

[AS REPORTED FROM THE LOCAL BILLS COMMITTEE]

*House of Representatives, 29 March 1985.*

Words struck out are shown in italics within bold round brackets, or with black rule at beginning and after last line; words inserted are shown in roman underlined with a single rule, or with single rule before first line and after last line.

*Hon. R. W. Prebble*

**AUCKLAND REGIONAL AUTHORITY  
(MOUNT SMART) EXPENDITURE**

[LOCAL]

ANALYSIS

Title  
1. Short Title  
2. Interpretation

3. Assessments of Authority  
4. Validation of expenditure and assessments  
5. Repeals  
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A BILL INTITULED

**An Act to make special provision relating to certain expenditure of the Auckland Regional Authority in connection with the Mount Smart (Rarotonga) Domain Recreation Reserve**

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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 Auckland Regional Authority (Mount Smart) Expenditure Act **(1984)** 1985.

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

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“Authority” means the Auckland Regional Authority constituted under the Auckland Regional Authority Act 1963:

“Reserve” means the Mount Smart (Rarotonga) Domain Recreation Reserve described in the Schedule to this Act.

No. 43—2

**3. Assessments of Authority**—(1) This section applies—

- (a) In respect of the financial year commencing on the 1st day of April 1984, to the sum of \$6,400,000 included by the Authority in its assessments for that year in respect of capital expenditure and other charges relating to the stage of a development of the reserve known as Stage 1A: 5
- (b) In respect of the financial year commencing on the 1st day of April 1985, to such sum not exceeding \$2,600,000 as may be included by the Authority in its assessments for that year in respect of the capital expenditure and other charges referred to in paragraph (a) of this subsection. 10

(2) Notwithstanding anything in any enactment, it shall be lawful, and shall be deemed always to have been lawful, for any local authority liable to contribute to any sum to which this section applies, and the Authority, to agree that that local authority may pay such contribution by periodic payments (which, unless the Authority otherwise agrees, shall be equal payments), over 1, 2, or 3 years; and in any such case the local authority shall pay to the Authority interest on the outstanding amount of the contribution at the rate payable under section 65 (1) of the Auckland Regional Authority Act 1963. 15 20

(3) Each periodic payment of every contribution to which an agreement under subsection (2) of this section relates shall be treated in all respects (except for the calculation of interest under subsection (2) of this section) as if it were part of an assessment made by the Authority on the local authority for the financial year in which, under that agreement, it is payable, and shall be due and recoverable accordingly. 25 30

(4) Nothing in this section, or in any agreement entered into pursuant to this section, shall prevent a local authority from paying the outstanding portion of any contribution referred to in subsection (2) of this section, or any part of it, at any time before due date; and in any such case interest on the amount so paid shall cease to accrue as from the date of payment. 35

*Struck Out*

**4. Validation of expenditure and assessments**—For the avoidance of doubt, the actions of the Authority in—

- (a) Incurring liabilities in respect of the capital expenditure and other charges referred to in section 3 (1) of this Act before the commencement of this Act or in meeting such liabilities, whether before or after the commencement of this Act; and 40
- (b) Deferring provision of the sum referred to in section 3 (1)(b) of this Act until the 1985 financial year— 45
- are hereby validated.

*New*

**4. Validation of expenditure and assessments**—For the avoidance of doubt, the actions of the Authority in—

- 5 (a) Incurring, before the commencement of this Act, liabilities  
in respect of the capital expenditure and other  
charges referred to in **section 3 (1)** of this Act; and  
(b) Meeting, before, on, or after the commencement of this  
Act, such liabilities; and  
10 (c) Deferring provision of the sum referred to in **section 3 (1) (b)**  
of this Act until the financial year beginning on the  
1st day of April 1985—  
are hereby validated and declared to be lawful.

**5. Repeals**—The following enactments are hereby repealed:

- 15 (a) Section 27 of the Reserves and Other Lands Disposal Act  
1937:  
(b) Section 6 of the Reserves and Other Lands Disposal Act  
1943:  
(c) Section 21 of the Reserves and Other Lands Disposal Act  
1950.

SCHEDULE

Section 2

ALL that piece of land containing 22.3260 hectares, more or less, being Allotment 59, Section 17, Suburbs of Auckland situated in Block I, Otahuhu Survey District (S.O. Plan 57628), together with such other pieces of land as may at any time be incorporated into the reserve.