

New Zealand.



ANALYSIS.

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| <p>Title.</p> <ol style="list-style-type: none"> 1. Short Title. 2. Constitution of new counties, &c. 3. Financial arrangements. 4. Jurisdiction of new counties. 5. Provision as to Malvern Water-races. | <ol style="list-style-type: none"> 6. Provision as to Waimakariri Water-races. 7. Savings. 8. References to Selwyn County in other Acts. 9. Provision as to subsidy Schedules. |
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1910, No. 23.—*Local.*

AN ACT to divide the County of Selwyn into other Local-government Areas. Title.
[21st November, 1910.]

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

1. (1.) This Act may be cited as the Selwyn County Subdivision Act, 1910. Short Title.

(2.) This Act shall come into operation on the first day of April, nineteen hundred and eleven.

2. (1.) That portion of the Selwyn County described in the First Schedule hereto, being the Courtenay, South Malvern, and East Malvern Road Districts, is hereby constituted a county by the name of the Malvern County. Constitution of new counties, &c.

(2.) That portion of the Selwyn County described in the Second Schedule hereto, being the Templeton and Lincoln Road Districts, is hereby constituted a county by the name of the Paparua County.

(3.) That portion of the Selwyn County described in the Third Schedule hereto, being the Heathcote Road District, is hereby constituted a county by the name of the Heathcote County.

(4.) That portion of the Selwyn County described in the Fourth Schedule hereto, being the Halswell and Tai Tapu Road Districts, is hereby constituted a county by the name of the Halswell County.

(5.) That portion of the Selwyn County described in the Fifth Schedule hereto, being the Springs Road District, is hereby constituted a county by the name of the Springs County.

(6.) That portion of the Selwyn County described in the Sixth Schedule hereto, being the Ellesmere Road District, is hereby constituted a county by the name of the Ellesmere County.

(7.) That portion of the Selwyn District described in the Seventh Schedule hereto, being the Spreydon Road District, is hereby constituted a borough, and the provisions of the Municipal Corporations Act, 1908, shall apply thereto in the same manner as if it had been proclaimed a borough under that Act.

(8.) The remaining portion of the Selwyn County described in the Eighth Schedule hereto, being the Rakaiia and Lake Coleridge Road Districts, is hereby constituted a county by the name of the Selwyn County.

Financial
arrangements.

3. (1.) The several road districts hereinbefore mentioned are hereby abolished, and shall be deemed to be merged in the respective counties of which they form part; and the provisions of section thirty-six of the Counties Act, 1908, shall apply to each such road district accordingly.

(2.) The Councils of the several counties and borough hereby constituted shall, by agreement, provide for the matters mentioned in section fifteen of the Counties Act, 1908, and the provisions of that section shall apply to all such Councils accordingly.

Jurisdiction of new
counties.

4. From and after the coming into operation of this Act, no local body or authority other than the Council of any of the respective counties hereby constituted shall, within the limits of that county, exercise any jurisdiction or authority whatsoever over any roads, or over or in relation to any matter or thing whatsoever in respect of which jurisdiction is conferred upon County Councils under any Act:

Provided that nothing herein shall affect the power of the Governor to proclaim any portion of any such county a borough or town district.

Provision as to
Malvern
Water-races.

5. (1.) The water-races known as the Malvern Water-races, at present being in the Tawera County, and which are now vested in the Selwyn County, shall be deemed to be vested in the Malvern County as if the same had been so vested by agreement as provided by sections fifty-two and fifty-three of the Water-supply Act, 1908.

(2.) All such water-races shall be constructed, repaired, and maintained by the Malvern County Council at the expense of the Tawera and Malvern County Councils, in such proportions as the said Councils agree upon, or, in case they cannot agree, then in such proportions as the Minister of Public Works determines.

(3.) In case the Malvern County Council fails to maintain and keep in good repair the said water-races, the Tawera County Council, at any time after seven days' notice given to the Malvern County Council requiring it to make the necessary repairs, may do, execute, and carry out all works, acts, or things that it may think necessary for such purpose, and may recover from the Malvern County Council all costs and expenses incurred in such maintenance and repair, and all costs, charges, and expenses incurred by it through the neglect of the Malvern County Council to maintain and repair as aforesaid.

(4.) All moneys accruing from the said water-races shall be divided between the county funds of the Malvern and Tawera County Councils in such proportions as those Councils agree upon, or, in case they cannot agree, then in such proportions as the Minister of Public Works determines.

6. (1.) The water-races known as the Waimakariri Water-races, at present being in the Courtenay Road District, and which are now vested in the Selwyn County, shall be deemed to be vested in the Paparua County as if the same had been so vested by agreement as provided by sections fifty-two and fifty-three of the Water-supply Act, 1908.

Provision as to
Waimakariri
Water-races.

(2.) All such water-races shall be repaired and maintained by the Paparua County Council at the expense of the Paparua and Malvern County Councils, in such proportions as the said Councils agree upon, or, in case they cannot agree, then in such proportions as the Minister of Public Works determines.

(3.) In case the Paparua County Council fails to maintain and keep in good repair the said water-races, the Malvern County Council, at any time after seven days' notice given to the Paparua County Council requiring it to make the necessary repairs, may do, execute, and carry out all works, acts, and things that it may think necessary for such purpose, and may recover from the Paparua County Council all costs, charges, and expenses incurred in such maintenance and repair, and all costs, charges, and expenses incurred by it through neglect of the Paparua County Council to maintain and repair as aforesaid.

(4.) All moneys accruing from the said water-races shall be divided between the county funds of the Malvern and Paparua County Councils in such proportions as those Councils agree upon, or, in case they cannot agree, then in such proportions as the Minister of Public Works determines.

7. All special orders, districts, subdivisions, warrants, maps, regulations, notices, by-laws, and rates declared, made, prepared, given, and held by the Selwyn County Council under and in pursuance of the Water-supply Act, 1908, relating to and affecting water-races vested by this Act in any county, and which at the time of the coming into operation hereof are in force, shall continue in force within such of the counties hereby constituted as are now affected thereby, and shall enure therein for the purposes of this Act and of the Water-supply Act, 1908, until lawfully altered or revoked.

Savings.

8. For the purposes of subsection two of section one hundred and sixteen of the Public Works Act, 1908, the reference therein to the County of Selwyn shall be deemed to be a reference to all counties into which the County of Selwyn as it existed on the passing of that Act has been subdivided, whether under this Act or otherwise.

References to
Selwyn County in
other Acts.

9. No greater amount of subsidy shall be paid in respect of any of the counties hereby constituted than would have been payable if this Act had not passed.

Provision as to
subsidy.

SCHEDULES.

Schedules.

FIRST SCHEDULE.

MALVERN COUNTY.

ALL that area in the Canterbury Land District the boundaries whereof are as follows: commencing at the northernmost corner of Rural Section 3107, Block III, Hororata Survey District; thence north-easterly, south-easterly, and in a general

direction northerly, following the boundary of the Tawera County, to the northernmost corner of Rural Section 4739, Block VIII, Kowai Survey District, on the bank of the River Waimakariri; thence north-easterly by the production of the north-western boundary-line of that section to the middle of the River Waimakariri; thence south-easterly by a line along the middle of that river to a point opposite the middle of the West Boundary Road; thence towards the east generally by a right line to and along the middle of that road to Dawson's and Waimakariri Road; thence along the middle of that road to Newton's and Coal Tramway Road; thence along the middle of that road to Curragh's Road; thence along the middle of that road to the Great South Road; thence south-westerly along the middle of that road to the Christchurch-Dunedin Railway-line; thence again south-westerly along that railway-line to the middle of the Selwyn River; thence north-westerly by a line along the middle of that river to a point opposite the northernmost corner of Rural Section 3107; thence north-easterly by a straight line to the commencing-point.

SECOND SCHEDULE.

PAPARUA COUNTY.

ALL that area in the Canterbury Land District the boundaries whereof are as follows: commencing at the north-western corner of Rural Section 967, Block XVI, Rolleston Survey District; thence north-easterly, north-westerly, and in a general direction northerly, following the boundary of the Malvern County as described in the First Schedule hereof, to the southern boundary of the Ashley County; thence easterly along the last-mentioned boundary to Rural Section 17621, Block VI, Christchurch Survey District, the same point being the north-western corner of the Waimairi County; thence south-westerly and south-easterly along the western boundary of the said Waimairi County to the easternmost corner of Rural Section 211, Block XIV, Christchurch Survey District; thence in a general direction south-westerly along the middle of the Middle Lincoln Road to the northernmost corner of Rural Section No. 327, Block XIV, Christchurch Survey District; thence by that section, Sections Nos. 2176 and 550, to the Halswell Junction Road; thence along the middle of that road to a point opposite the northernmost corner of Section No. 952, Block XIV aforesaid; thence to and by that section to the Halswell River; thence along the middle of that river to a point in line with the middle of the Ellesmere Junction Road; thence north-westerly to and along the middle of that road to the Lincoln and Prebbleton Road; thence along the middle of that road to Boundary Road; thence along the middle of that road to the Weedon and Springs Road; thence along the middle of that road to the place of commencement.

THIRD SCHEDULE.

HEATHCOTE COUNTY.

ALL that area in the Canterbury Land District bounded towards the north generally by the Waimairi County from the City of Christchurch to the Borough of New Brighton; thence towards the east generally by the Borough of New Brighton to the estuary of the Heathcote and Avon Rivers; thence towards the south-east by the said estuary to the north-eastern boundary of the Borough of Woolston; and thence towards the south-west generally by the Borough of Woolston and the City of Christchurch to the place of commencement.

Also all that area in the Canterbury Land District bounded towards the east by the western boundary of the Borough of Sumner from the southern side of the estuary of the Heathcote and Avon Rivers to the northern boundary of the Borough of Lyttelton; towards the south by the northern boundary of the said Borough of Lyttelton to the westernmost corner thereof, and by the summit of the Port Hills to the middle of Dyer's Pass Road; thence towards the west by a line along the middle of that road and Colombo Road South to the City of Christchurch; thence towards the north-west and north generally by the City of Christchurch and the Borough of Woolston to the estuary of the Heathcote and Avon Rivers; and thence by the said estuary to the place of commencement.

FOURTH SCHEDULE.

HALSWELL COUNTY.

ALL that area in the Canterbury Land District bounded towards the north-east by Waimairi County as described in the First Schedule to the Waimairi County Act, 1909, from Middle Lincoln Road to the Heathcote River; thence towards the north-east and north-west by a line along the middle of that river to the Heathcote County as described in the Third Schedule hereof; thence towards the east by the said Heathcote County, Mount Herbert County, and Wairewa County to the Halswell River; thence towards the south-west generally by a line along the middle of that river to Paparua County as described in the Second Schedule hereof; and thence towards the west generally by the said Paparua County to the place of commencement.

FIFTH SCHEDULE.

SPRINGS COUNTY.

ALL that area in the Canterbury Land District bounded towards the north-west by Malvern County as described in the First Schedule hereof, from the middle of the River Selwyn to Paparua County as described in the Second Schedule hereof; thence towards the north-east by that county to Halswell County as described in the Fourth Schedule hereof; thence by that county to Wairewa County; thence towards the east generally by Wairewa County to Lake Ellesmere; thence towards the south generally by that lake to the mouth of the River Selwyn; and thence towards the west and south-west by a line along the middle of the River Selwyn to the place of commencement.

SIXTH SCHEDULE.

ELLESMERE COUNTY.

ALL that area in the Canterbury Land District bounded towards the north-east by Springs County as described in the Fifth Schedule hereof, from the Christchurch-Dunedin Railway to Wairewa County; towards the south-east by that county and the South Pacific Ocean to Ashburton County; thence towards the south-west by the Ashburton County to the Great South Road; and thence towards the north-west by the Great South Road to the Christchurch-Dunedin Railway, and thence by the said railway to the Springs County aforesaid.

SEVENTH SCHEDULE.

SPREYDON BOROUGH.

ALL that area in the Canterbury Land District bounded towards the north-west by Waimairi County from Archer's Bridge over the Heathcote River to the City of Christchurch; thence towards the north, north-east, and east by the City of Christchurch to the Heathcote River; thence to the middle of that river; and thence towards the south-east and south-west by a line along the middle of the said Heathcote River to the place of commencement.

EIGHTH SCHEDULE.

SELWYN COUNTY.

ALL that area in the Canterbury Land District bounded towards the north and north-east generally by Tawera County from the summit of the Southern Alps to the middle of the Wakaepa River; thence by a line along the middle of the Wakaepa River and Selwyn River to the Christchurch-Dunedin Railway-line; thence towards the south-east by Ellesmere County as described in the Sixth Schedule hereof to the middle of the Rakaia River; thence towards the south-west generally by Ashburton County to the summit of the Southern Alps; and thence towards the north-west generally by the summit of the Southern Alps to the place of commencement.