

## New Zealand.



### ANALYSIS.

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| <p style="margin-left: 2em;">Title.</p> <ol style="list-style-type: none"> <li>1. Short Title.</li> <li>2. Waipawa and Ashburton Forks River Districts declared duly constituted.</li> <li>3. Validation of things done.</li> <li>4. Second Schedule of Act of 1884 amended.</li> <li>5. Governor, by Order in Council, may appoint time for election of members of Otautau River Board.</li> </ol> | <ol style="list-style-type: none"> <li>6. Extension of Clutha River District, and increase of the River Board thereof.</li> <li>7. Provisions for removing obstruction likely to cause damage to property.</li> <li>8. Drainage works may be undertaken by River Boards instead of County Councils.</li> <li>9. County Councils may delegate powers to River Boards.</li> </ol> <p style="margin-left: 2em;">Schedules.</p> |
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1888, No. 24.

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| Title.   | <p>AN ACT to declare the River Districts of Waipawa and of Ashburton Forks to be River Districts under "The River Boards Act, 1884."<br/> <span style="float: right;">[28th August, 1888.]</span></p>  |
| Short Title.   | <p>BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—</p> <p>1. The Short Title of this Act is "The River Boards Act Amendment Act, 1888."</p>   |
| Waipawa and Ashburton Forks River Districts declared duly constituted. | <p>2. The River Districts of Waipawa and of Ashburton Forks, which were constituted river districts under "The Hawke's Bay Rivers Act, 1876," and "The Canterbury Rivers Act, 1870," respectively, are hereby declared to be constituted river districts under "The River Boards Act, 1884," and shall respectively be deemed to have been duly constituted under the said Act for all purposes and in all respects as if the said river districts had been mentioned in the Second Schedule of the said Act.</p>  |
| Validation of thing done.  | <p>3. Every election held, valuation made, rate struck, contract entered into, and every other act, matter, and thing of what kind or nature soever, made, done, or suffered, or purporting to be made, done, or suffered, under "The River Boards Act, 1884," or any Act in amendment thereof, within the said river districts, or either of them, or by or on behalf of the Waipawa River Board or the Council of the County of Ashburton in its capacity as the River Board for the Ashburton Forks River District respectively, or either such Board or Council, prior to the date of the passing of this Act, shall, so far as the validity thereof depends on the facts mentioned in the preamble hereto, be and be deemed to have been as valid and effectual to all intents and purposes as if the names of the said river districts had been inserted in the Second Schedule to the said Act.</p> |

4. The Second Schedule of the said Act shall be read and construed as if the matter contained in the First Schedule to this Act had been incorporated with the said Second Schedule at the time of the passing thereof.

Second Schedule of Act of 1884 amended.

The said Second Schedule is hereby amended by the substitution of the figures "1602" for the figures "1567" where the latter appear in the third column thereof.

5. Whereas the Otautau River Board omitted to hold the election of members of the said Board, which, under the said Act, should have been held on the second Tuesday in January of the present year; and, having obtained an extension of time from the Governor in Council for the holding of such election on the twenty-sixth day of March last past, were unable at that time to hold the said election by reason of the said authority not having been received by the Board in time sufficient to give the required notices previous to such election:

Governor, by Order in Council, may appoint time for election of members of Otautau River Board.

And whereas, by reason of the foregoing matters, there is no Board now existing for the Otautau River District, and none can be elected save by special authority of law:

Be it therefore further enacted as follows:—

The Governor, at any time after the passing of this Act, may, by Order in Council, appoint a time for the election of members of the Otautau River Board, and do all things necessary or required for the purpose of the said election being duly carried on and completed.

The members elected at such election shall come into office on their election, and shall hold office until the period of the next triennial election under the said Act; and the said election shall for all purposes be deemed to be of the same effect as if it had been held at the proper time appointed for holding the same under the said Act.

6. Whereas, for the purpose of further improving the navigation of the Clutha River, it is expedient to extend the jurisdiction of the Clutha River Board to a point higher up the said river, so as to include the Teviot River:

Extension of Clutha River District, and increase of the River Board thereof.

Be it therefore further enacted as follows:—

The boundaries of the Clutha River District shall henceforth be those described in the Second Schedule to this Act; and so much of "The Clutha River Conservators Board Act, 1875," and the Schedule thereto, as relates to defining the boundaries of the Clutha River District, are hereby repealed.

7. Where any stream or river extends beyond the limits of a river district and its obstruction is likely to cause damage to property within such district, the Board may order the occupier, or when there is no occupier, the owner of any land on the banks of such stream or river for the space of one mile beyond the upstream boundary of such district to remove any driftwood, tree, shrub, or bush, or any part thereof impeding the free flow of water in the said stream or river, or to lower or trim any part of a tree, shrub, or bush overhanging such stream or river and likely to fall therein within the space of the aforesaid mile; and in case of the owner or occupier failing to comply with such order within fourteen days from the receipt thereof he shall be liable to the penalties provided in clause four of "The River Boards Act 1884 Amendment Act, 1885."

Provisions for removing obstructions likely to cause damage to property.

Drainage works may be undertaken by River Boards instead of County Councils.

8. If the Council of any county and any River Board within such county shall be satisfied that any drainage works within the district of such River Board, which ordinarily would be constructed and maintained by such County Council, would be better carried out by such River Board, the Council and Board may from time to time agree that such drainage works shall be undertaken by such River Board upon such terms and conditions as may be set forth in any such agreement, including any provision for a contribution by the Council out of the County Fund towards the construction or maintenance of such drainage works by the Board.

County Councils may delegate powers to River Boards.

9. When any such agreement is made, the County Council may, by special order, delegate to the River Board all powers and authorities vested in such County Councils under any Act of the General Assembly for making, constructing, and maintaining such drainage works, or that may be incidental thereto; and such River Board may, upon such order taking effect, and subject to the terms of any such agreement as aforesaid, exercise such powers and authorities, and make, construct, and maintain such drainage works accordingly, in the like manner and subject to the like liabilities as if the same had been undertaken by the County Council.

Schedules.

SCHEDULES.

FIRST SCHEDULE.

Name of River District.	Corporate Name of Board.	Date of Constitution, and Boundaries.	Number of Members of Board.	Members by Election and by whom elected.
HAWKE'S BAY. Waipawa .. ..	"The Waipawa River Board"	Feb. 19, 1884; <i>N. Z. Gazette</i> , 1884, page 336	Five ..	Ratepayers of the district.
CANTERBURY. Ashburton Forks..	"The Council of the County of Ashburton"	Jan. 26, 1884; <i>N. Z. Gazette</i> , 1884, page 231	..	..

SECOND SCHEDULE.

ALL that area in the Provincial District of Otago, containing 210,000 acres, more or less, situate on the banks of the Clutha River. Bounded towards the north by Block VIII., Teviot Survey District, Section No. 8, Block V., and the southern boundary-line of that section produced to the Clutha River; thence towards the east generally by the Clutha River and Cave Creek to the eastern boundary-line of Block IV., said Teviot Survey District; thence by the eastern boundary-lines of Blocks IV. and III., and by the north-western and north-eastern boundary-lines of Block VI., said Teviot Survey District, by the north-eastern boundary-line of Block V., Benger Survey District, and the north-eastern boundary-line of Section No. I., Block XI., said Benger Survey District, to the south-eastern corner of that section; thence by right lines over Trig. Stations D, C, and B, Lammerlaw Survey District, Trig. Station K, Beaumont Survey District, Trig. Stations M, L, K, and J, Tuapeka West Survey District, Trig. Stations P, Q, and S, Waitahuna West Survey District, and Trig. Stations N, L, G, and F, Hillend Survey District, to the northernmost corner of the Town of Balclutha; thence by the northern and eastern boundary-lines of that town, and by Section No. 43, Block I., Hillend Survey District to its north-eastern corner; thence by the road forming the south-western boundaries of Section Nos. 8, 7, and 6, Block XIV., North Molyneux Survey District, and the south-western boundary of Block

XI., by the road forming the south-western boundary of Block IX., the road forming the north-western boundary of Block VIII., the road forming the south-western and southern boundaries of Block VII., to Kaitangata Creek; thence by that creek and Kaitangata Lake to the northern boundary-line of the Township of Kaitangata; thence by that boundary-line and by Kaitangata and Coast Survey Districts to the sea; towards the south by the sea; and towards the west generally by Sections Nos. 4 and 9, Block II., South Molyneux Survey District, Sections Nos. 3, 2, and 1, Block VIII., Sections Nos. 13, 12, and 11, Block I., Sections Nos. 7, 9, and 11, Block III., North Molyneux Survey District, and Sections Nos. 1, 3, and 4, Block VI., Clutha Survey District, and by Blocks X., XI., XII., XVI., XXI., XXVII., XXXIV., XLI., XLVIII., XLIX., LV., LXII., LXX., LXXVIII., and LXXXII. to the northern corner of the last-mentioned block; thence by right lines over Trig. Stations H, A, B, and E, Pomahaka Survey District, Trig. Stations C, D and E, Rangleburn Survey District, and Trig. Station W to Trig. Station L, Crookston Survey District; thence by Blocks XIV. and XIII., Crookston Survey District, and the eastern boundary-line of the last-mentioned block produced to the northern boundary-line of Crookston Survey District; thence by right lines over Trig. Stations P and R, Wart Hill Survey District, to the road forming the western boundary of Block XIV., Bengier Survey District; thence by that road and the road forming the western boundary of Block X., Teviot Survey District, to the southern boundary of Section No. 17, said Block X.; thence by the southern and western boundary-lines of that section and the western boundary-lines of Blocks IX. and V., Teviot Survey District, to the southern boundary-line of Block VIII., Teviot Survey District aforesaid.