

Hon. W. E. Cooper

**LAKES DISTRICT WATERWAYS AUTHORITY
(SHOTOVER RIVER) EMPOWERING**

[LOCAL]

ANALYSIS

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A BILL INTITULED

**An Act to empower the Lakes District Waterways
Authority to make bylaws relating to the use of part of
the Shotover River and to provide for certain other
5 related matters**

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 Lakes District
10 Waterways Authority (Shotover River) Empowering Act **1984**.

2. Interpretation—In this Act, unless the context otherwise
requires,—

“The Act” means the Harbours Act 1950:

15 “Authority” means the Lakes District Waterways Authority
constituted by the Lakes District Foreshore, Lakeshore,
Lakebed, Riverbed, and Waters Control Order 1983
published in *Gazette* 1983, Vol. II, at page 2010:

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*Lakes District Waterways Authority
(Shotover River) Empowering*

“Class of vessel” includes a class of vessel defined by reference to ownership, or the person or persons who operate the vessel, or by reference to its design or the materials used in its construction:

“River” means that part of the Shotover River between Tucker Beach and the Edith Cavell Bridge: 5

“Vessel” has the same meaning as in the Act and includes any raft or canoe.

3. Subject-matter of bylaws—(1) The Authority may from time to time make bylaws for all or any of the following purposes: 10

(a) Prohibiting any person, vessel, or class of vessel from using the river or from using the river for any specified class or classes of activity:

(b) Reserving for a specified period the use of the river to any person, persons, vessel, or class of vessel for any specified activity, and prohibiting the use of the river for all other activities by other persons or vessels therein or thereon: 15

(c) Prescribing the charge or charges to be paid to the Authority in respect of the use of the river by any person, the manner of payment of such charges, and the method of their assessment. 20

(2) Any reservation made under the authority of **subsection (1) (b)** of this section may be unconditional or subject to conditions or limitations to be met by or observed by any person, persons, vessel, or class of vessel for whom or for which the reservation is made. 25

(3) Any charge or charges prescribed pursuant to **subsection (1) (c)** of this section may be levied in respect of— 30

(a) The use of the river by vessels; or

(b) The number of passengers carried on such vessels; or

(c) The period or periods during which the river is used; or

(d) The period of any reservation; or

(e) The fare charged for passengers; or 35

(f) Any combination of the provisions set out in **paragraphs (a) to (e)** of this subsection.

(4) The powers conferred by this section shall be in addition to and shall not derogate from the bylaw-making powers of the Authority under the Act or any other enactment. 40

(5) Bylaws made under this section shall be made in the manner specified in section 232A (1) (ca) of the Act, and sections 235, 236, 237, and 239 of the Act shall apply to any such

bylaws as if the Authority was a Harbour Board; and, for the purpose of the application of those provisions to such bylaws, the Authority shall be deemed to be a Harbour Board and may do or suffer all those things that a Harbour Board may do or suffer in respect of its bylaws.

(6) Section 8A (9) of the Act shall apply in respect of any bylaws made pursuant to this section as if they were made pursuant to the said section 8A.

4. Expiry of bylaws—Any bylaws made pursuant to **section 3** of this Act shall be deemed to be revoked on the expiry or sooner revocation of the Lakes District Foreshore, Lakeshore, Lakebed, Riverbed, and Waters Control Order 1983 published in *Gazette* 1983, Vol. II, at page 2010 unless the grant of control to the Authority in that order is renewed or is replaced by a similar grant of control to the Authority in respect of the same area.

5. Public Bodies Meetings Act 1962 to apply to Authority—Part II of the Schedule to the Public Bodies Meetings Act 1962 is hereby amended by inserting, after the item relating to the Hutt Valley Drainage Board, the following item:

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| 25 | “The Lakes District Waterways Authority (in respect of its powers under the Lakes District Waterways Authority (Shotover River) Empowering Act 1984) | Lakes District Foreshore, Lakeshore, Lakebed, Riverbed, and Waters Control Order 1983.” |
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