

Words struck out by Local Bills Committee are shown in italics within bold round brackets or in roman enclosed in panel; words inserted are shown in black within bold square brackets or in roman with rule down side.

Hon. Mr Smith

LOCAL LEGISLATION

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A BILL INTITULED

An Act to confer certain powers on certain public bodies and to validate certain transactions

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, 5
as follows:

1. **Short Title**—This Act may be cited as the Local Legislation Act 1956.

County Councils

2. **Provision with respect to refund to County Fund Account from housing loan by Clutha County Council**—Whereas, before authority had been obtained to the raising of a loan of the sum of ten thousand pounds, known as the Housing Loan

1955, £10,000 (in this section referred to as the loan), the Clutha County Council (in this section referred to as the Council) expended out of its County Fund Account for certain purposes for which the loan was to be raised money
5 amounting in the aggregate to the sum of three thousand seven hundred and fifty pounds: And whereas authority has since been obtained to the raising of the loan, and the Council is desirous of recouping its County Fund Account out of the proceeds of the loan and it is expedient to make provision
10 accordingly: Be it therefore enacted as follows:

The Council is hereby authorised and empowered to refund to its County Fund Account out of the proceeds of the loan a sum not exceeding three thousand seven hundred and fifty pounds.

15 **3. Certain area of County of Manukau deemed to be a legal subdivision for purposes of the Local Bodies' Loans Act 1926**—For the purposes of the Local Bodies' Loans Act 1926, the area situated within the County of Manukau and shown on the plan lodged in the office of the Chief Surveyor, at Auck-
20 land, under Number S.O. 39845, and thereon edged red, shall be deemed to be a legal subdivision.

4. Authorising Tauranga County Council to make *ex gratia* payment in respect of a contract—Whereas by an agreement dated the first day of August, nineteen hundred and fifty-two,
25 made between R. G. Oliver and Son, of Otorohanga, contractors (in this section referred to as the contractors) of the one part and the Chairman, Councillors, and Inhabitants of the County of Tauranga, of the other part, the contractors agreed to construct and install a water supply for Katikati
30 Township: And whereas, owing to unusual flooding and other circumstances, increased costs were incurred by the contractors and the contractors suffered considerable loss: And whereas the Tauranga County Council, in the circumstances, is desirous of making a payment of two hundred and fifty
35 pounds to the contractors: Be it therefore enacted as follows:

The Tauranga County Council is hereby authorised and empowered to pay the sum of two hundred and fifty pounds to the contractors by way of compensation in respect of the loss incurred by them.

5. Provision with respect to levying general rates by Otorohanga and Waitomo County Councils—Whereas by an Order in Council made on the twenty-third day of March, nineteen hundred and fifty-six, the County of Kawhia was abolished and part of the former county was included in the County of Otorohanga and constituted a riding of that county and the remaining part of the former county was included in the County of Waitomo and constituted a riding of that county: And whereas it is expedient that each County Council should be authorised to levy the general rate separately in the new riding of the county: Be it therefore enacted as follows:

(1) The provisions of subsections one and three of section one hundred and twenty-one A of the Counties Act 1920 (as enacted by section six of the Counties Amendment Act 1954), as far as they are applicable and with the necessary modifications, shall apply to the Counties of Otorohanga and Waitomo as if each area so added were a separate county and as if, in each case, a new county had been formed by the union of that county with the county to which the area was so added, and also as if for the words “five years” in subsection one of the said section one hundred and twenty-one A there were substituted the words “ten years”.

(2) This section shall be deemed to have come into force on the first day of April, nineteen hundred and fifty-six.

6. Extending period during which Manukau County Council may fix water rates and charges by special order—

(1) Section six of the Local Legislation Act 1953 is hereby amended by repealing subsection three and substituting the following subsection:

“(3) This section shall continue in force until the thirty-first day of March, nineteen hundred and fifty-eight, and shall on that date be deemed to be repealed”.

(2) This section shall be deemed to have come into force on the first day of April, nineteen hundred and fifty-six.

7. Provision with respect to union of counties of Ashley, Eyre, Kowai, and Rangiora—Whereas the Local Government Commission, pursuant to section twenty-one of the Local Government Commission Act 1953, has promulgated a final scheme dated the tenth day of September, nineteen hundred and fifty-six, providing, amongst other things, for the union of the Counties of Ashley, Eyre, Kowai, and Rangiora to form one county under the name of the County of Ashley (in this section referred to as the united county): And whereas in the

said final scheme it is recommended that the united county be divided into ten ridings and that the number of Councillors of the united county be fourteen: And whereas the Counties Act 1920 provides that the number of Councillors of a county
5 so divided shall not exceed twelve: And whereas in order to enable full effect to be given to the said final scheme it is expedient that provision be made in accordance with this section: Be it therefore enacted as follows:

Notwithstanding anything to the contrary in any Act, the
10 Governor-General may, in any Order in Council made pursuant to the Local Government Commission Act 1953, providing for the first election of Councillors of the united county or for the discharge of the functions of the Council of the united county pending that first election, declare that the
15 number of members of the Council of the united county shall, until the members elected at the second general election of members of that Council come into office, be such number not exceeding fourteen as he deems fit.

8. Provision with respect to refund to County Fund Account from works loan by Clutha County Council—Whereas, before
20 authority was obtained to the raising of a loan of the sum of one hundred and twenty-five thousand pounds, known as the Works Loan 1956, £125,000 (in this section referred to as the loan), the Clutha County Council (in this section referred to
25 as the Council) expended out of its County Fund Account, for certain purposes for which the loan was to be raised, money amounting in the aggregate to the sum of twenty thousand three hundred and thirty-six pounds: And whereas authority
30 Council is desirous of recouping its County Fund Account out of the proceeds of the loan and it is expedient to make provision accordingly: Be it therefore enacted as follows:

The Council is hereby authorised and empowered to refund
35 to its County Fund Account out of the proceeds of the loan a sum not exceeding twenty thousand three hundred and thirty-six pounds.

9. Vesting certain land in Corporation of County of Rodney—Whereas by deed dated the twenty-ninth day of
40 March, eighteen hundred and ninety-two, and registered in the Deeds Register Office at Auckland under Number 120227, the land described in subsection *three* of this section was vested

in the Pakiri Public Library, a body incorporated under the Public Libraries Powers Act 1875: And whereas by declaration dated the twenty-fifth day of March, eighteen hundred and ninety-two, and lodged in the Supreme Court Office at Auckland under Number 95/1892, Henry Brown, George Pratt, Charles Whitley, Ellis Dyer, Thomas Henry Pratt, Magnus Biorklund, and George Henry Rayner were appointed trustees under the said Act for the purposes of using the said land as a site for a public library to be known as the Pakiri Public Library: And whereas six of the said trustees are deceased and the sole surviving trustee is the said George Pratt: And whereas the residents of the locality wish the Pakiri Public Library site to be used as a war memorial public hall site: And whereas the said George Pratt has agreed to this and desires to be divested of the said land and freed from trusteeship: And whereas the Chairman, Councillors, and Inhabitants of the County of Rodney (in this section referred to as the Corporation) are prepared to accept the vesting of the said land as a site for a war memorial public hall under and subject to the Counties Act 1920: Be it therefore enacted as follows:

(1) The vesting in the Pakiri Public Library Incorporated of the land described in subsection *three* of this section is hereby cancelled and the said land is hereby declared to be vested in the Corporation in trust as a site for a war memorial public hall under and subject to the Counties Act 1920 but otherwise freed and discharged from all trusts, reservations, and restrictions heretofore affecting it.

(2) The District Land Registrar for the Land Registration District of Auckland is hereby authorised and directed to make such entries in the register books, to register such instruments, and to do all such other things as may be necessary to give effect to the provisions of this section.

(3) The land to which this section relates is more particularly described as follows:

All that area in the North Auckland Land District being part of Allotment 41, Parish of Pakiri, situated in Block XI, Pakiri Survey District, containing two roods, more or less, and being all the land comprised and described in certificate of title, Volume 761, folio 122, Auckland Registry, limited as to parcels and title.

10. Provision with regard to further extension of period of appointment of Commissioner for County of Matakaoa—

(1) Subsection eleven of section ten of the Local Legislation Act 1932-33, as amended by section seven of the Local Legislation Act 1953, is hereby further amended by omitting the words "nineteen hundred and fifty-six", and substituting the words "nineteen hundred and fifty-nine".

(2) Section seven of the Local Legislation Act 1953 is hereby repealed.

10 11. Vesting certain land in Corporation of County of Franklin—

Whereas by deed registered in the Deeds Register Office at Auckland under Number 166866 the land described in subsection *three* of this section was vested in the Pukekohe East Public Library, a body incorporated under the Public Library Powers Act 1875: And whereas by declaration lodged in the Supreme Court Office at Auckland on the thirtieth day of July, eighteen hundred and seventy nine, William Morgan, George Gunson, Watkin Robinson, William Sharp, and William Comrie were appointed trustees under the said Act for the purpose of using the said land as a site for a public library at Pukekohe East: And whereas all of the said trustees are deceased and no further trustees have been appointed: And whereas residents of the locality wish the Pukekohe East Public Library site to be used as a community centre: And whereas the Chairman, Councillors, and Inhabitants of the County of Franklin (in this section referred to as the Corporation) is prepared to accept the vesting of the said land as a site for a community centre under and subject to the Counties Act 1920: Be it therefore enacted as follows:

30 (1) The vesting in the Pukekohe East Public Library of the land described in subsection *three* of this section is hereby cancelled and the said land is hereby declared to be vested in the Corporation in trust as a site for a community centre under and subject to the Counties Act 1920 but otherwise freed and discharged from all trusts, reservations, and restrictions heretofore affecting it.

35 (2) The District Land Registrar for the Land Registration District of Auckland is hereby authorised and directed to make such entries in the register books, to register such instruments, and to do all such other things as may be necessary to give effect to the provisions of this section.

40 (3) The land to which this section relates is more particularly described as follows:

All that area in the North Auckland Land District containing by admeasurement one rood, more or less, being part of Allotment 30, Parish of Pukekohe, and being all the land comprised and described in certificate of title, Volume 522, folio 56, Auckland Registry, limited as to parcels and title. 5

City and Borough Councils

12. Validating certain expenditure by Bluff Borough Council—The expenditure by the Bluff Borough Council during the financial year ended on the thirty-first day of March, nineteen hundred and fifty-four, of the sum of one hundred and seventy-one pounds three shillings and twopence in the purchase of a mayoral chain and badge of office is hereby validated and declared to have been lawfully incurred. 10

13. Validating the terms of certain agreements made between the Corporation of the Borough of Cambridge and certain property owners—Whereas the Corporation of the Mayor, Councillors, and Citizens of the Borough of Cambridge (in this section referred to as the Corporation), pursuant to the Public Works Act 1928 and the Municipal Corporations Act 1954 for the purpose of obtaining a water supply for the Borough, constructed certain works for the purpose of diverting the waters arising from a spring on certain land described as Lot 2 on Deposited Plan Number 34590 and being all the land comprised and described in certificate of title, Volume 890, folio 71, Auckland Registry: And whereas the waters naturally flowed into and formed part of a stream which intersected or bounded the lands described in subsection *three* of this section: And whereas, owing to the operations of the said works interfering with the riparian rights previously enjoyed by the said lands, the respective owners thereof made certain claims for compensation against the Corporation: And whereas such claims were settled between the respective owners and the Corporation and the terms of the settlements were embodied in two agreements now recorded in the Department of Internal Affairs at Wellington under Number I.A. 105/23: And whereas it is provided in each of the agreements: 15
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- (a) That, subject to the conditions and limitations therein prescribed, the Corporation will supply in perpetuity such water as may be needed for domestic and farming purposes to the land to which the agreement relates; and 40

(b) That all claims which the owner of the land may have for compensation in respect of injurious affection caused or likely to be caused to his land by the operation of the said works shall be deemed to have been satisfied:

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And whereas the said agreements provide for certain payments being made by the Corporation to the owners of the land to which the agreements relate: And whereas there is no legal authority for the Corporation to grant to the respective owners the perpetual rights of water supply hereinbefore referred to: Be it therefore enacted as follows:

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(1) The Corporation shall be deemed to have been duly empowered to agree in and by the said agreements to grant in perpetuity to the respective owners of the said lands and their successors or assigns a sufficient supply of water for domestic and farming purposes, subject to the terms, conditions, and limitations set out in the said agreements, which shall have effect and be binding according to the tenor thereof.

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(2) All payments heretofore made or hereafter to be made by the Corporation pursuant to the said agreements are hereby declared to be valid and within the powers of the Corporation.

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(3) The lands to which this section relates are more particularly described as follows:

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(a) All that piece of land containing two hundred and eighty-nine acres one rood and twenty-seven perches, more or less, being part Lot "B" on Deposited Plan Number 2614, the land being situated in the Maungatautari Survey District and being part of Maungatautari Number 1 Block and being the residue of the land comprised and described in certificate of title, Volume 108, folio 253, Auckland Registry, the said piece of land being vested in Geoffrey James Hodgson for an estate in fee simple:

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(b) All that piece of land containing three hundred and thirty-eight acres one rood and eleven perches, more or less, being Lot 4 on Deposited Plan Number 2035, the land being situated in the Maungatautari Survey District and being all the land comprised and described in certificate of title, Volume 108, folio 252, Auckland Registry, the said piece of land being vested in Jean Gordon Vosper, Geoffrey James Hodgson, and Ian Wynn McKay for an estate in fee simple.

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14. Provision with respect to certain expenditure by Carterton Borough Council in connection with centennial celebrations—The Carterton Borough Council is hereby authorised and empowered to expend out of its General

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Account a sum not exceeding five hundred pounds for the purpose of celebrating and commemorating the one hundredth anniversary of the founding of the township of Carterton, and any expenditure heretofore incurred or made by the said Council for that purpose is hereby validated and declared to have been lawfully incurred and made. 5

15. Provision with respect to certain expenditure by Featherston Borough Council in connection with centennial celebrations—The Featherston Borough Council is hereby authorised and empowered to expend out of its General Account a sum not exceeding five hundred pounds for the purpose of celebrating and commemorating the one hundredth anniversary of the founding of the township of Featherston, and any expenditure heretofore incurred or made by the said Council for that purpose is hereby validated and declared to have been lawfully incurred and made. 10
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16. Extending special rating area in Borough of Mount Roskill—(1) The special rating area within the Borough of Mount Roskill, created pursuant to section twenty-one of the Local Bodies' Loans Act 1926, as follows, namely: 20

(a) By a resolution of the Mount Roskill Borough Council passed on the seventh day of September, nineteen hundred and forty-eight, and published in the *Gazette* of the sixteenth day of September, nineteen hundred and forty-eight, at page 1195, and relating to a loan of thirty-three thousand pounds, known as the Drainage and Sewerage Loan 1946, authorised by Order in Council made on the twenty-seventh day of November, nineteen hundred and forty-seven, and published in the *Gazette* of the fourth day of December, nineteen hundred and forty-seven, at page 1861; and 25

(b) By a resolution of the said Council passed on the ninth day of June, nineteen hundred and fifty-three, and published in the *Gazette* of the eighteenth day of June, nineteen hundred and fifty-three, at page 956 (being identical with the special rating area referred to in paragraph (a) hereof), and relating to a loan of nine thousand three hundred pounds, known as the Drainage and Sewerage Additional Loan 1952, authorised by Order in Council made on the twenty-eighth day of January, nineteen hundred and fifty-three, and published in the *Gazette* of the fifth day of February, nineteen hundred and fifty-three, at page 166,— 35
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is hereby extended by adding thereto the contiguous areas described in subsection *two* of this section.

(2) The areas to which this section relates are particularly described as follows:

5 Firstly, all that area bounded by a line commencing at a point on the eastern side of Dominion Road, being the south-western corner of Lot 358 on Deposited Plan 22826, being part of Allotment 49, Parish of Titirangi, and running easterly along the southern boundary of the said Lot 358 to the south-eastern corner of that lot; thence southerly generally along the eastern boundaries of Lot 1 on Deposited Plan 31464, being
10 part of the said Allotment 49, Lot 2 (Road Reserve) on Deposited Plan 31464 aforesaid, being part of the said Allotment 49 and part of Allotment 12 of Section 13, Suburbs of Auckland, Lot 3 on the said Deposited Plan 31464, being part of the aforesaid Allotment 12 of Section 13, Lots 974, 975, 976,
15 977, 978, 979, and 980 on Deposited Plan 22826 before-mentioned, Lots 1, 2, and 3 on Deposited Plan 38633, and Lot 4 on Deposited Plan 31464 beforementioned, the said lots all being parts of the aforesaid Allotment 12 of Section 13, to the north-eastern corner of Lot 5 (Road Reserve) on the
20 said Deposited Plan 31464, being part of the aforesaid Allotment 12 of Section 13; thence westerly along the northern boundary of the said Lot 5 to Dominion Road; thence northerly along the eastern side of that road to the point of commencement.

25 Secondly, all that area bounded by a line commencing at the south-western corner of Lot 369 on Deposited Plan 19327, being part of Allotment 49 of the Parish of Titirangi, and running easterly along the southern boundaries of that lot, and of Lots 368 and 367 on the said Deposited Plan 19327, to
30 and along the southern end of Winstone Road for a distance of 18·18 links; thence southerly along a right line parallel to the eastern boundaries of Lots 350, 351, 352, and 353 on Deposited Plan 22826 for a distance of 303·0 links; thence westerly along another right line parallel to the southern end
35 of Winstone Road and the southern boundaries of Lots 367, 368, and 369 beforementioned, to the eastern boundary of Lot 353 aforesaid; thence northerly along that eastern boundary and the eastern boundaries of Lots 352, 351, and 350 aforesaid, all the aforesaid lots being parts of Allotment 49 before-
40 mentioned, to the point of commencement.

Thirdly, all that area bounded by a line commencing at a point on the south-western side of Stoddard Road, being the eastern corner of Lot 6 on Deposited Plan 38811, being part of Allotment 90 of the Parish of Titirangi, and running south-
45 easterly along the south-western side of May Road; thence south-westerly along the north-western side of May Road to the eastern corner of Lot 3 on Deposited Plan 18183, being

part of Allotment 89 of the said parish; thence north-westerly along the north-eastern boundary of the said Lot 3 to the south-eastern boundary of part Lot 8 on Deposited Plan 36008, being part of Allotment 90 aforesaid; thence north-easterly along that south-eastern boundary to and along the south-eastern boundaries of Lots 7 and 6 on Deposited Plan 38811 beforementioned, being parts of the said Allotment 90, to the point of commencement: 5

As the same are more particularly shown edged red on a plan certified by the Chief Surveyor, at Auckland, and lodged at the public offices of the said Council. 10

(3) This section shall be deemed to have come into force on the first day of April, nineteen hundred and fifty-six.

17. Validating certain expenditure incurred by Palmerston North City Council—The expenditure by the Palmerston North City Council during the financial year ended on the thirty-first day of March, nineteen hundred and fifty-six, of the sum of one hundred and seventy-seven pounds fourteen shillings and sixpence in the purchase of an official chain and badge of office for the Mayoress is hereby validated and declared to have been lawfully incurred. 15 20

18. Authorising Palmerston North City Council to make certain grants to the Public Relations Organisation (P.N.)—The Palmerston North City Council is hereby authorised to make grants not exceeding one thousand pounds to the Public Relations Organisation (P.N.), a society incorporated under the Incorporated Societies Act 1908, during each of the years ending on the thirty-first day of March, nineteen hundred and fifty-seven, and the thirty-first day of March, nineteen hundred and fifty-eight. 25 30

19. Authorising raising of special loan by Palmerston North City Council—Whereas the Palmerston North City Council (in this section referred to as the Council) applied to the Local Government Loans Board for sanction to the raising of a loan of one hundred and twenty-five thousand pounds for the purpose of meeting the cost of completing the Tiritea Dam and Treatment Plant, installing distribution mains and a gauging station, purchasing land, and refunding to its District Fund Account money advanced thereout in connection with the aforesaid works: And whereas the Local Government Loans Board, having no authority to sanction the raising of that portion of the loan which related to the refunding to the District Fund Account, has sanctioned the raising of the balance of the loan amounting to eighty thousand pounds: 35 40

And whereas it is desirable to authorise the Council to raise a special loan not exceeding the sum of forty-five thousand pounds for the purpose of recouping its District Fund Account in respect of money advanced thereout as aforesaid: Be it

5 therefore enacted as follows:

The Council is hereby authorised and empowered to borrow by way of special loan under the Local Bodies' Loans Act 1926, and, notwithstanding the provisions of section nine of that Act, without the prior consent of the ratepayers, an
10 amount not exceeding the sum of forty-five thousand pounds for the purpose of refunding to its District Fund Account money advanced thereout for the purposes of the aforesaid works.

**20. Provision with respect to expenditure of money by
15 Hastings City Council in connection with the celebration
of attainment of city status—**The Hastings City Council (in this section referred to as the Council) is hereby authorised and empowered to expend out of its General Account, during the financial year ending on the thirty-first day of March
20 nineteen hundred and fifty-seven, a sum not exceeding three thousand five hundred pounds, for the purpose of celebrating the attainment of city status, and any expenditure heretofore incurred or made by the Council for that purpose is hereby validated and declared to have been lawfully incurred and
25 made.

**21. Provision with respect to agreement made by Hastings
City Council as to sewerage—**Whereas the Corporation of the City of Hastings, with the consent of the Hawke's Bay County Council, under the authority of section two
30 hundred and twenty-three of the Municipal Corporations Act 1954, extended its drainage system into an area within the Hawke's Bay County by laying a sewer extending from the City of Hastings to the sea and entered into an agreement with Seaview Farms Limited, a company carrying on
35 the business of processers and packers of fruit, vegetables, and other foodstuffs upon premises in the said area, to connect those premises (in this section referred to as the said works) with the drainage system as so extended, and to continue the connection for the term of twenty-five years (in this section
40 referred to as the said term) upon the terms and conditions contained in the agreement: And whereas it is expedient that the Hastings City Council should not be at liberty to disconnect the drainage system from the said works during the said term except in accordance with the express provisions of
45 the said agreement: Be it therefore enacted as follows:

Notwithstanding the provisions of subsection two of section two hundred and twenty-three of the Municipal Corporations Act 1954, the Hastings City Council shall have no power to disconnect the said works from the drainage system as so extended except in accordance with the terms and conditions set out in the agreement hereinbefore referred to relating to those works. 5

22. Provision with respect to certain rates levied by Dunedin City Council—Whereas the Otago Presbyterian Church Board of Property (in this section referred to as the Board) is indebted to the Mayor, Councillors, and Citizens of the City of Dunedin (in this section referred to as the Corporation) in the sum of five hundred and seventy-eight pounds one shilling and eightpence for rates levied on rateable property of the Board for the rating year ended the thirty-first day of March, nineteen hundred and fifty-six: And whereas the said rates were levied on the unimproved value of the said rateable property as appearing in the valuation roll then in force: And whereas when the valuation of the said rateable property was made, the Valuer-General was unaware that the Board's property was held subject to statutory restrictions: And whereas consequent on a revaluation of the said rateable property the said valuation was reduced from twelve thousand seven hundred pounds to three thousand five hundred pounds with effect from the first day of April nineteen hundred and fifty-six: And whereas the amount of the said rates would have been one hundred and sixty-five pounds five shillings and eightpence if the said revaluation had been effective for the said rating year: And whereas the Corporation, being satisfied that hardship would result to the Board if it were required to pay the said sum of five hundred and seventy-eight pounds one shilling and eightpence, is desirous of accepting the sum of one hundred and sixty-five pounds five shillings and eightpence in full discharge and satisfaction of the said rates: Be it therefore enacted as follows: 10 15 20 25 30 35

Notwithstanding anything to the contrary in any Act, the Corporation is hereby authorised and empowered to accept the sum of one hundred and sixty-five pounds five shillings and eightpence in full discharge and satisfaction of the said rates. 40

23. Provision with respect to sale of certain lands by Hamilton City Council—Whereas the lands firstly and secondly described in subsection *four* of this section are vested in the Corporation of the Mayor, Councillors, and Citizens of the City of Hamilton (in this section referred to as the Corporation) as an endowment in aid of the city funds: And 45

whereas it is expedient to empower the Hamilton City Council to sell the said lands and apply the proceeds of the sale thereof in manner hereinafter provided: Be it therefore enacted as follows:

5 (1) Notwithstanding anything to the contrary in any Act or rule of law, the Hamilton City Council may sell the lands described in subsection four of this section or any part or parts thereof in such manner, on such terms, and subject to such conditions as it thinks fit, and on the sale of any such land
10 all trusts, reservations, and restrictions theretofore affecting the same shall be deemed to be cancelled.

(2) The net proceeds from the sale of the said lands shall be paid into a separate (*account at the bank*) **[bank account in the name of the Council]** and be applied in or towards the
15 construction of buildings for municipal (*purposes, or*) **[offices or a civic administration centre and]** amenities therefor, on land vested in the Corporation.

(3) The District Land Registrar for the Land Registration District of Auckland is hereby authorised and directed to
20 **[deposit such plans,]** accept such documents for registration, to make such entries in the register books, and to do all such other things as may be necessary to give effect to the provisions of this section.

(4) The lands to which this section relates are more
25 particularly described as follows:

Struck out

30 Firstly, all that area in the City of Hamilton, containing by admeasurement two roods two perches and sixty-three hundredths of a perch, more or less, being Lots 3 and 4 on Deposited Plan Number 19075 and Lots 1 and 2 on Deposited Plan Number 21509, being part of Allotment 43, Town of Hamilton West, and being also part of the land comprised and described in certificate of title, Volume S 80, folio 64, Auckland Registry.

35 Secondly, all that area in the City of Hamilton containing by admeasurement two roods fifteen perches and forty-four hundredths of a perch, more or less, being part of Allotment 476, Town of Hamilton West, and being also the balance of the land comprised and described in certificate of title,
40 Volume S 73, folio 174, Auckland Registry.

New

45 Firstly, all that area in the South Auckland Land District, City of Hamilton, being Lots 3 and 4, D.P. 19075, and Lots 1 and 2, D.P. 21509, the said lots being parts of Allotments 43 and 44, Town of Hamilton West, situated in Block II, Hamilton Survey District, containing two roods two perches and sixty-three hundredths of a perch, more or less,

and being part of the land comprised and described in certificate of title, Volume 80, folio 64, Auckland Registry, subject to right of way over the said Lot 4 appurtenant to the land comprised and described in leasehold certificate of title, Volume 1112, folio 258, and in leases numbered 20775, 21345, 21348, and 21639, Auckland Registry: as shown on the plan marked L. and S. 13/96, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red. 5

Secondly, all that area in the South Auckland Land District, City of Hamilton, being part of Allotment 476, Town of Hamilton West, situated in Block II, Hamilton Survey District, containing two roods fourteen perches and seventy-six hundredths of a perch, more or less, and being the balance of the land comprised and described in certificate of title, Volume 73, folio 174, Auckland Registry, part of which is subject to lease number 18854 and to a restricted right of way appurtenant to the aforesaid lease: as shown on the plan marked L. and S. 13/96A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red and coloured yellow. 10 15 20

24. Authorising the sale of certain land by Henderson Borough Council—Whereas the Mayor, Councillors, and Citizens of the Borough of Henderson (in this section referred to as the Corporation) is the registered proprietor of an estate in fee simple in all that piece of land described in subsection *two* of this section (in this section referred to as the land): And whereas the Corporation is desirous of transferring the land to the Western Suburbs Returned Services' Association Henderson Branch Incorporated (in this section referred to as the Association) for the nominal consideration of the sum of ten pounds to provide a site upon which the Association may erect a hall for its own purposes and activities: And whereas the land is not held by the Corporation in trust for any particular purpose or purposes: Be it therefore enacted as follows: 25 30 35

(1) Notwithstanding anything to the contrary in the Municipal Corporations Act 1954 or in any other Act or rule of law, the Corporation is hereby authorised and empowered to transfer the land to the Association for the nominal consideration of the sum of ten pounds. 40

(2) The land to which this section relates is more particularly described as follows:

All that piece of land situated in the Borough of Henderson containing by admeasurement one rood, more or less, being Lot 69 on a plan lodged in the Deeds Register Office at Auckland as Number 33, being part of Allotment 7 of the Parish of Waipareira and being also the whole of the land comprised and described in certificate of title, Volume 765, folio 154, Auckland Registry. 45

25. Validating certain agreement made between Putaruru Borough Council and Leslie Wilfred Nicholl—Whereas the Mayor, Councillors, and Citizens of the Borough of Putaruru (in this section referred to as the Corporation) of the first part, and Leslie Wilfred Nicholl, of Putaruru, farmer, of the second part, entered into an agreement dated the thirtieth day of May, nineteen hundred and fifty-six, a certified copy of which is recorded in the Department of Internal Affairs at Wellington under Number I.A. 105/809, whereby the Corporation agreed to supply and the said Leslie Wilfred Nicholl agreed to take a supply of water upon the terms and conditions therein set out: And whereas the Corporation has no authority to enter into an agreement on the said terms and conditions and it is desirable to validate the said agreement:

15 Be it therefore enacted as follows:

Notwithstanding anything to the contrary in the Municipal Corporations Act 1954, or in any other Act, the Corporation is hereby and shall be deemed to have been at all times authorised and empowered to enter into the said agreement which shall be binding upon the parties thereto and shall for all purposes have effect according to its tenor.

26. Authorising raising of special loan by Stratford Borough Council—Whereas, by Order in Council made on the eleventh day of January, nineteen hundred and fifty-five, pursuant to the Local Government Loans Board Act 1926, consent was given to the raising by the Stratford Borough Council (in this section referred to as the Council) of a loan of twenty-five thousand pounds, to be known as the Electrical Works Extension Loan 1954, for the purpose of carrying out certain extensions to its electrical undertaking: And whereas, after expending the amount of the said loan, the Council expended out of its District Fund Account money amounting in the aggregate to the sum of five thousand pounds in completion of the said extensions: And whereas it is desirable to authorise the Council to raise a loan of five thousand pounds for the purpose of recouping its District Fund Account in respect of the money expended thereout as aforesaid: Be it therefore enacted as follows:

The Council is hereby authorised and empowered to borrow by way of special loan under the Local Bodies' Loans Act 1926 an amount not exceeding five thousand pounds for the purpose of refunding to its District Fund Account the money expended thereout for the purpose of completing the said extensions.

27. Authorising Dannevirke Borough Council to construct stock route—Whereas the Dannevirke Borough Council (in this section referred to as the Council) is registered as the proprietor of all that piece of land containing by admeasurement fifty-six acres, more or less, situated in the Tahoraiti Survey District, comprising portion of the Tahoraiti Number 2 Block shown on a plan lodged in the Land Transfer Office at Napier with Proclamation Number 157, and being all the land comprised and described in certificate of title, Volume 68, folio 156, Hawke's Bay Registry (in this section referred to as the sewerage reserve): And whereas the sewerage reserve is held by the Council for the purpose of a sanitary sewage irrigation area: And whereas the Council has purchased all that piece of land adjoining the sewerage reserve containing by admeasurement two roods twenty-two perches and eight-tenths of a perch, more or less, being part of Suburban Section 48, Dannevirke, situated in Block III, Tahoraiti Survey District, and being Lot 1 on Deposited Plan Number 9256, and being all the land comprised and described in certificate of title, Volume 157, folio 15, Hawke's Bay Registry (in this section referred to as the adjoining land): And whereas the Council is desirous of establishing a stock route across the sewerage reserve and the adjoining land connecting Makirikiri Road and Miller Street, both in the County of Dannevirke, but has no power so to do: Be it therefore enacted as follows:

(1) The action of the Council in purchasing the adjoining land for the purpose of a stock route is hereby validated.

(2) Notwithstanding that the sewerage reserve is held by the Council for the purpose of a sanitary sewage irrigation area, the Council may lay out, form, and maintain, to such standard as it deems desirable, a stock route one chain wide across the sewerage reserve and through the adjoining land from the end of Makirikiri Road to Miller Street.

(3) The Council may from time to time construct, erect, maintain, alter, or improve bridges, fences, and gates on or along the said stock route.

(4) Any work which the Council is authorised by this section to undertake shall be deemed to be a public work within the meaning of the Local Bodies' Loans Act 1926 and the Public Works Act 1928.

(5) The Council may make bylaws for any of the following purposes:

(a) Prohibiting or controlling the passage of any vehicles along the said stock route:

(b) Regulating, controlling, or prohibiting the driving of horses, cattle, pigs, or other animals along the said stock route.

5 (6) Bylaws made under subsection *five* of this section shall be made in the manner prescribed by Part XXIX of the Municipal Corporations Act 1954, and the provisions of that Part of the said Act shall apply to all such bylaws made by
10 the Council.

(7) Nothing in this section shall be deemed to constitute the said stock route as a public road.

28. Provision with respect to expenditure by Lawrence Borough Council on centennial celebrations—

15 (1) The action of the Lawrence Borough Council (in this section referred to as the Council) in establishing a separate bank account known as the Centennial Fund Account (in this section referred to as the Fund) is hereby validated and any payments heretofore made by the Council to the Fund shall be deemed to
20 have been lawfully made, and the Council is hereby authorised to pay into the Fund in each year until the thirty-first day of March, nineteen hundred and sixty-two, a sum not exceeding fifty pounds.

25 (2) The money in the Fund shall be expended by the Council (*in the year nineteen hundred and sixty-one*) for the purpose of celebrating [**in the year nineteen hundred and sixty-one**] the centennial of the founding of Lawrence and the discovery of gold in Gabriels Gully, and any sum remaining in the Fund after all expenses lawfully incurred in connection
30 with the said centennial have been met shall be transferred to the District Fund Account of the Council to the credit of the General Account.

29. Authorising Morrinsville Borough Council to transfer certain land to the St. John Ambulance Association Trust Board—

35 Whereas the Mayor, Councillors, and Citizens of the Borough of Morrinsville (in this section referred to as the Corporation) is the registered proprietor of an estate in fee simple in the land described in subsection *two* of this section: And whereas the Corporation is desirous of transferring the said land to the Commandery in New Zealand of
40 the Order of St. John Trust Board (in this section referred to as the Trust Board) for the purposes of the Trust Board: Be it therefore enacted as follows:

(1) It shall be lawful for the Corporation to transfer the land described in subsection *two* of this section by way of gift to the Trust Board upon such terms and conditions as the Corporation shall deem reasonable.

(2) The land to which this section relates is more particularly described as follows: 5

All that piece of land containing twenty-two perches and six-tenths of a perch, more or less, being Lot 1 on Deposited Plan Number 17371 and being portion of the Motumaoho Number Two Block and being also the whole of the land 10 comprised and described in certificate of title, Volume 425, folio 266, Auckland Registry, subject to agreement as to fencing contained in transfer Number 50072.

30. Provision with respect to certain expenditure by Onehunga Borough Council in connection with official opening of War Memorial Swimming Pool—The Onehunga Borough Council is hereby authorised and empowered to expend out of its General Account a sum not exceeding four hundred pounds in connection with the official opening of the Onehunga War Memorial Swimming Pool, and any expenditure heretofore incurred or made by the said Council for that purpose is hereby validated and declared to have been lawfully incurred and made. 15 20

31. Changing purpose of certain land vested in Corporation of Borough of Otahuhu—Whereas all that parcel of land containing one acre six perches and nine-tenths of a perch, more or less, situated in the Borough of Otahuhu, being Lot 2 and part of Lot 1 on a plan deposited in the Land Registry Office at Auckland as Number 22440, being part of Fairburn's Claim Number 269A, and being all the land comprised and described in certificate of title, Volume 854, folio 164, Auckland Registry, was by Proclamation published in the *Gazette* on the nineteenth day of April, nineteen hundred and forty-five, taken under the Public Works Act 1928 and vested in the Mayor, Councillors, and Citizens of the Borough of Otahuhu (in this section referred to as the Corporation) for a town hall: And whereas part of the said land is not required for the purpose of a town hall: And whereas the Corporation has had a plan prepared of the part of the said land not required for a town hall as aforesaid and the plan is lodged in the Land 25 30 35 40

Registry Office at Auckland under Number 43269, approved as to survey, but not deposited: And whereas the Corporation is erecting municipal offices and Council chambers on Lot 1 on the said plan and is desirous of leasing Lots 2 to 7 inclusive
5 on the said plan pursuant to section one hundred and fifty-two of the Municipal Corporations Act 1954 and has sold by public tender, pursuant to section one hundred and fifty-three of the said Act, the leases of the said lots: And whereas the Corporation is desirous of constituting Lot 8 on the said plan
10 as a service lane and Lot 10 as a public street: Be it therefore enacted as follows:

(1) The reservation for a town hall over the land described in subsection *four* of this section is hereby cancelled and the said land is hereby declared to be vested in the Corporation
15 for municipal purposes and the Corporation shall have in respect of the said land or any part or parts thereof or any building or buildings thereon the same powers of leasing as it enjoys in respect of the lands and buildings of the Corporation held under the Municipal Corporations Act 1954.

(2) The sales by public tender of the leases of Lots 2 to 7 inclusive on the said plan Number 43269 are hereby validated, and the Corporation is hereby empowered to grant leases pursuant to the said sales.

(3) The District Land Registrar for the Land Registration
25 District of Auckland is hereby empowered and directed to make such entries in the registers as may be necessary to give full effect to the provisions of subsection *one* of this section, and he is hereby further empowered and directed to deposit the said plan Number 43269 on production to him of a resolution
30 pursuant to subsection four of section three of the Public Works Amendment Act 1948 declaring Lot 8 on the said plan to be a service lane, and a special order pursuant to subsection one of section one hundred and eighty-nine of the Municipal Corporations Act 1954 constituting Lot 10 on the said plan as
35 a street.

(4) The land to which subsection *one* of this section relates is more particularly described as follows:

All that area containing two roods thirty-nine perches and five-tenths of a perch, more or less, being Lots 1 to 8 inclusive
40 and Lot 10 on a plan lodged in the Land Registry Office at Auckland as Number 43269, and being portion of Fairburn's Old Land Claim Number 269A and being part of the land comprised and described in certificate of title, Volume 854, folio 164, Auckland Registry.

32. Provision with respect to apportionment by Takapuna Borough Council of the remainder of the annual income of the borough—Whereas the Borough of Takapuna (in this section referred to as the borough) is divided into two wards designated as Ward A and Ward B respectively: And whereas the Takapuna Borough Council (in this section referred to as the Council) is conducting its financial operations on a ward basis and, in apportioning the remainder of the annual income of the borough between those wards pursuant to the provisions of paragraph (d) of section one hundred and twenty-one of the Municipal Corporations Act 1954 (in this section referred to as the Act), has found that an adverse effect is being caused to the finances of Ward B aforesaid: And whereas it is desirable to make provision in manner hereinafter appearing: Be it therefore enacted as follows:

(1) The Council may, instead of apportioning the remainder of the annual income of the borough between the two wards of the borough in manner provided by paragraph (d) of section one hundred and twenty-one of the Act, apportion that income between those wards in the manner provided in subsections *two* and *three* of this section.

(2) The amount to be apportioned to each ward shall be the amount received from that ward in respect of the general rate less the proportion to be borne by that ward of the general expenses of the borough under paragraphs (a) to (c) of the said section one hundred and twenty-one of the Act that have not been met out of income from other sources.

(3) The proportion of the general expenses of the borough to be borne by each ward under subsection *two* of this section shall bear to the total amount of those expenses the same proportion as the rateable value of all the property in each ward bears to the total rateable value of all the property in the borough.

(4) This section shall be deemed to have come into force on the first day of April, nineteen hundred and fifty-six, and shall continue in force until the thirty-first day of March, nineteen hundred and sixty-two.

33. Authorising Kaikohe Borough Council to sell certain land—Whereas the Mayor, Councillors, and Citizens of the Borough of Kaikohe (in this section referred to as the Corporation) is the registered proprietor of an estate in fee simple in the land described in subsection *four* of this section, in trust

for the purposes of a war memorial: And whereas the said land is no longer required for that purpose: And whereas it is expedient to empower the Kaikohe Borough Council (in this section referred to as the Council) to sell the said land: Be it

5 therefore enacted as follows:

(1) The Council may, without further authority than this section, sell the land described in subsection *four* of this section, or any part of that land, by public auction or public tender, and on the sale of any such land all trusts and reservations

10 theretofore affecting the same shall be deemed to be cancelled.

(2) The proceeds from the sale of the said land shall be applied by the Council towards the construction, improvement, or maintenance of the Kaikohe and District War Memorial.

15 (3) The District Land Registrar for the Land Registration District of Auckland is hereby authorised and directed to accept such documents for registration and to do all such other things as may be necessary to give effect to this section.

(4) The land to which this section relates is more particularly described as follows:

20 All that area of land situated in Block XV of the Omapere Survey District containing by admeasurement one acre nineteen perches and eight-tenths of a perch, more or less, being Lots 45, 46, and 47 on Deposited Plan Number 7981, and being

25 the whole of the land comprised and described in certificate of title, Volume 318, folio 76, Auckland Registry.

34. Validating rates made and levied by Levin Borough Council for year ended 31 March 1956—Whereas on the eighteenth day of July, nineteen hundred and fifty-five, the

30 Levin Borough Council (in this section referred to as the Council) by resolution made and levied rates for the year ended on the thirty-first day of March, nineteen hundred and fifty-six: And whereas doubts have arisen as to the validity of the said resolution: And whereas it is desirable

35 to validate the making and levying of the said rates: Be it therefore enacted as follows:

(1) The rates made and levied by the Council for the year ended on the thirty-first day of March, nineteen hundred and fifty-six, are hereby validated and declared to

40 have been lawfully made and levied:

Provided that the additional charge of ten per cent chargeable in respect of the said rates under the provisions of section seventy-six of the Rating Act 1925 shall not be added to any of the said rates remaining unpaid until the expiration of six months and fourteen days from the date of the demand of the rates made and levied by the Council for the year ending on the thirty-first day of March, nineteen hundred and fifty-seven: 5

Provided also that any such additional charge shall not be recoverable until the Council has publicly notified that the same shall be added. 10

(2) Judgment for the amount of any of the said rates due may be given or signed at any time within three years after the passing of this Act.

35. Validating certain expenditure by Thames Borough Council—The expenditure by the Thames Borough Council of the sum of twenty pounds five shillings and threepence in the purchase of a silver tea set and tray for presentation to the Mayor of the Borough of Thames in recognition of his having completed twenty-five years' service as Mayor of that borough is hereby validated and deemed to have been lawfully incurred. 15 20

36. Provision with respect to overdraft of Waihi Borough Council—Whereas, following a financial adjustment made by the Governor-General pursuant to section twenty-seven of the Municipal Corporations Act 1954 and dated the twenty-seventh day of February, nineteen hundred and fifty-six, the Waihi Borough Council (in this section referred to as the Council) was required to pay to the Ohinemuri County Council in March, nineteen hundred and fifty-six, the sum of one thousand seven hundred and sixty-nine pounds twelve shillings and tenpence: 25 30

And whereas, in addition to the sum required to be paid under the financial adjustment, the Council agreed to pay to the said Ohinemuri County Council a further sum of eight hundred and forty-one pounds four shillings and threepence being a share of the cost of construction of Queens Bridge: And whereas the said payments could not be provided for in the estimates of the Council for the year ended [on] the thirty-first day of March, nineteen hundred and fifty-six: And whereas to meet the said payments, the Council had, 35 40

as at the thirty-first day of March, nineteen hundred and fifty-six, borrowed and owed money to its bankers on its general account in excess of the limits prescribed by the Local Bodies' Finance Act 1921-22: And whereas it is desirable to make provision in manner hereinafter appearing: Be it therefore enacted as follows:

(1) Notwithstanding anything to the contrary in the Local Bodies' Finance Act 1921-22 or in any other Act, all money heretofore borrowed and owed by the Council on its General Account in excess of the limits prescribed by the said Act shall for all purposes be deemed to have been at all times lawfully borrowed and owed and incurred by the Council.

(2) For the purpose of partially repaying the said money borrowed and owed in excess of the limits prescribed by the said Act, the Council is hereby authorised to borrow from its bankers by way of overdraft, in the manner prescribed by section three of the said Act, the sum of one thousand five hundred pounds.

(3) The Council shall repay the said sum of one thousand five hundred pounds by five equal payments out of money credited to its General Account, one such payment to be made in each year during the period of five years commencing on the first day of April, nineteen hundred and fifty-six:

Provided that the Council may in any year repay out of the said General Account a sum greater than a fifth part.

(4) The said sum of one thousand five hundred pounds shall be carried to a separate account at the bank and all payments made in reduction of the said sum shall be credited to that account.

(5) The said sum of one thousand five hundred pounds shall not at any time hereafter be deemed to have been taken into account, nor shall any amount at any time lawfully owing under this section hereafter be taken into account, in determining the amount that may be borrowed or that may be owed by the Council pursuant to section three of the said Act.

37. Authorising levying of separate rate by Waihi Borough Council—Whereas following a financial adjustment made by the Governor-General pursuant to section twenty-seven of the Municipal Corporations Act 1954 and dated the twenty-seventh day of February, nineteen hundred and fifty-six (in this section referred to as the adjustment), the Waihi Borough Council (in this section referred to as the Council) is required

to pay annually to the Ohinemuri County Council the net sum of seven hundred and four pounds twelve shillings: And whereas it is desirable that the Council should be authorised to make and levy a separate rate for the purpose of meeting this payment: Be it therefore enacted as follows:

The Council is hereby authorised and empowered, for the purpose of meeting the net annual payment due to the Ohinemuri County Council under the adjustment, to make and levy in each year during which any such payment is required to be made a separate rate not exceeding one and a quarter pence in the pound on the unimproved value on all rateable property in the Borough of Waihi, and any deficiency in the amount produced by the rate made and levied annually under this section may be met by the Council by transfer from its General Account.

Catchment Boards

38. Further extending period during which classifications for rating purposes of certain lands in North Canterbury Catchment District shall continue in force—(1) Subsection one of section thirty-one of the Local Legislation Act 1953, as amended by section thirty-three of the Local Legislation Act 1954, is hereby further amended by omitting the words “four years”, and substituting the words “five years”.

(2) Section thirty-three of the Local Legislation Act 1954 is hereby repealed.

39. Validating borrowing of certain loan money by South Canterbury Catchment Board—Whereas by Order in Council made on the eighth day of August, nineteen hundred and fifty-six, consent was given to the borrowing by the South Canterbury Catchment Board (in this section referred to as the Board) of the sum of twenty-one thousand two hundred pounds (in this section referred to as the loan) being part of the Orari-Waihi-Temuka Loan 1956, £126,000: And whereas, contrary to the provisions of the Local Government Loans Board Act 1926, the Board, without first obtaining the consent of the Governor-General in Council, borrowed as part of the loan sums amounting in the aggregate to the sum of one thousand two hundred pounds: And whereas it is desirable that the action of the Board in borrowing the said sum of one thousand two hundred pounds should be validated: Be it therefore enacted as follows:

The action of the Board in borrowing the said sum of one thousand two hundred pounds without first obtaining the consent of the Governor-General in Council is hereby validated, and the said money shall be deemed to have been lawfully borrowed.

Electric Power Board

40. **Validating variation of terms of raising certain loan money by Hawke's Bay Electric Power Board**—Whereas by Order in Council made on the first day of June, nineteen hundred and fifty-five, consent was given to the raising by the Hawke's Bay Electric Power Board (in this section referred to as the Board) of a loan of one hundred thousand pounds to be known as the Reticulation Loan 1955 (in this section referred to as the loan): And whereas one of the conditions determined by the Local Government Loans Board in respect of the loan was that the loan should be repaid by ten equal payments of five thousand pounds each, one of those payments to be made at the end of every year commencing from the date on which the loan was raised, and by a payment at the end of the tenth year from the date of borrowing of the loan of an amount of fifty thousand pounds: And whereas the Board has raised the loan on terms that it should be repaid by a payment of five thousand pounds on the first day of June, nineteen hundred and fifty-six, six thousand seven hundred pounds on the first day of June, nineteen hundred and fifty-seven, three thousand three hundred pounds on the first day of June, nineteen hundred and fifty-eight, five thousand pounds on the first day of June, nineteen hundred and fifty-nine, five thousand pounds on the first day of June, nineteen hundred and sixty, five thousand nine hundred pounds on the first day of June, nineteen hundred and sixty-one, six thousand two hundred pounds on the first day of June, nineteen hundred and sixty-two, five thousand five hundred pounds on the first day of June, nineteen hundred and sixty-three, three thousand four hundred pounds on the first day of June, nineteen hundred and sixty-four, and fifty-four thousand pounds on the first day of June nineteen hundred and sixty-five: And whereas it is desirable that the action of the Board in varying the authorised manner of repaying the loan should be validated: Be it therefore enacted as follows:

The action of the Board in raising the loan otherwise than in accordance with the conditions determined by the Local Government Loans Board relating to the provisions for repayment thereof is hereby validated, and the sum of one hundred thousand pounds shall be deemed to have been lawfully borrowed. 5

Affecting Two or More Classes of Public Bodies

41. Authorising Pleasant Point Public Library to transfer certain land to Levels County Council—Whereas the Pleasant Point Public Library (in this section referred to as the library) is the registered proprietor of an estate in fee simple comprising the land described in subsection *three* of this section: And whereas the library desires to transfer the said land to the Chairman, Councillors, and Inhabitants of the County of Levels (in this section referred to as the Corporation) without the payment of any money or the giving of any other consideration: And whereas the library has no authority to sell or transfer the said land: Be it therefore enacted as follows: 10 15

(1) The library is hereby authorised and empowered to transfer the said land to the Corporation as aforesaid, and the present secretary of the library is hereby authorised and empowered to execute such transfer for and on behalf of the library. 20

(2) The District Land Registrar for the Land Registration District of Canterbury is hereby empowered and directed to make such entries in the register books and generally to do all such things as are necessary to give effect to the provisions of this section. 25

(3) The land to which this section relates is more particularly described as follows: 30

All that parcel of land situate in Block IV of the Pareora Survey District, containing by admeasurement five perches and six-tenths of a perch, more or less, being Part Lot 1 on Deposited Plan Number 1181, Part Rural Section 7410, and being all the land comprised and described in certificate of title, Volume 171, folio 278, Canterbury Registry. 35

42. Provision with respect to certain leases granted to Auckland City Corporation by Auckland Harbour Board—Whereas by memorandum of agreement bearing date the twentieth day of May, nineteen hundred and thirteen, made between the Auckland Harbour Board (in this section referred to as the Board) and the Mayor, Councillors, and Citizens of the 40

City of Auckland (in this section referred to as the Corporation), and more fully set out in the Second Schedule to the Auckland City Empowering Act 1913, the Board agreed to grant and the Corporation to take a lease of the land described

5 in the first schedule to the said agreement for the purposes of a bath site (in this section referred to as the bath site) and a lease of the land described in the second schedule to the said agreement for the purposes of a public market (in this section referred to as the market site) upon the terms and conditions

10 set out in clauses one and two of the said agreement respectively: And whereas by section seven of the said Act (in this section referred to as the said section) the said agreement was validated: And whereas pursuant to the provisions of the said section the Board and the Corporation duly

15 executed and registered in the Deeds Register Office at Auckland leases Numbers 237919 and 240196 of the bath site and the market site respectively: And whereas in erecting buildings on the market site in the year nineteen hundred and twenty or thereabouts part of the buildings were erected on that part of

20 the bath site described in subsection seven of this section (in this section referred to as the said land): And whereas it is expedient that the said land should be excluded from the lease of the bath site and that the Board should have power to lease the said land to the Corporation for the purposes and upon

25 the terms and conditions hereinafter appearing: And whereas the Corporation has from time to time granted subleases in respect of portions of the market site and the said land and the Board has consented to certain of the said subleases: And whereas doubts have arisen in respect of the validity of certain

30 of those subleases and it is expedient that the subleases now current should be validated: And whereas it is no longer practicable for the market site to be used solely for the purposes of a public market and it is expedient that the same should be available for use for the purposes set out in sub-

35 section *four* of this section: And whereas it is provided in clause nine of the said lease Number 240196 of the market site that on the granting of a renewal thereof in pursuance of the perpetual rights of renewal therein contained, the rental to be paid for a renewed term should be determined by valuation as

40 therein provided and should be subject to a deduction of twenty-five per cent of that valuation and it is desirable that on any renewal of the said lease Number 240196 and on the renewal of any lease of the said land granted in pursuance of this section there should be no deduction from the rental value

45 determined as aforesaid: Be it therefore enacted as follows:

(1) The Board and the Corporation are hereby authorised and empowered to surrender the said lease Number 237919 of the bath site in respect of the said land without otherwise varying the terms of the said lease Number 237919.

(2) All subleases in respect of parts of the market site and the said land granted heretofore by the Corporation and all rights of way granted and reserved in connection therewith are hereby declared to have been valid and binding and of full force and effect according to their tenor. 5

(3) Notwithstanding anything to the contrary contained in the said agreement or in the said section or in any Act, the Board is hereby authorised and empowered to grant to the Corporation a lease of the said land for the purposes set out in subsection *four* of this section upon the same terms and conditions, as far as they are applicable, and with the necessary modifications, as are contained in the said lease Number 240196 of the market site as varied by subsection *four* of this section. 10 15

(4) The aggregate annual rental for the market site, together with the said land, shall be the sum of two thousand one hundred pounds as from the first day of July, nineteen hundred and fifty-four, and the purposes for which the market site and the said land may be leased and used shall be for public markets or commercial markets or a petrol and service station in conjunction with those markets and, on any renewal of the said lease Number 240196, and on any renewal of the lease of the said land granted pursuant to the provisions of subsection *three* of this section, no deduction shall be made from the rental value determined as aforesaid. 20 25

(5) The Board and the Corporation are hereby authorised and empowered, at their discretion, to vary the said lease Number 240196 accordingly or to surrender the said lease Number 240196 in respect of any part thereof and to grant and accept respectively and execute a new lease of the land in respect of which the said lease has been surrendered together with the said land upon appropriate terms and conditions, and the Board and the Corporation are further authorised and empowered to execute all necessary documents and do all such other things as may be necessary for carrying into effect the provisions of this section. 30 35 40

(6) The Corporation may, with the consent of the Board, grant subleases of any part of the market site and the said land for the purposes aforesaid or any of them.

(7) The land to which this section relates is more particularly described as follows: 45

All that area in the North Auckland Land District, situated in the City of Auckland, containing by admeasurement twenty-two perches and two-tenths of a perch, more or less, being part of land reclaimed from the sea, Auckland Harbour, and being part of the land described in certificate of title, 5 Volume 970, folio 162, Auckland Registry, as the same is delineated on a plan lodged in the office of the Chief Surveyor, at Auckland, under number S.O. 39751, and thereon edged red.

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Miscellaneous

43. Provisions with respect to certain money borrowed by Owaka Rabbit Board—Whereas the Owaka Rabbit Board (in this section referred to as the Board) borrowed from its bankers by way of overdraft the sum of one thousand seven hundred 15 pounds for the purpose of enabling the Board to complete the purchase of a dwelling house for occupation by an employee of the Board: And whereas the action of the Board in borrowing the said sum of one thousand seven hundred pounds was contrary to the provisions of the Local Government Loans 20 Board Act 1926 in that the consent of the Governor-General in Council to the said borrowing was not first obtained: And whereas the Local Government Loans Board has no authority to sanction the raising of a loan for the purpose of repaying the aforesaid overdraft of one thousand seven hundred 25 pounds: And whereas it is desirable that authority be given for that purpose, and that the action of the Board in first borrowing the said sum of one thousand seven hundred pounds by way of overdraft should be validated: Be it therefore enacted as follows:

30 The Board is hereby authorised and empowered to borrow by way of special loan under the Local Bodies' Loans Act 1926 an amount not exceeding the sum of one thousand seven hundred pounds for the purpose of repaying that sum to its bankers, and the action of the Board in borrowing 35 that sum from its bankers by way of overdraft without first obtaining the consent of the Governor-General in Council is hereby validated.

44. Amending term of office of members of Buller Milk Board—Whereas by Warrant under subsection three of section 40 two of the Milk Amendment Act 1947 and dated the sixth day of December, nineteen hundred and fifty-five, the present members of the Buller Milk Board, constituted by the Buller

Milk Board Constitution Order 1948, were appointed for a term of three years from that date: And whereas it is deemed expedient to vary the term of office of these members: Be it therefore enacted as follows:

Notwithstanding the provisions of section two of the Milk Amendment Act 1947 and of the said Warrant, the term of office of the present members of the Buller Milk Board shall expire on the twenty-eighth day of February, nineteen hundred and fifty-seven. 5

45. Validating certain expenditure by Auckland Harbour Bridge Authority in connection with unveiling the foundation tablet of the Auckland Harbour Bridge—The expenditure of the sum of four hundred and ninety-eight pounds eleven shillings and tenpence by the Auckland Harbour Bridge Authority during the financial year ended on the thirty-first day of March, nineteen hundred and fifty-six, in connection with the function to mark the unveiling of the foundation tablet of the Auckland Harbour Bridge is hereby validated and declared to have been lawfully incurred. 10 15

46. Validating certain payment by Invercargill Fire Board in respect of a contract—Whereas by an agreement dated the twenty-sixth day of May, nineteen hundred and fifty-four, made between Alan Spackman Eunson, of Invercargill, building contractor (in this section referred to as the contractor), of the one part and the Invercargill Fire Board (in this section referred to as the Board), of the other part, the contractor agreed with the Board to execute certain works, being living quarters for employees of the Board and their families: And whereas the contractor, in tendering for the said works, omitted to include in his price the cost of twelve tile slabs amounting to three hundred and thirty-six pounds: And whereas the Board has paid the contractor in respect of the said tile slabs a sum of three hundred and thirty-six pounds in addition to the amount agreed upon in the said agreement: Be it therefore enacted as follows: 20 25 30 35

The payment by the Board to the contractor in respect of the said works of the sum of three hundred and thirty-six pounds over and above the amount agreed upon in the said agreement is hereby validated and declared to have been lawfully made. 40