

New Zealand.



ANALYSIS.

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| <p>Title.</p> <ol style="list-style-type: none"> 1. Short Title. 2. Tawera County constituted. 3. Malvern and Upper Waimakariri Road Districts abolished. 4. Boundaries of Selwyn County altered. | <ol style="list-style-type: none"> 5. Jurisdiction of Tawera County Council. Expenses of construction, &c., of water-races. Recovery of expenses on default. Proceeds from water-races to be apportioned. Schedules. |
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1909, No. 32.—*Local.*

AN ACT to sever the Malvern and Upper Waimakariri Road Districts from the Selwyn County, and to constitute in substitution for the said Districts a County to be called the Tawera County. Title.
[24th December, 1909.]

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

1. This Act may be cited as the Tawera County Act, 1909. Short Title.
2. The Tawera County is hereby constituted, and shall comprise all that area the boundaries whereof are particularly described in the First Schedule hereto, being those portions of the Selwyn County known as the Malvern Road District and the Upper Waimakariri Road District respectively. Tawera County constituted.
3. The said Malvern and Upper Waimakariri Road Districts are hereby abolished, and shall be deemed to be merged in the said Tawera County; and the provisions of section thirty-six of the Counties Act, 1908, shall apply accordingly. Malvern and Upper Waimakariri Road Districts abolished.
4. The boundaries of the said Selwyn County are hereby altered as described in the Second Schedule hereto. Boundaries of Selwyn County altered.
5. (1.) From and after the coming into operation of this Act no local authority other than the Council of the Tawera County shall, within the limits of the said 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: Jurisdiction of Tawera County Council.

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

(2.) Nothing in this section shall apply to or affect the water-race known as the Malvern Water-race, or any water-race as defined by the Water-supply Act, 1908, at present being in the Malvern Road District, and which are now vested in the Selwyn County Council, but the said water-races shall continue and shall be deemed to be vested in that Council 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.

(3.) Nothing in this section shall affect the right of the Selwyn County Council, on the constitution of the Tawera County, to an apportionment under paragraph (d) of section fifteen of the Counties Act, 1908, of its liability for the interest and sinking fund of any loan raised by that county for the construction, maintenance, or repair of the said water-races in the Tawera County.

Expenses of construction, &c., of water-races.

(4.) All such water-races shall be constructed, repaired, and maintained by the Selwyn County Council at the expense of the Tawera and Selwyn 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.

Recovery of expenses on default.

(5.) In case the Selwyn 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 Selwyn 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 Selwyn 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 Selwyn County Council to maintain and repair as aforesaid.

Proceeds from water-races to be apportioned.

(6.) All moneys accruing from the said water-races shall be divided between the county funds of the Selwyn 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.

Schedules.

SCHEDULES.

FIRST SCHEDULE.

BOUNDARIES OF THE TAWERA COUNTY.

ALL that area in the Canterbury Land District bounded as follows: Commencing at a point on the boundary-line between the Counties of Selwyn and Westland, the said point being the westernmost corner of Block I, Davie Survey District; thence generally north-easterly along the south-eastern boundary of the County of Westland to its junction with the north-eastern boundary of the County of Selwyn on the northern boundary-line of Block II, Minchin Survey District; thence generally south-easterly, southerly, and south-westerly along the north-eastern, eastern, and south-eastern boundaries of the County of Selwyn to the centre of the Waimakariri River; thence generally southerly along the centre of that river to a point in line with the north-western boundary of Rural Section 4739; thence south-westerly by a straight line to the westernmost corner of Rural Section 4803; thence south-easterly along the south-western boundary of the last-mentioned section to its southernmost corner; thence south-westerly, southerly, and south-easterly along the north-western, western, and south-western boundaries of Rural Section 5321 to the southernmost corner thereof; thence by a straight line to the northernmost

corner of Rural Section 5150-5177; thence south-westerly along the Dalethorpe and Kowai Road to the north-western corner of Section 18979; thence south-easterly by a straight line to the north-eastern corner of Rural Section 13715; thence again south-easterly to a point being the intersection of the north-western side of the road running through Rural Section 3719 with the western boundary of that section; thence again south-easterly by a straight line to a point being the intersection of the northern side of the Auchenflower Road with the north-western boundary of the Courtenay Road District; thence north-westerly by a straight line to the south-western corner of Rural Section 3719; thence south-westerly by a straight line to the north-eastern corner of Rural Section 10759; thence again south-westerly by a straight line to the northernmost corner of Rural Section 3107; thence south-westerly along the north-western boundary of Rural Section 3107, a distance of about 20 chains; thence north-westerly by a straight line to the centre of the Wakaepa River; thence along the centre of that river to Boundary Creek; thence north-westerly by a straight line to the southernmost end of Lake Lyndon; thence north-westerly by a straight line to Red Hill; thence generally northerly and north-easterly along the summit of the high snowy range to Trig. Station V, Block IV, Harper Survey District; thence north-westerly, crossing the Cass River, to Mount Misery; thence generally south-westerly, westerly, and north-westerly along the summit of the Black Range, through Mount Greenlaw, to a point on the northern boundary of Block VIII, Davie Survey District, opposite the head-waters of the White River, a tributary of the Waimakariri River; and from thence returning westerly along the northern boundary of Blocks VIII, VII, and VI, Davie Survey District, to the commencing-point.

SECOND SCHEDULE.

BOUNDARIES OF SELWYN COUNTY.

ALL that area in the Canterbury Land District bounded towards the north-east generally by Tawera County hereinbefore described from the south-western boundary of Westland County to the south-western boundary of Ashley County; thence by the said Ashley County to the north-western corner of Waimairi County as described in the First Schedule to the Waimairi County Act, 1909; thence towards the east generally by the said Waimairi County to the City of Christchurch; thence by the City of Christchurch and the Borough of Woolston to the estuary of the Heathcote and Avon Rivers; thence by the said estuary and the Boroughs of Sumner and Lyttelton to the northern boundary of the Mount Herbert County; thence by the said Mount Herbert County and the Wairewa County as described in the First Schedule to the Wairewa County Act, 1909, to the sea at the outlet of Lake Ellesmere; thence towards the south-east by the sea to the mouth of the Rakaia River; thence towards the south-west by Ashburton County to the summit of the Southern Alps; and thence towards the north-west by Westland County to the place of commencement.

Also 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.