

# Taieri Land Drainage Act 1910

Local Act 1910 No 29  
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### **An Act to repeal the Taieri Land Drainage Act, 1907.**

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

#### **1 Short Title.**

This Act may be cited as the Taieri Land Drainage Act, 1910.

#### **2 Repeals.**

- (1.) The Taieri Land Drainage Act, 1907, and subsection two of section two and section four of the Land Drainage Amendment Act, 1908, are hereby repealed.
- (2.) The Taieri Land Drainage District is hereby abolished and the Taieri Land Drainage Board is hereby dissolved.

### **3 New district constituted.**

- (1.) There is hereby constituted a land drainage district called the Western Taieri Land Drainage District, consisting of such part of the district hereby abolished as is situated on the western side of the Taieri River.
- (2.) The district hereby constituted shall be a land drainage district within the meaning of the Land Drainage Act, 1908, in like manner as if it had been constituted by the Governor under that Act on the petition of a majority of the ratepayers of the district.

### **4 Financial adjustments.**

- (1.) The Governor shall cause the assets and liabilities of the Board hereby dissolved to be apportioned between the Board of the Western Taieri Land Drainage District and the Taieri County Council in such shares as he deems equitable, and the shares so apportioned shall accordingly become the assets and liabilities of the said Board and Council respectively.
- (2.) The assets mentioned in the last preceding subsection shall include all rates heretofore made and levied by the Board hereby abolished which are unpaid at the time of the coming into operation of this Act, and the Board of the West Taieri Land Drainage District and the Taieri County Council respectively may recover such unpaid rates in the same manner as the Board hereby abolished could have recovered the same if this Act had not been passed.

### **5 Power to levy rate.**

- (1.) For the purpose of discharging the liabilities apportioned to the Taieri County Council, so far as the assets apportioned to that Council are insufficient, but for no other purpose, the Taieri County Council may make and levy on all lands within the Silver-stream Subdivision and the Owhiro Subdivision respectively as heretofore constituted and subsisting under the Taieri Land Drainage Act, 1907, subject to classification as hereinafter mentioned, a rate not exceeding four shillings per acre, and such rate may be levied from year to year until the said liabilities are extinguished.
- (2.) For the purposes of making, levying, and collecting the said rate and of classifying the said lands the Taieri County Council shall have all the powers and be subject to all the provisions of sections thirty-one to thirty-seven of the Land Drainage Act, 1908; but so that the said lands shall be classified in accordance with the Land Drainage Act, 1908, and subject to the modifications hereby effected, the provisions of the said sections thirty-one to thirty-seven shall extend and apply to the Taieri County Council in the same manner and to the same extent as if the Taieri County Council were a Board constituted under that Act.
- (3.) The rating-power hereby conferred upon the Taieri County Council shall be in addition to all other rating-powers now possessed by it.

**6 Commissioners.**

- (1.) The Governor in Council may from time to time appoint two fit persons to be Commissioners, whose duty shall be to construct such works as may be necessary for the opening-up of the Silver-stream to the Taieri River, and for checking the travelling gravel therein.
- (2.) For the purpose of such construction the said Commissioners shall have all the powers and authorities of a Drainage Board constituted under the Land Drainage Act, 1908, and in particular may secure the payment of interest and sinking fund on any loan raised for such construction by a special rate leviable over the lands within the Silver stream Subdivision and the Owhiro Subdivision aforesaid, subject to classification as aforesaid:

Provided that no greater sum than fifteen hundred pounds shall be raised by way of loan for the purpose aforesaid.

**7 Subdivision of district for first election.**

For the purposes of the first election of members of the Board of the district hereby constituted, the Governor may by Order in Council divide the district into five subdivisions having such boundaries as he thinks fit, and each of such subdivisions shall return one member to the Board.

**8 Provision as to classification.**

- (1.) In lieu of making a fresh classification list for the district hereby constituted, the Board may if it thinks fit adopt by resolution so much of the classification list of the district hereby abolished as relates to the first-mentioned district, and may from time to time by resolution make such modifications therein as it thinks fit.
- (2.) Notice of every such modification shall be given to the person whose land is affected thereby, and he shall have the like right of appeal as is given by section thirty-four of the Land Drainage Act, 1908.

**9 Coming into operation of Act.**

This Act shall come into operation on the day fixed by the Governor for the first election of members of the Board hereby constituted, but all things necessary for such first election may notwithstanding this section be done in anticipation thereof.