellency the Governor-General issued on the 11th Day of January, 1928, and published in the Gazette under Date the 19th Day of January, 1928, and in Pursuance of every other Power and Authority enabling the said Board in that behalf.

THE North Shore Boroughs (Auckland) Water Board doth by special order hereby ordain as follows:—

1. This by-law shall, except where otherwise specially provided, come into operation on the first day of July, 1932, and shall (except as to such parts of sections, clauses, or provisions as are expressly or by implication limited in their operation) apply to the whole of the water-supply district constituted under the above-mentioned Act.

INTERPRETATION.

2. In this by-law, if not inconsistent with the context,—
The terms defined in section 2 of the said Act shall have the same meaning in this by-law:

“Local authority” means the Council of a Borough or County, Road Board, or Town Board:

“Gathering-area” means all that portion of the catchwater area surrounding the Lake comprised within lines following generally the crest of the main or leading ridge round the Lake wherever such crest lies within the inner or Lake sides of Shakespeare Road, Takaroto Road, Killarney Street, Hurstmere Road, and Kitchener Road, and following the inner or Lake side of those streets wherever such crest runs outside such inner or Lake side of such streets, such boundary-lines being delineated and coloured green on a plan prepared and certified as correct by C. L. V. Merton, a registered Surveyor, under date the thirtieth day of October, one thousand nine hundred and thirty-one, deposited at the office of the Board, at the Borough Council Chambers, Devonport, and precisely described as follows:—

Commencing at a point on the western side of Killarney Street distant 541.5 links from Pupuke Road; thence by the north-western side of Killarney Street to a point on the northern side thereof distant 1150.3 links from Auburn Street; thence by a straight line bearing 348° 03' a distance of 137.35 links; thence by a straight line bearing 78° 07' a distance of 172.3 links; thence by a straight line bearing 52° 21' a distance of 252.2 links; thence by a straight line bearing 45° 47' a distance of 511.9 links; thence by a straight line bearing 46° 19' a distance of 225.7 links; thence by a straight line bearing 49° 07' a distance of 639.4 links; thence by a straight line bearing 37° 58' a distance of 261.4 links; thence by a straight line bearing 28° 44' a distance of 253.6 links; thence by a straight line bearing 14° 56' a distance of 355.4 links; thence by a straight line bearing 7° 24' a distance of 380.0 links; thence by a straight line bearing 6° 40' 30" a distance of 192.4 links; thence by a straight line bearing 19° 19' a distance of 205.1 links; thence by a straight line bearing 14° 0' a distance of 299.6 links; thence by a straight line bearing 5° 23' a distance of 119.2 links; thence by a straight line bearing 23° 58' a distance of 284.0 links; thence by a straight line bearing 54° 36' a distance of 165.3 links; thence by a straight line bearing 50° 46' a distance of 287.3 links to the north-western side of Hurstmere Road; thence along the said side of the said street and Kitchener Road 1201.79 links, 862.63 links, 153.44 links, and 297.7 links; thence by a straight line bearing 274° 57' a distance of 401.9 links; thence by a straight line bearing 267° 12' a distance of 337.2 links; thence by a straight line bearing 258° 34' a distance of 214.8 links; thence by a straight line bearing 257° 54' a distance of 404.8 links; thence by a straight line bearing 227° 28' 30" a distance of 185.33 links; thence by a straight line bearing 230° 45' a distance of 177.7 links; thence by a straight line bearing 306° 8' a distance of 233.9 links; thence by a straight line bearing 297° 47' a distance of 252.9 links; thence by a straight line bearing 283° 46' a distance of 584.2 links; thence by a straight line bearing 284° 8' a distance of 342.8 links; thence by a straight line bearing 266° 16' a distance of 333.57 links; thence by a straight line bearing 257° 31' a distance of 125.88 links; thence by a line bearing 277° 23' a distance of 437.2 links; thence by a line bearing 249° 31' a distance of 491.4 links; thence by a line bearing 278° 49' a distance of 300.61 links; thence by a straight line bearing 227° 56' a distance of 324.6 links; thence by a straight

line bearing 232° 38' a distance of 447.68 links; thence by a straight line bearing 271° 21' a distance of 283.7 links; thence by a straight line bearing 247° 22' a distance of 315.5 links; thence by a straight line bearing 241° 20' a distance of 480.5 links to the south-eastern side of Shakespeare Road; thence along the said side of said street to a point distant 349.9 links from the corner of Shakespeare and Taharoto Roads; thence by a straight line bearing 183° 39' a distance of 516.1 links to the north-eastern side of Taharoto Road; thence along the said side of said street to the south-eastern side of Shea Terrace; thence by a straight line bearing 86° 56' 30" a distance of 772.2 links; thence by a straight line bearing 53° 44' a distance of 250.97 links; thence by a straight line bearing 81° 15' a distance of 228.24 links; thence by a straight line bearing 99° 16' a distance of 245.77 links; thence by a straight line bearing 159° 36' a distance of 699.7 links; thence by a straight line bearing 115° 18' a distance of 507.55 links; thence by a straight line bearing 105° 22' a distance of 194.8 links; thence by a straight line bearing 136° 43' a distance of 151.5 links; thence by a straight line bearing 115° 11' a distance of 459.6 links; thence by a straight line bearing 102° 32' a distance of 679.0 links; thence by a line bearing 117° 21' a distance of 250.0 links; thence by a line bearing 135° 24' a distance of 382.7 links; thence by a straight line bearing 172° 37' a distance of 172.8 links to the point of commencement: be the said measurements a little more or less.

3. No person shall after the first day of July, one thousand nine hundred and thirty-two take or draw water from the Lake by means of any pump or other mechanical contrivance excepting under and in pursuance of the terms and provisions of a license issued by the Board under this by-law. Such license shall continue in force until the thirty-first day of March following the date of issue, and may be renewed annually: Provided that the Board may suspend or cancel any such license for any breach of the terms or conditions therein contained or any breach of this by-law.

LICENSES TO LOCAL AUTHORITIES.

4. Any local authority desirous of obtaining or renewing a license authorizing the withdrawal of water from the Lake for purposes of public supply shall make application in writing to the Board in that behalf giving estimates of—

- The population within the district of the applicant local authority;
- The yearly supply required by such population;
- The maximum daily summer supply required by such population;
- The estimated amount of water to be supplied per day outside the district of such applicant local authority during the term or currency of the license; and
- The maximum daily summer supply required for use outside the district of such applicant local authority.

5. Upon application in manner aforesaid by any local authority, the Secretary may issue in the name and on behalf of the Board a license in the Form Number One in the Schedule hereto or to the like effect, but so that the same shall not take effect until the applicant local authority shall have duly executed and delivered to the Secretary a covenant in the said Form Number One or to the like effect.

6. The following provisions shall apply to every local authority whose district is within the water-supply district constituted by the said Act, and which supplies for public purposes water from the Lake whether taken or drawn directly by that local authority by virtue of any license issued by the Board or purchased or otherwise obtained from or through any other holder of a license from the Board, that is to say:—

- No such local authority shall, after notice in writing given by the Board prohibiting the use of water taken or drawn from the Lake for street-watering purposes, use or permit to be used any of such water for any such purpose;
- No such local authority shall, after notice in writing given by the Board prohibiting the use of water taken or drawn from the Lake for watering gardens or lawns, allow or permit any consumer within the district of such local authority to use any such water for any such purpose; and upon proof that any consumer has so done the onus of establishing that such use was not allowed or permitted by such local authority shall be upon the local authority;
- No such local authority shall knowingly allow any of the water mains, valves, or waterworks under its control containing water drawn from the Lake to be defective so as to waste such water.