

LOCAL LEGISLATION BILL

EXPLANATORY NOTE

County Councils

Clause 2: Vesting Glenroy Hall in the Corporation of the County of Malvern. The land described in this clause is at present vested for an estate in fee simple in Wilfred Hall, Arthur Sidney Thwaites, and William Stone, all of Glenroy, farmers, as trustees. They are all now deceased. The hall on the land has for some years been administered by a committee of residents in the district. At a public meeting of the residents of the district called by the committee it was resolved that the committee take the necessary action to have the hall vested in the Selwyn County Council. However the County of Selwyn was abolished and the district in which the land and the hall is situated now forms part of the County of Malvern. The Malvern County Council has consented to the vesting of the land and the hall in the Corporation of the County of Malvern. This clause provides accordingly.

Clause 3: Authorising Hutt County Council to appoint additional members to Wainuiomata County Town Committee. Section 418 of the Counties Act 1956 provides for the appointment of county town committees which shall consist of not fewer than three nor more than seven members. The Hutt County Council administers the Wainuiomata County Town, the population of which is some 10,000 people. Because of the size of this county town the County Council considers that it would be reasonable for the burden of committee work to be borne by a larger number of committee members. It therefore desires to appoint additional members to the County Town Committee to bring the total membership up to not more than 12. Last year, the Matamata County Council had a similar clause included in the Local Legislation Bill. Special legislation is required to enable the Council to do so and this clause provides accordingly.

Clause 4: Validating refund to County Fund Account from loan money by Rodney County Council. Before obtaining authority to raise the Roads Sealing Loan 1962, the Rodney County Council expended out of its County Fund Account, for certain purposes for which the loan was to be raised, the sum of £7,428 18s. 8d. The Council refunded this sum to its County Fund Account from the proceeds of the loan but had no authority to do so. This clause validates the Council's action.

Clause 5: Amending section 10 of the Local Legislation Act 1961. Section 10 of the Local Legislation Act 1961 gave the Clutha County Council authority to make a uniform annual charge for fire protection purposes in the area surrounding the Owaka Secondary Urban Fire District. Subsection (5) of that section provides that the section shall remain in force until 31 March 1964. Section 10 was a temporary measure pending a decision on whether such a provision might be included in general legislation. It has not been possible to reach a decision on this point to date, and the Clutha County Council wishes to have the term extended for a further two years to 31 March 1966. This clause provides accordingly.

Clause 6: Authorising Eltham County Council to raise special loan. The Eltham County Council made a number of advances to farmers in terms of the provisions of the Rural Housing Act 1939 out of its County Fund Account. The Council desires to raise a loan of £11,000 in order to reimburse its County Fund Account for the sums advanced. This clause authorises the Council to raise the necessary loan.

City and Borough Councils

Clause 7: Provision with respect to use of certain compensation money by Auckland City Council. Under the Auckland Domain Vesting Act 1893, the Corporation of the City of Auckland owns certain land in the centre of the city. Some of the land has been taken by the Crown for use in connection with the Auckland University and this clause makes special provision regarding the use of the compensation money which will be paid to the Council for the land.

Clause 8: Provision with respect to certain leases issued by Auckland City Council. The Auckland City Council was by Order in Council dated 16 August 1888 declared a leasing authority under the Public Bodies' Powers Act 1887. The Act was repealed as regards boroughs by the Municipal Corporations Act 1900. When the Public Bodies Leases Act 1908 became law the Council omitted to make application to be declared a leasing authority. However, the Council, in the belief that it was a leasing authority for the purposes of that Act, has been granting leases which it had no authority to grant. On 17 July 1963, the Council was declared by Order in Council to be a leasing authority under the Public Bodies Leases Act. The Council now wishes to remove any doubts as to the validity of the leases and the renewal leases granted by it before that date. This clause provides accordingly.

Clause 9: Provision with respect to overdraft of Dannevirke Borough Council. The Dannevirke Borough Council has from time to time borrowed and owed money on its Gasworks Account in excess of the limits prescribed by the Local Authorities Loans Act 1956. The Council's liability to its bankers amounts to £17,021 0s. 10d. and it desires that this sum shall be deemed to have been lawfully borrowed. The Council also desires authority to borrow by way of special overdraft the sum of £15,750 to be applied in reduction of the liability. Special legislation is necessary. This clause provides accordingly.

Clause 10: Authorising the Dunedin City Council to make an *ex gratia* payment in respect of a contract. The Dunedin City Council entered into an agreement dated 20 December 1961 with Archie Clark Pulley, Invercargill, contractor, to perform certain works in respect of the reclamation of part of Anderson's Bay Inlet. In executing the works the contractor encountered

unforeseen difficulties and suffered a loss. Under the circumstances the Council considers it would be reasonable to meet a portion of the loss suffered by the contractor and wishes to make a payment of £2,260 9s. 10d. by way of compensation. This payment represents 60 per cent of the actual loss suffered by the contractor. The Council has no authority to make a payment of this nature, and this clause enables it to do so.

Clause 11: Validating certain charges made by East Coast Bays Borough Council in respect of water meters. On 9 December 1959, the East Coast Bays Borough Council, by resolution, purported to impose, on all persons making application for properties in the Borough to be connected with the water supply, a charge in respect of the connection and installation of a water meter of £2 2s. and a deposit for the supply of the water meter of £1. As a result of proceedings taken by the Council in the Magistrate's Court at Auckland against a person for recovery of the balance of charges outstanding, the Court held that the procedure adopted by the Council did not allow them to require payment of such a charge or deposit. The payment of such charges and deposits could only be required under a bylaw, whereas the Council purported to impose them by resolution. It is desirable that the actions of the Council in demanding and receiving such charges and such deposits before the passing of this Act be validated, subject to the rights of the parties under any judgment or on any appeal from any judgment being protected. Special legislation is required and this clause provides accordingly.

Clause 12: Validating variation of terms of raising certain loan money by Greymouth Borough Council. Consent was given to the raising of the Greymouth Borough Council's Blaketown Water Reticulation Loan 1961 by Order in Council made on 16 August 1961. One of the conditions laid down by the Local Authorities Loans Board in respect of the raising of the loan was that the rate of interest to be paid in respect of any part of the loan borrowed for a term of 15 years was not to exceed $5\frac{1}{8}$ per cent per annum. The Council however raised the sum of £1,000 as part of the loan for a term of 15 years with interest at a rate of $5\frac{1}{4}$ per cent per annum. Legislation is required to validate the Council's actions and this clause provides accordingly.

Clause 13: Validating variation of terms of raising certain loan money by Hastings City Council. Consent was given to the raising by the Hastings City Council of a loan of £7,500 to be known as the Nelson Park Grandstand Supplementary Loan 1962, by Order in Council made on 29 August 1962. Two of the conditions determined by the Local Authorities Loans Board in respect of the raising of the loan were that the loan should extend over a term of 25 years, and that the loan and interest should be repaid by equal aggregate annual or half-yearly instalments. The Council raised the loan on terms that it should be repaid by 20 half-yearly payments of £100 each and two additional payments of £1,500 and £4,000, together with interest varying from $5\frac{1}{4}$ per cent to $5\frac{3}{8}$ per cent per annum.

It is desirable that the action of the Council in raising the loan otherwise than in accordance with the conditions determined by the Local Authorities Loans Board be validated. This clause provides accordingly.

Clause 14: Authorising Henderson Borough Council to refund to District Fund Account from loan money. Before the Henderson Borough Council obtained authority to the raising of its Fire Station Supplementary Loan 1962 amounting to £1,000, which was required for the purpose of completing the construction of its new fire station, it expended the sum of £1,000 from its District Fund Account for this purpose. The Council now wishes to reimburse its District Fund Account from the proceeds of the loan. This clause authorises the Council to do so.

Clause 15: Authorising Kaikohe Borough Council to transfer a certain hall to the Kaikohe Agricultural Pastoral and Horticultural Association (Incorporated). The Council at present owns the hall, known as the Recreation Hall, which was presented to the Council by the Association some years ago. Since the erection of the War Memorial Hall, the bookings for dances, etc., at the Recreation Hall have declined and the revenue received amounts now only to around £120 per annum. The Association approached the Council to have the Recreation Hall transferred back to the Association so that it could be removed from its present site and established on Association land outside the Borough limits. The Council is agreeable to such a course of action. No consideration is involved. The clause provides accordingly.

Clause 16: Amending Lyttelton Borough Extension Amendment Act 1915. The purpose of the Lyttelton Borough Extension Amendment Act 1915 was to extend the powers of the Lyttelton Borough Council in connection with Diamond Harbour. Clause 1 of the Second Schedule to the Act prohibits the subdivision or extension of certain existing residential sections. Some of the early subdivisions at Diamond Harbour were in generous portions and recently the Council has received several applications from the owners of these lots to permit them to subdivide their sections into more manageable areas. All subdivisions of land in the Borough require the approval of the Council under Part XXV of the Municipal Corporations Act 1954. The repeal of clause 1 of the Second Schedule to the Act by this clause will allow the existing subdivisions to be varied in approved cases.

Clause 17: Empowering Manurewa Borough Council to lease certain allotments for residential building purposes. The Manurewa Borough Council purchased an acre of land in the Borough known as the Greenmeadows Estate for subdivision into residential building sections. The Council has been granting leases of a large number of these sections to persons intending to erect houses on them for personal occupation by the lessee, under insurance company leasehold purchase schemes. Under the provisions of these schemes options to purchase the sections have been included in the leases. Doubts have now arisen as to the Council's power to grant such leases. It is desirable that these doubts be removed and that the Council be empowered to grant further leases of this nature. Special legislation is required for this purpose and this clause provides accordingly.

Clause 18: Authorising Otorohanga Borough Council to raise special loan. By Order in Council made on 6 November 1961 consent was given to the raising by the Otorohanga Borough Council of a loan of £11,500 known as the Stormwater Loan 1961. After expending the amount of the loan, the Council expended out of its District Fund Account, the sum of £700, in order to complete the works. The Council now wishes to raise a loan so that it may refund the said sum to its District Fund Account, but the Local Authorities Loans Board has no authority to sanction the raising of a loan for such a purpose. Legislative authority is required and this clause provides accordingly.

Clause 19: Provision with respect to expenditure by Palmerston North City Council on centennial celebrations. The Palmerston North City Council established a separate banking account known as the Centennial Fund Account and paid the sum of £600 into the account before authority was granted to set up such a fund account. The Council now wishes its actions to be validated and also desires to continue to pay into the Centennial Fund Account the sum of £300 each year until 1971. The Fund Account has been set up for the purpose of celebrating in 1971 the centenary of the founding of Palmerston North. This clause provides accordingly.

Clause 20: Validating refund to District Fund Account from loan money by Queenstown Borough Council. Before obtaining authority to raise the Camping Ground Development Loan 1962, the Queenstown Borough Council expended out of its District Fund Account for the purposes for which the loan was to be raised the sum of £1,760 19s. 7d. It has since refunded this amount to its District Fund Account from the proceeds of the loan but had no authority to do so. This clause validates the Council's action.

Clause 21: Authorising Te Puke Borough Council to refund to District Fund Account from loan money. In 1957, the Te Puke Borough Council had estimates prepared for a water supply scheme. Subsequently, authority to raise a loan of £160,000 was applied for and this was sanctioned in 1960. The sanction, however, was subject to certain requisitions from the Health Department, which had not been allowed for in the estimates. Work on the project finally commenced in 1962. In February 1962 the Council requested its consulting engineers to prepare a further estimate of the amount required to complete the scheme. On account of the difficult nature of the country, an accurate assessment could not be given immediately and it was not until August 1962 that the estimate was given. Authority was then sought to raise a further loan of £45,000. However, work continued on the project and before the loan was sanctioned it became necessary to meet certain progress payments. These payments were made from the District Fund Account. The Council now wishes to reimburse its District Fund Account from the proceeds of the loan and this clause gives the necessary authority.

Clause 22: Authorising Timaru City Council to use certain land for cemetery purposes. The Timaru City Council, which administers the Timaru Cemetery, wishes to tidy up the street frontage of the cemetery by the inclusion of three sections which break the continuity of the cemetery land. The Council at present owns one section and intends to acquire the other two sections for cemetery purposes. Special legislation is required to grant the necessary authority to use the land for cemetery purposes and this clause provides accordingly.

Clause 23: Authorising Upper Hutt Borough Council to transfer certain land to the Wellington Free Ambulance Service (Incorporated). The Wellington Free Ambulance Service (Incorporated) has, with the permission of the Upper Hutt Borough Council, built an ambulance station on land owned by the Council. The Council now considers it desirable to transfer the land by way of gift to the Wellington Free Ambulance Service but has no authority to do so. Special legislation is required to empower the Council to transfer the land and this clause provides accordingly.

Clause 24: Validating variation of terms of raising certain loan money by Waipukurau Borough Council. By Order in Council made on 23 October 1956, consent was given to the borrowing by the Waipukurau Borough Council of a loan of £33,000, to be known as the Sewage Disposal and Water Supply Loan 1956. Two of the conditions determined by the Local Government Loans Board in respect of the loan were that the loan should extend over a period of 30 years and that the loan and interest should be repaid by equal aggregate annual or half-yearly payments. The Council borrowed as portions of the loan sums of £1,000 and £2,400 for terms of five years and established sinking funds to provide for their repayment.

On 4 July 1958, the Local Authorities Loans Board sanctioned the raising of the sum of £8,000 as portion of the loan on conditions providing for a term of 10 years and for the repayment of the loan and interest thereon by equal

aggregate annual or half-yearly instalments. The Council raised a sum of £5,000 for a term of 12 years, and another sum of £1,500 for a term of 20 years, and established sinking funds for each of these amounts to provide for their repayment. It is desirable that the action of the Council in borrowing these sums otherwise than in accordance with the conditions determined by the Loans Board be validated. This clause provides accordingly.

Clause 25: Authorising Westport Borough Council to construct reclamation works on tidal land. The Westport Borough Council wishes to reclaim tidal land in the Orowaiti Lagoon by using the area as a rubbish tip. As the reclamation proceeds it is desired that the reclaimed land (other than part required for road) be vested in the Council for municipal purposes, and that on the vesting all existing trusts, reservations, and restrictions affecting the land be cancelled. Special legislation is required to authorise the Council to carry out the reclamation and to enable the reclaimed land to be vested in it. This clause provides accordingly.

Harbour Boards

Clause 26: Validating expenditure incurred by Marlborough Harbour Board in connection with the opening of its new wharves. The Marlborough Harbour Board incurred expenditure of £472 14s. 10d. during the financial year ended on 30 September 1962 in connection with the ceremony to mark the opening of the Ferry Terminal. This amount exceeds the Board's limit of unauthorised expenditure and the Board now wishes to have the expenditure validated. This clause provides accordingly.

Clause 27: Authorising Napier Harbour Board to grant a lease. The Napier Harbour Board wishes to lease certain land vested in it to the New Zealand Cement Company Limited. The Company intends to build cement silos and a bagging plant on this land and wishes to obtain a perpetually renewable lease for the complete installation. However, part of the land is foreshore and bed of the sea and may not be so leased by the Board without special legislation. It is desirable that the Board be authorised to lease the land in the manner desired. This clause provides accordingly.

Clause 28: Provision with respect to certain agreements entered into by Wellington Harbour Board with the Crown. The Wellington Harbour Board was authorised by the Wellington Harbour Board Loan and Empowering Act 1959 to construct terminal facilities for a car-rail ferry service on land owned by the Board at Queen's Wharf. On further investigation of the proposal, it was found that the terminal would be more conveniently located at Aotea Quay. The terminal was accordingly constructed at the new site. The Board also entered into two agreements with the Minister of Railways dealing with the financial arrangements and other ancillary matters. It is desirable to validate the actions of the Board in constructing the terminal on the present site and in expending money borrowed under the Act on its construction. It is also expedient to authorise the Board and the Minister of Railways to carry out the terms and conditions of the two agreements. This clause provides accordingly.

Clause 29: Authorising expenditure by Whangarei Harbour Board in connection with opening ceremony. The Whangarei Harbour Board wishes to hold a function to celebrate the completion of the Refinery Port Facilities Scheme. It wishes to spend £1,500 on the ceremony, but no authority exists for expenditure of this nature. The clause provides the necessary authority.

Catchment Boards

Clause 30: Validating refund to land owners from loan money by Southland Catchment Board. The Southland Catchment Board was requested to carry out improvements to a tributary of the Mokotua Stream and the land owners affected contributed towards the cost. Before this work was completed, however, the Board prepared an overall scheme for improvements to the main Mokotua Stream and its tributaries and, with the sanction of the Local Authorities Loans Board, raised the Mokotua Stream Works Loan 1961 of £8,000. The overall scheme included the work being carried out in the tributary towards which £451 12s. 6d. of the land owners' contribution had already been spent. The Board decided to refund this sum from the loan money raised and a special rate was levied over the whole of the area receiving benefit from the works to cover the loan charges.

The Board had no power to refund the amount from loan money and it is necessary to validate the Board's action. This clause provides accordingly.

Clause 31: Further provision with respect to rating of certain land in Wairarapa Catchment District. Section 28 of the Local Legislation Act 1955 (as amended by section 44 of the Local Legislation Act 1959 and section 41 of the Local Legislation Act 1962) extended until 31 March 1966, the period during which the Wairarapa Catchment Board should continue in force the classification for rating purposes of the land in the former Kahutara, South Wairarapa, and Te Ore Ore River Districts. The new classifications for the former Kahutara and South Wairarapa River Districts have now been adopted by the Board and it is desired to have the reference to these two districts excluded from the provisions of section 28 of the Local Legislation Act 1955. The Board has already made and levied rates for the current financial year in these two districts according to the new classifications and it wishes to have its action validated. This clause provides accordingly.

Drainage Boards

Clause 32: Validating the application of loan money by Raupo Drainage Board for unauthorised purposes. The Raupo Drainage Board raised a loan of £10,000 known as the Development Loan 1960, for the purpose of providing access to certain drains in its district. However, the Board expended portion of the loan amounting to £3,205 11s. on the drainage work known as the Te Kowhai Hillwater Canal. The Board had no authority to apply loan money to purposes other than those for which the loan was raised. Legislation is required to validate the Board's action and this clause provides accordingly.

Clause 33: Validating refund to General Account from loan money by Christchurch Drainage Board. By Order in Council made on 19 December 1962, consent was given to the raising by the Christchurch Drainage Board of its Sewerage Loan No. 3 (Treatment Works) 1962 amounting to £180,000. The purpose of the loan was to finance the completion of the Board's sewerage works. Before the consent was given the Board expended £140,000 from its General Account for the purpose for which the loan was to be raised. The Board subsequently raised the loan and refunded to its General Account the sum of £140,000 from the proceeds of the loan. The Board had no authority to make this refund from loan money and legislation is required to validate its action. This clause provides accordingly.

Affecting Two or More Classes of Public Bodies

Clause 34: Authorising Gisborne City Council to enter into an agreement with certain local authorities with respect to Gisborne Aerodrome. The Gisborne City Council and certain other local authorities have entered into an agreement with the Crown pursuant to section 31 of the Finance Act (No. 3) 1944, for the development of the aerodrome at Gisborne. The Gisborne City Council, the Cook County Council, and the Waipau County Council intend to meet their share of the cost of the aerodrome by raising loans. They propose to enter into an agreement to provide for the apportionment of the loan charges. Doubts have arisen as to whether they have authority to enter into and be bound by such an agreement, and this clause gives the necessary authority.

Clause 35: Provision with respect to an agreement entered into by Hamilton City Council and certain other local authorities as to Hamilton Airport. The Hamilton City Council has entered into an agreement with the Crown pursuant to section 31 of the Finance Act (No. 3) 1944, for the development, management, and control of the Hamilton Airport. The Council has also entered into an agreement with those local authorities who are willing to assist in meeting the local authority share of the cost of the airport to provide for the contributions of those local authorities. The Council has raised a loan for the purpose of enlarging and improving the airport and has acquired certain property adjacent thereto. Doubts have arisen as to the Council's power to raise the loan and acquire the property on behalf of the other local authorities and as to the power of these local authorities to contribute to the loan charges. This clause validates these actions.

Clause 36: Authorising Hutt Valley Electric Power and Gas Board to transfer certain land to Petone Borough Council and to sell or lease certain land. When the Hutt Valley Electric Power and Gas Board acquired the gas undertaking from the Petone and Lower Hutt Gas Board certain land owned by the Gas Board was vested in it. The Board no longer requires part of this land for the purposes of the gas undertaking and has prepared a plan of subdivision so as to sell or lease the land. The plan of subdivision requires the approval of the Petone Borough Council, and as a condition of the approval, the Board is required to transfer a portion of the land to the Council for street purposes and another portion as an addition to the recreation area known as North Park. The Board is prepared to do so, but under the present legislation, may only sell or lease land by public auction. Legislation is required by the Board to authorise it to transfer the land to the Council without consideration, and to sell or lease the remainder of the land by public tender or private treaty. This clause provides accordingly.

Clause 37: Validating an agreement entered into between Manurewa Borough Council and Auckland Metropolitan Drainage Board. Under the provisions of the Auckland Metropolitan Drainage Act 1960, it was provided that until the sewerage reticulation system for Manurewa Borough could be connected to the main sewerage system of the Board, the amount of the annual payments to be made by the Borough to the Board were to be two-thirds of the amount which would otherwise be payable. However, the Council and the Board entered into an agreement on 3 July 1963, whereby it was agreed that the main sewers would be extended to Manurewa at an earlier date than anticipated and the Council would pay to the Board the full rate of contributions provided under the Act on and after 1 April 1963. Neither the Board nor the Council had authority to enter into such an agreement and legislation is required to validate their actions. This clause provides accordingly.

Clause 38: Validating an agreement between Nelson City Council and other local authorities as to establishment of museum. On 25 July 1963 the Nelson City Council entered into an agreement with seven other local authorities in Nelson Province for the purpose of providing for the establishment and control of a Nelson Museum, and for defraying its cost. No authority exists for the conclusion of such an agreement, and this clause validates it. The clause also confers on the Nelson City Council power to make bylaws, to be approved by a Museum Board, for the management and control of the museum.

It also authorises the Nelson Institute to transfer its museum exhibits to the proposed Nelson Provincial Museum Trust Board.

Clause 39: Provision with respect to an agreement entered into by Tauranga City Council and certain other local authorities with respect to Tauranga Aerodrome. The Tauranga City Council has entered into an agreement with the Crown for the development, management, and maintenance of the Tauranga Aerodrome. The Council also has entered into an agreement with the Tauranga County Council, the Mount Maunganui Borough Council, and the Te Puke Borough Council who are willing to assist in meeting the local authority share of the cost of the aerodrome, to provide for the contributions of those local authorities. Doubts have arisen as to whether the local authorities have power to enter into and be bound by such an agreement. Special legislation is required to validate the actions of the local authorities in entering into the agreement with respect to Tauranga Aerodrome. This clause provides accordingly.

Clause 40: Authorising Wellington City Council to transfer certain portions of street to Wellington Harbour Board. The Wellington City Council desires to stop certain land as street and transfer it without consideration to the Wellington Harbour Board. The land was originally reclaimed from the sea by the Board and vested in the Council for street purposes. The land adjoins an area being developed by the Board in connection with its overseas terminal and associated facilities and will no longer be required by the Council as street. Special legislation is required to authorise the Council to stop the land as street and transfer it to the Board without consideration. This clause provides accordingly.

Miscellaneous Provisions

Clause 41: Authorising Flaxbourne Rabbit Board to raise special loan. The Flaxbourne Rabbit Board in providing a new house for one of its employees expended £2,728 from its General Account. The Board now wishes to raise a loan to reimburse its General Account. This clause provides the necessary legislative authority.

Hon. Sir Léon Götz

LOCAL LEGISLATION

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Harbour Boards

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Affecting Two or More Classes of Public Bodies

34. Authorising Gisborne City Council to enter into an agreement with certain local authorities with respect to Gisborne Aerodrome

35. Provision with respect to an agreement entered into by the Hamilton City Council and certain local authorities as to Hamilton Airport

36. Authorising Hutt Valley Electric Power and Gas Board to transfer certain land to Petone Borough Council and to sell or lease certain land

37. Validating an agreement entered into between Manurewa Borough Council and Auckland Metropolitan Drainage Board

38. Validating an agreement between Nelson City Council and other local authorities as to establishment of museum

39. Provision with respect to an agreement entered into by Tauranga City Council and certain other local authorities with respect to Tauranga Aerodrome

40. Authorising Wellington City Council to transfer certain portions of street to Wellington Harbour Board

Miscellaneous Provisions

41. Authorising Flaxbourne Rabbit Board to raise special loan

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 1963.

County Councils

2. Vesting Glenroy Hall in the Corporation of the County of Malvern—Whereas the land described in subsection (3) 10
of this section (in this section referred to as the land) is vested for an estate in fee simple in Wilfred Hall, Arthur Sidney Thwaites, and William Stone, all of Glenroy, Farmers

(in this section referred to as the trustees): And whereas a public hall known as the Glenroy Hall (in this section referred to as the hall) is built upon the land: And whereas by a Declaration of Trust dated the twentieth day of April, nineteen hundred and twenty-eight, the trustees declared that they did and should hold the hall as a public hall for the use and benefit of the residents of the Glenroy district: And whereas all of the trustees are deceased and the hall has for some years been administered by a committee known as the Glenroy Hall Committee (in this section referred to as the Committee): And whereas at a public meeting of residents of the Glenroy district called by public notice and held on the twelfth day of November, nineteen hundred and sixty-two, it was resolved that the Committee take the necessary action to enable the hall and the land to be vested in the Selwyn County Council: And whereas the County of Selwyn has been abolished and the district in which the land is situated now forms part of the County of Malvern: And whereas the Malvern County Council has consented to the vesting of the hall and the land in the Chairman, Councillors, and Inhabitants of the County of Malvern: Be it therefore enacted as follows:

(1) The land is hereby vested in the Chairman, Councillors, and Inhabitants of the County of Malvern for the purposes of a public hall, freed and discharged from all trusts, reservations, and restrictions affecting the same immediately before the passing of this Act.

(2) The District Land Registrar for the Canterbury Land Registration District is hereby authorised and directed to make such entries in his register 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 piece of land containing one acre and eight perches, more or less, situated in Block X of the Hororata Survey District, being Lot 1 on Deposited Plan 7612, part of Rural Section 27224, and being the whole of the land comprised and described in certificate of title, Volume 370, folio 211, Canterbury Registry.

3. Authorising Hutt County Council to appoint additional members to Wainuiomata County Town Committee—
(1) Notwithstanding the provisions of subsection (2) of section 418 of the Counties Act 1956, the Wainuiomata County Town Committee appointed by the Hutt County Council shall consist of such number of members, being not fewer than three nor more than twelve, as the Hutt County Council decides. 5

(2) This section shall continue in force until the thirty-first day of October, nineteen hundred and sixty-five, and shall then expire. 10

4. Validating refund to County Fund Account from Loan money by Rodney County Council—Whereas before authority was obtained to the raising of a loan of forty thousand pounds to be known as the Roads Sealing Loan 1962 (in this section referred to as the loan), the Rodney 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 amounting in the aggregate to the sum of seven thousand four hundred and twenty-eight pounds eighteen shillings and eight pence: And whereas authority has since been obtained to the raising of the loan: And whereas the Council has refunded to its County Fund Account out of the proceeds of the loan the sum of seven thousand four hundred and twenty-eight pounds eighteen shillings and eightpence: And whereas the Council had no authority to make such a refund and it is desirable to validate the same: Be it therefore enacted as follows: 15 20 25

The action of the Council in refunding the sum of seven thousand four hundred and twenty-eight pounds eighteen shillings and eightpence to its County Fund Account out of the proceeds of the loan is hereby validated and declared to have been lawful. 30

5. Amending section 10 of the Local Legislation Act 1961—Section 10 of the Local Legislation Act 1961 is hereby amended by omitting from subsection (5) the words “nineteen hundred and sixty-four”, and substituting the words “nineteen hundred and sixty-six”. 35

6. Authorising Eltham County Council to raise special loan—Whereas the Eltham County Council (in this section referred to as the Council) has made sundry advances to farmers under the provisions of the Rural Housing Act 1939
5 out of the County Fund Account of the Council: And whereas the principal sums outstanding on such advances as at the thirty-first day of March, nineteen hundred and sixty-three, amount in the aggregate to eleven thousand pounds: And whereas it is desirable that the Council be empowered to raise
10 by special loan an amount not exceeding eleven thousand pounds for the purpose of recouping its County Fund Account in respect of the sums advanced from that account as afore-said: Be it therefore enacted as follows:

The Council is hereby authorised and empowered to borrow
15 by way of special loan under the Local Authorities Loans Act 1956 an amount not exceeding eleven thousand pounds for the purpose of refunding to its County Fund Account the sums advanced from that account as aforesaid.

City and Borough Councils

7. Provision with respect to use of certain compensation money by Auckland City Council—Whereas various areas of land in Grafton Road and Wynyard and d'Urville Streets in the City of Auckland were vested in the Corporation of the City of Auckland (in this section referred to as the Corpora-
25 tion) pursuant to the provisions of the Auckland Domain Vesting Act 1893 (in this section referred to as the said Act): And whereas Her Majesty the Queen has taken certain parts of the said land (in this section referred to as the said land) for education purposes in connection with the University of
30 Auckland: And whereas it is expedient that the Corporation should be empowered to deal with and apply the proceeds of the compensation payable in respect of the taking of the said land in the manner hereinafter provided: Be it therefore enacted as follows:

(1) Notwithstanding anything to the contrary in any Act
35 or rule of law, the net proceeds of the money received by the Corporation by way of compensation for the taking of the said land shall be paid into the Corporation's Auckland Domain Trust Account, and shall be applied in or towards the
40 cost of purchasing or otherwise acquiring land in the City of Auckland for the purposes expressed in the said Act or for the development or improvement of land now or hereafter vested in the Corporation for those purposes, or for investment

in any investments for the time being authorised by law for the investment of trust funds (the said compensation money and investments arising under the provisions of this section being referred to as the compensation fund).

(2) The Corporation shall hold any land purchased or acquired pursuant to the powers vested in it by this section for the purposes expressed in the said Act, and the Corporation shall have in respect of that land all such powers of leasing and disposition as it has under the provisions of the said Act, and also as it has in respect of its general or ordinary endowments, and in addition shall have the special powers set out in subsection (3) of this section.

(3) The Corporation is hereby empowered to expend the whole or part of the compensation fund in or towards meeting the cost of demolition of any building or buildings now or hereafter being upon any land at any time vested in it for the purposes of the said Act, and on the cost of erecting a building or buildings on any such land.

(4) The Corporation shall expend the net income received from the compensation fund and from the leasing of any land purchased or acquired under subsection (1) of this section for maintenance and upkeep of any land purchased or acquired by it pursuant to the powers vested in it by this section, and also for any of the purposes expressed in the said Act.

(5) No stamp duty shall be payable on any transfer or other assurance to the Corporation of any land purchased or acquired by it pursuant to the powers vested in it by this section.

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

8. Provision with respect to certain leases issued by Auckland City Council—Whereas the Auckland City Council (in this section referred to as the Council) omitted to make application to be declared a leasing authority under the provisions of the Public Bodies Leases Act 1908 when that Act came into force: And whereas by Order in Council dated the seventeenth day of July, nineteen hundred and sixty-three, and published in the *Gazette* of the first day of

August of that year, at page 1076, the Council was for the first time declared to be a leasing authority within the meaning of the said Act: And whereas during the period that commenced on the first day of January, nineteen hundred
5 and nine, being the date of the commencement of the said Act, and ended with the sixteenth day of July, nineteen hundred and sixty-three, the Council, in the erroneous belief that it was a leasing authority within the meaning of the said Act, and in the purported exercise of its powers as such
10 an authority, granted leases and renewals of leases: And whereas doubts have arisen as to the validity of the leases and renewals of leases so granted by the Council during the said period: And whereas it is desirable to remove those doubts: Be it therefore enacted as follows:

15 Notwithstanding anything contained in the Public Bodies Leases Act 1908 or any other Act, the Council shall be deemed to have been a leasing authority within the meaning of the Public Bodies Leases Act 1908, without any exceptions, restrictions, limitations, or conditions, during the period that com-
20 menced on the first day of January, nineteen hundred and nine, and ended with the sixteenth day of July, nineteen hundred and sixty-three, and accordingly to have possessed during the said period all the powers conferred upon leasing authorities by that Act.

25 **9. Provision with respect to overdraft of Dannevirke Borough Council**—Whereas the Dannevirke Borough Council (in this section referred to as the Council) has from time to time borrowed and owed money on its Gasworks Account in excess of the limits prescribed by the Local Authorities Loans
30 Act 1956: And whereas at the thirty-first day of March, nineteen hundred and sixty-three, the liability of the Council to its bankers amounted to the sum of seventeen thousand and twenty-one pounds and tenpence: And whereas the Council desires authority to borrow by way of special overdraft the
35 sum of fifteen thousand seven hundred and fifty pounds to be applied in the reduction of that liability: And whereas it is desirable to make provision in the manner hereinafter appearing: Be it therefore enacted as follows:

40 (1) Notwithstanding anything to the contrary in section 20 of the Local Authorities Loans Act 1956, or in any other Act, all money heretofore borrowed and owed by the Council on its Gasworks Account in excess of the limits prescribed by that

section and included in the aforesaid sum of seventeen thousand and twenty-one pounds and tenpence shall be deemed to have been at all times lawfully borrowed and owed by the Council.

(2) The Council is hereby authorised and empowered to borrow from its bankers, by way of special overdraft, the sum of fifteen thousand seven hundred and fifty pounds to be applied in reduction of that liability. 5

(3) The Council shall repay the said sum of fifteen thousand seven hundred and fifty pounds by seven equal payments, one such payment to be made in each year during the period of seven years commencing on the first day of April, nineteen hundred and sixty-four, and for the purpose of providing the sum necessary to meet the payments the Council shall in each of those years without further authority than this section make and levy a separate rate on all rateable property in the Borough of Dannevirke of an amount sufficient to produce the sum required: 10 15

Provided that the Council may in any year repay out of its General Account a further amount that will increase the repayment in that year to an amount greater than a seventh part. 20

(4) Any separate rate made under this section shall not be taken into account in determining the total amount of separate rates that may be made and levied in the borough pursuant to section 93 of the Municipal Corporations Act 1954. 25

(5) The said sum of fifteen thousand seven hundred and fifty 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. 30

(6) No part of that sum shall hereafter be taken into account in determining the amount that may be borrowed or that may be owed by the Council on its Gasworks Account pursuant to section 20 of the Local Authorities Loans Act 1956. 35

10. Authorising the Dunedin City Council to make an *ex gratia* payment in respect of a contract—Whereas by an agreement dated the twentieth day of December, nineteen hundred and sixty-one, made between Archie Clark Pulley, of Invercargill, contractor (in this section referred to as the contractor), of the one part, and the Mayor, Councillors, and Citizens of the City of Dunedin (in this section referred to as the Corporation), of the other part, the contractor agreed to perform certain works in respect of the reclamation of part 40

of Anderson's Bay Inlet: And whereas in the execution of the said works the contractor encountered certain unforeseen difficulties and suffered loss: And whereas the Corporation, having regard to these difficulties and to the hardship which
5 the contractor would otherwise suffer, is desirous of making a payment of two thousand two hundred and sixty pounds nine shillings and tenpence to the contractor: Be it therefore enacted as follows:

10 The Corporation is hereby authorised and empowered to pay the sum of two thousand two hundred and sixty pounds nine shillings and tenpence to the contractor by way of compensation in respect of part of the loss incurred by the contractor.

11. Validating certain charges made by East Coast Bays Borough Council in respect of water meters—Whereas on the ninth day of December, nineteen hundred and fifty-nine, the East Coast Bays Borough Council (in this section referred to as the Council) resolved that all persons making application for properties in the Borough of East Coast Bays to be connected with the water supply should pay a charge of two
20 pounds two shillings in respect of the connection and installation of a water meter and a deposit of one pound for the supply of the water meter: And whereas, as a result of certain proceedings taken by the Council, in the Magistrate's Court at
25 Auckland against a person who had refused to pay the whole amount of such a charge and such a deposit after demand therefor by the Council, the Court held that the said resolution was not sufficient authority for the collection of such a charge and such a deposit: And whereas it is desirable that the actions
30 of the Council in demanding and receiving such charges and such deposits before the passing of this Act be validated: Be it therefore enacted as follows:

(1) The actions of the Council in making demands, after the ninth day of December, nineteen hundred and fifty-nine,
35 and before the date of the passing of this Act, on persons making application for properties in the Borough of East Coast Bays to be connected with the water supply for the payment of a charge of two pounds two shillings in respect of the connection and installation of a water meter and for the
40 payment of a deposit of one pound for the supply of the water meter shall be deemed to have been lawful.

(2) All money received by the Council pursuant to any such demand shall be deemed to have been lawfully paid to and received by the Council.

(3) Nothing in this section shall affect the rights of the parties under any judgment given in any Court before the passing of this Act, or under any judgment given on appeal from any such judgment, whether the appeal is commenced before or after the passing of this Act.

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12. Validating variation of terms of raising certain loan money by Greymouth Borough Council—Whereas, by Order in Council made on the sixteenth day of August, nineteen hundred and sixty-one, consent was given to the borrowing by the Greymouth Borough Council (in this section referred to as the Council) of a loan of ten thousand five hundred pounds to be known as the Blaketown Water Reticulation Loan 1961 (in this section referred to as the loan): And whereas one of the conditions determined by the Local Authorities Loans Board in respect of the loan was that the rate of interest to be paid in respect of any part of the loan borrowed for a term of fifteen years was not to exceed five and one-eighth per cent per annum: And whereas the Council borrowed the sum of one thousand pounds as part of the loan for a term of fifteen years with interest at a rate of five and one-quarter per cent per annum: And whereas it is desirable that the action of the Council be validated: Be it therefore enacted as follows:

The action of the Council in raising the said sum of one thousand pounds as part of the loan, otherwise than in accordance with the conditions determined by the Local Authorities Loans Board, is hereby validated, and the said sum of one thousand pounds shall be deemed to have been lawfully borrowed and all debentures and stock issued in respect thereof shall be deemed to have been lawfully executed and issued and shall have full force and effect according to their tenor.

13. Validating variation of terms of raising certain loan money by Hastings City Council—Whereas by Order in Council made on the twenty-ninth day of August, nineteen hundred and sixty-two, consent was given to the raising by the Hastings City Council (in this section referred to as the Council) of a loan of seven thousand five hundred pounds to be known as the Nelson Park Grandstand Supplementary Loan 1962 (in this section referred to as the loan): And whereas two of the conditions determined by the Local Authorities Loans Board in respect of the raising of the loan were that the loan should extend over a term of twenty-five

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years and that the loan together with interest thereon should be repaid by equal aggregate annual or half-yearly instalments: And whereas the Council raised the loan on terms that it should be repaid by twenty half-yearly payments of one
5 hundred pounds each on the fifteenth days of May and November in each year from the fifteenth day of May, nineteen hundred and sixty-three, to the fifteenth day of November, nineteen hundred and seventy-two, both inclusive, and by
10 additional payments of one thousand five hundred pounds and four thousand pounds on the fifteenth day of November, nineteen hundred and sixty-eight, and the fifteenth day of November, nineteen hundred and seventy-two, respectively, together with interest varying from five and one eighth to five and three eighths per cent per annum: And whereas it
15 is desirable that the action of the Council be validated: Be it therefore enacted as follows:

The action of the Council in raising the loan otherwise than in accordance with the conditions determined by the Local Authorities Loans Board is hereby validated and the
20 said sum of seven thousand five hundred pounds shall be deemed to have been lawfully borrowed and all debentures and stock issued in respect thereof shall be deemed to have been lawfully executed and issued and shall have full force and effect according to their tenor.

25 **14. Authorising Henderson Borough Council to refund to District Fund Account from loan money**—Whereas before authority was obtained to the raising of a loan of one thousand pounds to be known as the Fire Station Supplementary Loan 1962 (in this section referred to as the loan) the
30 Henderson Borough Council (in this section referred to as the Council) expended out of its District Fund Account for certain purposes for which the loan was to be raised money amounting in the aggregate to the sum of one thousand pounds: And whereas authority has since been obtained to the raising
35 of the loan: And whereas the Council is desirous of refunding to its District Fund Account out of the proceeds of the loan the sum of one thousand pounds, but has no authority to do so: Be it therefore enacted as follows:

The Council is hereby authorised to refund to its District
40 Fund Account out of the proceeds of the loan the sum of one thousand pounds.

15. Authorising Kaikohe Borough Council to transfer a certain hall to the Kaikohe Agricultural Pastoral and Horticultural Association (Incorporated)—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 that piece of land containing thirty perches and five-tenths of a perch, more or less, being part of Lot 31 on Deposited Plan 10045, and being part of the land comprised and described in certificate of title, Volume 649, folio 53, Auckland Registry, upon which is erected a hall building known as the Recreation Hall (in this section referred to as the hall): And whereas the hall is no longer required for use as a hall by the Corporation: And whereas the Kaikohe Borough Council (in this section referred to as the Council) desires to transfer the hall without consideration to the Kaikohe Agricultural Pastoral and Horticultural Association (Incorporated) (in this section referred to as the Association) for removal from the said land to land owned by the Association: And whereas the Council has no authority to transfer the hall without consideration: Be it therefore enacted as follows:

The Council is hereby authorised and empowered to give and transfer the hall without consideration to the Association for removal from the said land to land owned by the Association.

16. Amending Lyttelton Borough Extension Amendment Act 1915—The Second Schedule to the Lyttelton Borough Extension Amendment Act 1915 is hereby amended by repealing clause 1.

17. Empowering Manurewa Borough Council to lease certain allotments for residential building purposes—Whereas the Manurewa Borough Council (in this section referred to as the Council) has purchased certain land in the Borough of Manurewa known as the Greenmeadows Estate for subdivision into building allotments: And whereas it has caused plans of subdivision of the said land to be deposited in the Land Registry Office at Auckland under numbers 49717, 50140, 50863, 51329, and 51330: And whereas the Council has leased certain building allotments shown on the said plans for residential purposes under insurance company leasehold purchase schemes, and is desirous of granting further leases, but doubts have arisen as to its power to do so: Be it therefore enacted as follows:

(1) The Council is hereby empowered and shall be deemed always to have had power to lease any of the allotments shown on the said plans to any person desirous of building a dwelling thereon for the personal occupation of himself and his family
5 or of personally occupying with his family any dwelling already on any such allotment.

(2) Notwithstanding anything to the contrary contained in any Act, and without in any way limiting the powers of the Council under any other Act, every such lease granted
10 after the date of the passing of this Act shall be granted subject to the following conditions:

(a) Every lease shall be offered for public application and ballot or shall be sold by private treaty as the Council may in its absolute discretion think fit:

15 (b) The annual rental shall be an amount sufficient to fully and effectually carry out the terms of the insurance company leasehold purchase scheme:

(c) Every lease shall be in a form approved by the District Land Registrar for the North Auckland Land
20 Registration District:

(d) Every lease shall contain a provision whereby the lessee shall have the option to purchase the fee simple of the land comprised therein at such price and on such terms and conditions as the Council in
25 its absolute discretion thinks fit.

(3) Every lease of any allotment shown on the said plans and executed by the Council before the date of the passing of this Act is hereby validated and declared to have been lawfully executed.

30 **18. Authorising Otorohanga Borough Council to raise special loan**—Whereas, by Order in Council made on the sixth day of November, nineteen hundred and sixty-one, consent was given to the raising by the Otorohanga Borough Council (in this section referred to as the Council) of a loan of eleven
35 thousand five hundred pounds to be known as the Stormwater Loan 1961 (in this section referred to as the loan) for the purpose of constructing stormwater drainage works in the Borough of Otorohanga: And whereas after expending the amount of the loan the Council expended out of its
40 District Fund Account the sum of seven hundred pounds in completion of the stormwater drainage works: And whereas the Local Authorities Loans Board has no authority to sanction the raising of a loan for the purpose of enabling the Council to refund the said sum of seven hundred pounds to
45 its District Fund Account: And whereas it is desirable to

authorise the Council to raise a special loan of seven hundred pounds for the purpose of recouping its District Fund Account in respect of the sum expended from that account as aforesaid: Be it therefore enacted as follows:

The Council is hereby authorised and empowered to borrow 5
by way of a special loan under the Local Authorities Loans
Act 1956 an amount not exceeding seven hundred pounds for
the purpose of refunding to its District Fund Account the
sum expended from that account in completion of the said
stormwater drainage works. 10

19. Provision with respect to expenditure by Palmerston North City Council on centennial celebrations—(1) The actions of the Palmerston North City 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) and in paying the sum of six hundred pounds into the Fund before the passing of this Act are hereby validated and declared to have been lawful, and the Council is hereby authorised to pay into the Fund in each financial year up to and including the year ending on the thirty-first day of March, nineteen hundred and seventy-one, a sum not exceeding three hundred pounds. 15

(2) The money in the Fund shall be expended by the Council for the purpose of celebrating in the year nineteen hundred and seventy-one, the centennial of the founding of the City of Palmerston North, and any sum remaining in the Fund after all expenses lawfully incurred in connection 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. 20 25 30

20. Validating refund to District Fund Account from loan money by Queenstown Borough Council—Whereas before authority was obtained to the raising of a loan of three thousand pounds, to be known as the Camping Ground Development Loan 1962 (in this section referred to as the loan), the Queenstown Borough Council (in this section referred to as the Council) expended out of its District Fund Account, for certain purposes for which the loan was to be raised money amounting in the aggregate to the sum of one thousand seven hundred and sixty pounds nineteen shillings and sevenpence: And whereas authority has since been obtained to the raising of the loan: And whereas the Council has refunded to its District Fund Account out of the proceeds 35 40

of the loan the sum of one thousand seven hundred and sixty pounds nineteen shillings and sevenpence: And whereas the Council had no authority to make such a refund and it is desirable to validate the same: Be it therefore enacted as follows:

The action of the Council in refunding the sum of one thousand seven hundred and sixty pounds nineteen shillings and sevenpence to its District Fund Account out of the proceeds of the loan is hereby validated and declared to have been lawful.

21. Authorising Te Puke Borough Council to refund to District Fund Account from loan money—Whereas before the Te Puke Borough Council (in this section referred to as the Council) obtained authority to raise a loan of forty-five thousand pounds to be known as the Water Supply Loan No. 2 1962 (in this section referred to as the loan), the Council expended out of its District Fund Account for certain purposes for which the loan was to be raised money amounting in the aggregate to the sum of seven thousand two hundred and eleven pounds and fivepence: And whereas authority has since been obtained to the raising of the loan: And whereas the Council is desirous of refunding the said sum to its District Fund Account out of the proceeds of the loan but has no authority to do so: Be it therefore enacted as follows:

The Council is hereby authorised and empowered to refund the sum of seven thousand two hundred and eleven pounds and fivepence to its District Fund Account out of the proceeds of the loan.

22. Authorising Timaru City Council to use certain land for cemetery purposes—(1) Notwithstanding the provisions of section 60 of the Cemeteries Act 1908, and without complying with section 52 of that Act, the Timaru City Council is hereby authorised and empowered to use for cemetery purposes the land firstly described in subsection (2) of this section, and to acquire and use for cemetery purposes the land secondly described in the said subsection (2).

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

Firstly, all that area in the City of Timaru containing one rood, more or less, being Lot 113 on a plan deposited in the Land Registry Office at Christchurch as No. 263, and being the whole of the land comprised and described in certificate of title, Volume 59, folio 158, Canterbury Registry.

Secondly, all those areas in the City of Timaru containing together two roods, more or less, being Lots 109 and 112 on a plan deposited in the Land Registry Office at Christchurch as No. 263, and being the whole of the land comprised and described in certificates of title, Volume 37, folio 255, and 5
Volume 38, folio 284, Canterbury Registry.

23. Authorising Upper Hutt Borough Council to transfer certain land to Wellington Free Ambulance Service (Incorporated)—Whereas the land described in subsection (3) of this section is vested for an estate in fee simple, in the Mayor, Councillors, and Citizens of the Borough of Upper Hutt (in this section referred to as the Corporation): And whereas the Wellington Free Ambulance Service (Incorporated) has, with the consent of the Council of the Corporation, built an ambulance station upon the land to assist it in the exercise of its functions in the Borough of Upper Hutt: 15
And whereas it is expedient that the land should be owned by the Wellington Free Ambulance Service (Incorporated): Be it therefore enacted as follows:

(1) Notwithstanding anything contained in the Municipal Corporations Act 1954, or in any other Act, the Corporation is hereby empowered to transfer the said land by way of gift to the Wellington Free Ambulance Service (Incorporated). 20

(2) The District Land Registrar for the Wellington Land Registration District is hereby authorised to make such entries 25
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 particularly described as follows: 30

All that parcel of land containing one rood, more or less, situated in the Borough of Upper Hutt, being part of Sections 117 and 118, Hutt District, and being also Lot 40 on Deposited Plan 21566, and being all the land comprised and described in certificate of title, Volume 933, folio 59, Wellington 35
Registry, subject to Order in Council Number 2523 imposing building line restriction.

24. Validating variation of terms of raising certain loan money by Waipukurau Borough Council—Whereas by Order in Council made on the twenty-third day of October, nineteen 40
hundred and fifty-six, consent was given to the borrowing by the Waipukurau Borough Council (in this section referred to as the Council) of a sum of thirty-three thousand pounds

to be known as the Sewage Disposal and Water Supply Loan 1956 (in this section referred to as the loan): And whereas two of the conditions determined by the Local Government Loans Board (in this section together with its successor, the
5 Local Authorities Loans Board, referred to as the Board) in respect of the loan were that the loan should extend over a term of thirty years and that the loan together with interest thereon should be repaid by equal aggregate annual or half-yearly instalments extending over that period: And whereas
10 the Council borrowed as portions of the loan a sum of one thousand pounds and a sum of two thousand four hundred pounds for terms of five years and established sinking funds to provide for the repayment thereof: And whereas on the
15 fourth day of July, nineteen hundred and fifty-eight, the Board sanctioned the raising of the sum of eight thousand pounds as portion of the loan on conditions providing for a term of ten years and for the repayment of that portion of the loan together with interest thereon by equal aggregate annual or half-yearly instalments: And whereas the Council raised a
20 sum of five thousand pounds for a term of twelve years and a sum of one thousand five hundred pounds for a term of twenty years and established sinking funds in respect of each of the said sums to provide for the repayment thereof: And whereas it is desirable that the action of the Council in borrowing the said
25 sums otherwise than in accordance with the conditions determined by the Board be validated: Be it therefore enacted as follows:

The action of the Council in raising the said sums of one thousand pounds, two thousand four hundred pounds, five
30 thousand pounds, and one thousand five hundred pounds as parts of the loan, otherwise than in accordance with the conditions determined by the Board, is hereby validated and the said sums shall be deemed to have been lawfully borrowed and all debentures and stock issued in respect thereof shall be
35 deemed to have been lawfully executed and issued and shall have full force and effect according to their tenor.

25. Authorising Westport Borough Council to reclaim certain tidal land—Whereas the Mayor, Councillors, and Citizens of the Borough of Westport (in this section referred
40 to as the Corporation) is desirous of reclaiming certain tidal land from the sea: And whereas it is expedient that the Corporation be authorised to reclaim that land and that provision be made for the vesting in the Corporation for municipal purposes of certain portions of the land so reclaimed: Be it
45 therefore enacted as follows:

(1) Notwithstanding anything in section 175 of the Harbours Act 1950, but subject to the provisions of sections 176 to 182 of that Act, the Corporation is hereby empowered and authorised to reclaim from the sea the land shown coloured blue and red on the plan marked M.D. 11403, deposited in the Head Office of the Marine Department at Wellington, the said land being tidal land in the Orowaiti River. 5

(2) This section shall be deemed a special Act for the purposes of the Harbours Act 1950.

(3) For the purposes aforesaid the Corporation may enter into any contract with any person for the execution of all or any works which may be necessary or expedient in or about the reclamation of the land aforesaid upon such terms and subject to such conditions as may seem proper and reasonable to the Corporation. 10 15

(4) The Governor-General may, by Order in Council, vest in the Corporation for municipal purposes, such portions of the land shown coloured blue on the said plan as are from time to time reclaimed from the sea, and upon such vesting any trusts, reservations, and restrictions theretofore affecting the land vested shall be deemed to be cancelled. 20

Harbour Boards

26. Validating expenditure incurred by Marlborough Harbour Board in connection with the opening of its new wharves—The expenditure by the Marlborough Harbour Board during the financial year ended on the thirtieth day of September, nineteen hundred and sixty-two, of the sum of four hundred and seventy-two pounds fourteen shillings and tenpence in connection with the official opening of its new wharves and functions in conjunction therewith is hereby validated and declared to have been lawfully incurred. 25 30

27. Authorising Napier Harbour Board to grant a lease—Whereas the Napier Harbour Board (in this section referred to as the Board) is desirous of granting a perpetually renewable lease of the land described in subsection (3) of this section to the New Zealand Cement Company Limited, a duly incorporated company having its registered office at Westport (in this section referred to as the Company): And whereas that land comprises reclaimed land, foreshore, and part of the bed of the sea: And whereas the Board has no authority to grant a perpetually renewable lease of the foreshore or the bed of the sea: And whereas it is desirable that the Board be authorised to grant the proposed lease: Be it therefore enacted as follows: 35 40

(1) Notwithstanding the provisions of section 8 of the Public Bodies Leases Act 1908 and of sections 154 and 155 of the Harbours Act 1950, the Board is hereby authorised and empowered to grant to the Company a lease of the land
5 described in subsection (3) of this section for a term of twenty-one years from the first day of July, nineteen hundred and sixty-three, in a form approved by the Board and providing for perpetual rights of renewal for successive periods of twenty-one years.

10 (2) The Board is hereby authorised and empowered to execute all such deeds and documents and to do all such things as may be necessary for the effectual granting of the lease to the Company.

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

All that parcel of land containing one rood twenty-nine perches and six-tenths of a perch, more or less, as shown on Plan M.D. 11620, deposited in the Office of the Marine Department at Wellington, and being in part reclamation and
20 in part foreshore and in part covered by the waters of Hawke Bay, and being part of the land comprised and described in certificate of title, H.B. Volume 80, folio 196, Hawke's Bay Registry.

**28. Provision with respect to certain agreements entered
25 into by Wellington Harbour Board with the Crown—**Whereas Her Majesty the Queen acting through the Minister of Railways (in this section referred to as the Minister) desired the Wellington Harbour Board (in this section referred to as
30 the Board) to provide at the Port of Wellington part of the ferry terminal facilities required for a car-rail ferry service to be operated by the Government of New Zealand between the ports of Wellington and Picton: And whereas the Board undertook with the Minister that the Board would construct
35 and provide part of the ferry terminal facilities at the Port of Wellington: And whereas by the Wellington Harbour Board Loan and Empowering Act 1959 (in this section referred to as the Act) the Board was authorised, subject to the provisions of the Harbours Act 1950, to construct terminal facilities for a car-rail ferry service on certain land:
40 And whereas after the passing of the Act it was found that the said facilities could be more suitably located elsewhere, namely at Aotea Quay wharf at the Port of Wellington:

And whereas the said facilities have now been constructed as shown on N.Z.R. Plan Number L.O. 18160: And whereas the location of the facilities is not that specified in the Act: And whereas the terminal building forming part of the facilities is partly on land of the Board and partly on railway land: And whereas, in consideration of the provision of the facilities by the Board, the Minister undertook to pay to the Board and the Board undertook to receive certain payments for the use of the facilities by the Minister and his vessels and for services to be rendered and rights granted by the Board: And whereas the Minister and the Board have entered into two agreements, each dated the third day of July, nineteen hundred and sixty-three, for the purpose of giving effect to their respective undertakings and to certain other ancillary matters, and copies of the agreements (in this section referred to as the two agreements) have been deposited in the office of the Minister under Numbers NZR 581 and 582: And whereas it is desirable to validate the acts, matters, and things already done by the Board as aforesaid in providing its part of the said terminal facilities, and to authorise the Board and the Minister to carry out the terms and conditions of the two agreements, and to do all acts, matters, and things provided for therein: Be it therefore enacted as follows:

(1) Notwithstanding the provisions of section 3 of the Act or the provisions of any other Act or rule of law, the construction of the said terminal facilities at the Aotea Quay wharf, including among other things the construction of part of the terminal building on railway land, is hereby validated and declared to have been lawful.

(2) Notwithstanding the provisions of section 5 of the Act or the provisions of any other Act, the expenditure of any money borrowed under the Act on the construction of the said terminal facilities is hereby validated and declared to have been lawful.

(3) Notwithstanding anything contained in the Harbours Act 1950 or in any other Act, the Minister and the Board are hereby authorised to make and receive respectively the payments provided for in the two agreements, and the Board is authorised to grant to the Minister the rights therein mentioned, and the Minister and the Board shall be deemed always to have been authorised and empowered to enter

into the two agreements, which are hereby declared to have been lawfully entered into and to have full force and effect according to their tenor.

29. **Authorising expenditure by the Whangarei Harbour Board in connection with opening ceremony**—The Whangarei Harbour Board is hereby authorised and empowered to expend, during the financial year ending on the thirtieth day of September, nineteen hundred and sixty-four, a sum not exceeding fifteen hundred pounds, in connection with a ceremony to mark the completion of the Board's Refinery Port Facilities Scheme.

Catchment Boards

30. **Validating refund to land owners from loan money by Southland Catchment Board**—Whereas before the Southland Catchment Board (in this section referred to as the Board) obtained authority to raise a loan of eight thousand pounds known as the Mokotua Stream Works Loan 1961 (in this section referred to as the loan), the Council received from certain land owners the sum of four hundred and fifty-one pounds twelve shillings and sixpence as contributions towards certain works for which the loan was to be raised, and expended that sum on those works: And whereas when that authority had been obtained and the loan raised the Board refunded to the said land owners out of the proceeds of the loan the sum of four hundred and fifty-one pounds twelve shilling and sixpence: And whereas the Board had no authority to make such a refund and it is desirable to validate the same: Be it therefore enacted as follows:

The action of the Board in refunding the sum of four hundred and fifty-one pounds twelve shillings and sixpence to certain land owners out of the proceeds of the loan is hereby validated and declared to have been lawful.

31. **Further provision with respect to rating of certain land in Wairarapa Catchment District**—Whereas by section 28 of the Local Legislation Act 1955 (as amended by section 44 of the Local Legislation Act 1959 and section 41 of the Local Legislation Act 1962) it was provided that the classifications for rating purposes of the land in the former Kahutara, South Wairarapa, and Te Ore Ore River Districts, as in force on the thirty-first day of May, nineteen hundred and fifty-six, and the proportions fixed in relation thereto, should be continued in force until the thirty-first day of March, nineteen

hundred and sixty-six: And whereas new classifications of the land in the former Kahutara and South Wairarapa River Districts have now been adopted by the Wairarapa Catchment Board (in this section referred to as the Board): And whereas the Board has made and levied rates on the land in the former Kahutara and South Wairarapa River Districts for the year ending with the thirty-first day of March, nineteen hundred and sixty-four, according to the new classifications, but had no authority to do so: And whereas it is desirable that the action of the Board be validated: Be it therefore enacted as follows:

(1) The action of the Board in making and levying rates in the former Kahutara and South Wairarapa River Districts for the year ending with the thirty-first day of March, nineteen hundred and sixty-four, according to a classification list made under the Soil Conservation and Rivers Control Act 1941 and signed by a Magistrate on the eighteenth day of June, nineteen hundred and sixty-three, is hereby validated and the said rates are hereby declared to have been lawfully made and levied.

(2) Section 28 of the Local Legislation Act 1955 (as amended by section 44 of the Local Legislation Act 1959 and section 41 of the Local Legislation Act 1962) is hereby further amended by omitting the words "except the Ahikouka River District" and substituting the words "except the former Ahikouka, Kahutara, and South Wairarapa River Districts".

(3) Section 44 of the Local Legislation Act 1959 is hereby repealed.

Drainage Boards

32. Validating the application of certain loan money by Raupo Drainage Board—Whereas the Raupo Drainage Board (in this section referred to as the Board) raised for certain authorised purposes a loan of ten thousand pounds known as the Development Loan 1960: And whereas six thousand seven hundred and ninety-four pounds nine shillings of the loan was expended for the authorised purposes, and the balance of the loan amounting to three thousand two hundred and five pounds eleven shillings was expended for a purpose not so authorised, namely, undertaking works on the drainage work known as Te Kowhai Hillwater Canal: And whereas it is expedient that the action of the Board in expending the said sum of three thousand two hundred and five pounds eleven shillings on the said drainage work be validated: Be it therefore enacted as follows:

The action of the Board in expending part of the loan amounting to the sum of three thousand two hundred and five pounds eleven shillings in undertaking work on the drainage work known as the Te Kowhai Hillwater Canal is hereby
5 validated and declared to have been lawful.

33. Validating refund to General Account from loan money by Christchurch Drainage Board—Whereas, before authority was obtained to the raising of a loan of one hundred and eighty thousand pounds, known as the Sewerage Loan No. 3
10 (Treatment Works) 1962 (in this section referred to as the loan), the Christchurch Drainage Board (in this section referred to as the Board) expended out of its General Account for the purposes for which the loan was to be raised the sum of one hundred and forty thousand pounds: And whereas
15 when that authority had been obtained, and the loan raised, the Board refunded to its General Account out of the proceeds of the loan the sum of one hundred and forty thousand pounds: And whereas the Board had no authority to make such a refund and it is desirable to validate the same: Be it
20 therefore enacted as follows:

The action of the Board in refunding the sum of one hundred and forty thousand pounds to its General Account out of the proceeds of the loan is hereby validated and declared to have been lawful.

25 *Affecting Two or more Classes of Public Bodies*

34. Authorising Gisborne City Council to enter into an agreement with certain local authorities with respect to Gisborne Aerodrome—Whereas the Gisborne City Council, the Cook County Council, the Uawa County Council, the
30 Waiapu County Council, and the Waikohu County Council (in this section referred to as the local authorities), pursuant to section 31 of the Finance Act (No. 3) 1944, have entered into an agreement (in this section referred to as the principal agreement) with Her Majesty the Queen acting by and
35 through the Minister of Works (in this section referred to as the Minister) and the Minister in Charge of Civil Aviation, for the development of the aerodrome at Gisborne to the standard necessary for use by Fokker Friendship Aircraft by the construction of a sealed runway and associated works (in
40 this section referred to as the works): And whereas the cost of the works is to be shared equally between the Crown and the local authorities: And whereas the local authorities' half

share of such cost is to be apportioned between them as follows: Gisborne City Council, twenty-four forty-eighths: Cook County Council, twelve forty-eighths: Uawa County Council, two forty-eighths: Waiapu County Council, three forty-eighths: Waikohu County Council, seven forty-eighths: 5
 And whereas the Uawa County Council and the Waikohu County Council agreed to pay their respective shares on demand in cash, and the Gisborne City Council, the Cook County Council, and the Waiapu County Council, agreed that the Gisborne City Council should raise a loan or loans to meet 10
 their shares of the cost: And whereas on the seventh day of May, nineteen hundred and sixty-three, the Local Authorities Loans Board sanctioned the raising by the Gisborne City Council of a loan of eighty-five thousand pounds to be known 15
 as the Gisborne Airport Loan 1963: And whereas the Gisborne City Council, the Cook County Council, and the Waiapu County Council propose to enter into an agreement (in this section referred to as the subsidiary agreement) whereby the costs of raising that loan and any further loans required and 20
 the annual charges thereon will be shared between them in the following proportions: Gisborne City Council, eight-thirteenths: Cook County Council, four-thirteenths: Waiapu County Council, one-thirteenth: And whereas doubts have arisen as to the powers of the Gisborne City Council, the Cook County Council, and the Waiapu County Council to 25
 enter into and be bound by the subsidiary agreement: And whereas it is desirable to remove those doubts: Be it therefore enacted as follows:

(1) Notwithstanding anything to the contrary in any Act or rule of law, the Gisborne City Council, the Cook County Council, and the Waiapu County Council are hereby authorised and empowered to enter into and perform their several obligations under the subsidiary agreement, which shall be binding on all the parties thereto. 30

(2) The subsidiary agreement may provide— 35

(a) For the payment to the Gisborne City Council by any other party to the subsidiary agreement of any contribution payable by that party under that agreement, either in one sum, or by instalments spread over any period, or by yearly or other payments as 40
 and when the costs of the local authorities under the principal agreement are ascertained:

(b) For the payment to the Gisborne City Council by any other party to the subsidiary agreement in respect of money payable by that party of interest at such rate 45
 as the Minister of Finance approves:

- (c) For the giving by any party to the subsidiary agreement of security for the payment of any money payable by that party under that agreement :
- 5 (d) For such other terms and conditions as may be mutually agreed upon and which are in the opinion of the Minister incidental to the general arrangement.
- (3) For the purpose of providing any money to be paid or expended under the principal agreement by the Gisborne City Council or any other local authority which is a party
10 to the subsidiary agreement, the Gisborne City Council may from time to time borrow money by way of special loan under the Local Authorities Loans Act 1956 pursuant to a special order, and, notwithstanding anything contained in section 34 of that Act, without the prior consent of the ratepayers.
- 15 (4) Where the contributions to be paid by any local authority to the Gisborne City Council under the subsidiary agreement are not all to be paid within the financial year in which the subsidiary agreement is entered into, those contributions or so much thereof as consist of principal shall be paid
20 upon and subject to such terms and conditions as the Minister of Finance thinks fit, and nothing in Part I of the Local Authorities Loans Act 1956, or in the Local Authorities Empowering (Aviation Encouragement) Act 1929, shall apply to such contributions.
- 25 (5) For the purpose of providing any contribution to be paid by any local authority to the Gisborne City Council under the subsidiary agreement, such local authority shall, in addition to any other rating power, have power to make, levy, and collect a rate over the whole of its district or over any defined
30 part or parts thereof which, in its opinion, will be particularly benefited by the works.
- (6) If default is made by a local authority for more than fourteen days in payment of the whole or part of any contribution due by it under the subsidiary agreement, the amount in
35 respect of which default has been made, together with interest thereon at the rate of five pounds per centum per annum or at such other rate as may be provided by the subsidiary agreement, shall be recoverable as a debt due by the local authority in default to the Gisborne City Council.
- 40 (7) A certificate under the hand of the Town Clerk of the Gisborne City Council shall, until the contrary is proved, be sufficient evidence of the amount in respect of which default has been made as aforesaid and of the date on which it was payable.

35. Provision with respect to an agreement entered into by the Hamilton City Council and certain local authorities as to Hamilton Airport—Whereas the Waikato Airport Board (in this section referred to as the Board) was on the twenty-ninth day of September, nineteen hundred and thirty-nine, established by the Waikato Airport Act 1939, to provide and establish an aerodrome for Waikato (in this section referred to as the airport) on land described in the First Schedule to that Act to be acquired by the Board: And whereas pursuant to the provisions of the said Act the Board acquired such land and certain adjoining land: And whereas the Board established the airport on the said land but has since taken no active steps in the development or control of the same: And whereas the Minister in Charge of Civil Aviation, by an agreement dated the twenty-third day of June, nineteen hundred and sixty-one, vested the control and management of the airport in the Hamilton City Council on and from the first day of April, nineteen hundred and sixty-one: And whereas it is now desired to enlarge and improve the airport and to vest the control and management of the same in a committee of representatives of the local authorities who have agreed to contribute thereto: And whereas to make immediate provision for the enlargement and improvement of the airport it was necessary for the Hamilton City Council on behalf of the contributing local authorities to borrow certain money and to purchase certain property in the vicinity of the airport: And whereas the Hamilton City Council accordingly took the necessary steps to raise a loan of two hundred and forty-six thousand pounds known as the Airport Development Loan 1963 (in this section referred to as the loan) for the development, enlargement, and reconstruction of the airport, and has purchased an adjoining property in the name of the Corporation of the City of Hamilton to be held by the said Corporation in trust for the purposes of the airport: And whereas pursuant to the Civil Aviation Act 1948, and the Local Authorities Empowering (Aviation Encouragement) Act 1929, by deed dated the fourth day of October, nineteen hundred and sixty-three, made between Her Majesty the Queen acting by and through the Minister of Works and the Minister in Charge of Civil Aviation, of the one part, and the Corporation of the City of Hamilton, and the Corporations of the Boroughs of Cambridge, Morrinsville, Ngaruawahia, Huntly, and Te Awamutu, and the Corporations of the Counties of Waikato, Waipa, Matamata, Piako, Otorohanga, and Raglan, of the other part, the control and management

of the airport (now known as the Hamilton Airport) was vested in the said Corporations as the Hamilton Combined Airport Authority: And whereas by an agreement dated the fourth day of October, nineteen hundred and sixty-three, 5 made between the Corporation of the City of Hamilton, of the one part, and the remainder of the said Corporations, of the other part, provision was made for the appointment of a committee of management for the airport and for contributions by the councils of all the said corporations to the 10 annual loan charges to cover the cost of developing, constructing, and enlarging the airport, and to the continued management of the same, and for the vesting of the day to day administration of the airport in the Hamilton City Council: And whereas pursuant to such agreement the committee of management of the Hamilton Combined Airport 15 Authority has approved the action of the Hamilton City Council in raising the loan and in purchasing the said property: And whereas it is desirable that the action of the Hamilton City Council in raising the loan and in purchasing the said property and the actions of the Corporations 20 of the other local authorities in agreeing to contribute to the said annual loan charges be validated: Be it therefore enacted as follows:

(1) The action of the Hamilton City Council in taking 25 steps to raise the loan and in purchasing the said property on behalf of the Hamilton Combined Airport Authority, before the Airport Authority came into existence, is hereby validated and declared to have been lawful.

(2) The actions of the Corporations of the Boroughs of 30 Cambridge, Morrinsville, Ngaruawahia, Huntly, and Te Awamutu and the Corporations of the Counties of Waikato, Waipa, Matamata, Piako, Otorohanga, and Raglan in agreeing to contribute to the annual charges in respect of the loan are hereby validated and declared to have been lawful.

(3) For the purpose of providing any contribution to be 35 paid by any Corporation referred to in subsection (2) of this section to the Hamilton City Council each such Corporation shall, in addition to any other rating power, have power to make, levy, and collect a separate rate over the whole of its 40 district or over any defined part or parts thereof.

(4) The Board established under the provisions of the Waikato Airport Act 1939 is hereby dissolved, and the land described in subsection (7) of this section (being the land 45 acquired by the Board as aforesaid) is hereby vested in the Corporation of the City of Hamilton in trust for the Hamilton Combined Airport Authority.

- (5) The following enactments are hereby repealed:
- (a) The Waikato Airport Act 1939:
 - (b) So much of Part II of the First Schedule to the Local Authorities (Members' Contracts) Act 1954 as relates to the Waikato Airport Board and so much of the Second Schedule to that Act as relates to the Waikato Airport Act 1939: 5
 - (c) So much of the Schedule to the Local Authorities (Members' Contracts) Amendment Act 1957 as relates to the Waikato Airport Act 1939: 10
 - (d) So much of Part II of the Schedule to the Public Bodies Meetings Act 1962 as relates to the Waikato Airport Board.

(6) The District Land Registrar for the South Auckland Land Registration District is hereby authorised and directed 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. 15

(7) The land vested in trust in the Corporation of the City of Hamilton by subsection (4) of this section is particularly described as follows: 20

Firstly, all that area in the South Auckland Land District containing one hundred and thirty-four acres, more or less, being the whole of the land on the plan deposited in the Land Registry Office at Hamilton as No. 25615, being Allotment 107 and part of Allotments 105, 106, 108, and 109, Te Rapa Parish, and being all the land comprised and described in certificate of title, Volume 663, folio 25, South Auckland Registry, subject to drainage and incidental rights over part Allotment 107 created in and by Deed No. 368360 in favour of the New Zealand Cooperative Dairy Company Limited. 25 30

Secondly, all that area in the South Auckland Land District containing one hundred and twenty-nine acres two roods ten perches, more or less, being Lot 1 on the plan deposited in the Land Registry Office at Hamilton as No. 30356, being part of Allotments 105, 106, 108, 109, 110, and 111, Te Rapa Parish, and being all the land comprised and described in certificate of title, Volume 744, folio 242, South Auckland Registry. 35

36. Authorising Hutt Valley Electric Power and Gas Board to transfer certain land to Petone Borough Council and to sell or lease certain land—Whereas the Hutt Valley Electric Power and Gas Board (in this section referred to as the Board) is registered as the proprietor of an estate in fee simple in all that parcel of land containing five acres and fourteen 40 45

perches and eighty-five one-hundredths of a perch, more or less, situated in the Borough of Petone, being part of Section 6, Hutt District, and being also Lots 2, 5, 6, and 7 on Deposited Plan 12629, and Lot 1 on Deposited Plan 13947, and being all the land described in certificate of title, Volume 738, folio 77, Wellington Registry: And whereas the said land became vested in the Board as part of the gas undertaking acquired by the Board from the Petone and Lower Hutt Gas Board pursuant to the Electricity and Gas Co-ordination Act 1956:

10 And whereas the Board, being desirous of disposing of certain portions of the said land that are no longer required for the purposes of the said gas undertaking, has caused a plan of subdivision of the said land to be prepared and such plan has been lodged in the Land Transfer Office at Wellington as Number

15 24727: And whereas it has been agreed between the Board and the Petone Borough Council (in this section referred to as the Council) that in consideration of the approval by the Council of the said subdivision the Board shall dedicate to the Council for street widening purposes the portion of the said land

20 firstly described in subsection (4) of this section, and that the Board shall transfer to the Council as an addition to the area known as North Park the portion of the said land secondly described in the said subsection (4): And whereas the Board desires to sell or lease by public tender or private treaty the

25 portion of the said land thirdly described in subsection (4) of this section: And whereas doubts have arisen as to the authority of the Board to effect such transfers and other dispositions as aforesaid of the said land, and it is desirable that those doubts be removed: Be it therefore enacted as follows:

30 (1) Notwithstanding anything to the contrary in any Act, the Board is hereby authorised and empowered—

(a) To transfer and dedicate to the Mayor, Councillors, and Citizens of the Borough of Petone as a street the land firstly described in subsection (4) of this

35 section; and

(b) To transfer to the Mayor, Councillors, and Citizens of the Borough of Petone in fee simple the land secondly described in subsection (4) of this section; and

(c) To sell or lease by public tender or private treaty for

40 such consideration, and upon and subject to such conditions as the Board shall determine, the land thirdly described in subsection (4) of this section, and to deal with the proceeds of any such sale or leasing as part of the general funds of the Board.

(2) For the purpose of the transactions referred to in this section, and so long as Lot 2 on Land Transfer Plan number 24727 remains vested in the Board, the division into allotments of the land fronting the eastern side of the under-width portion of Bouverie Street, as shown on the said Land Transfer Plan number 24727, shall be deemed not to be a subdivision into allotments for the purpose of sale within the meaning of section 128 of the Public Works Act 1928. 5

(3) The District Land Registrar for the Wellington Land Registration District is hereby authorised and directed to accept such documents for registration, to make such entries in the registers, and to do all such other things as may be necessary to give effect to the provisions of this section. 10

(4) The land to which subsection (1) of this section relates is particularly described as follows: 15

Firstly, all that area of land containing nine perches and nine one-hundredths of a perch, more or less, situate in the Borough of Petone, being part of Section 6, Hutt District, and being also Lot 3 on Land Transfer Plan 24727, and being part of the land comprised in certificate of title, Volume 738, folio 77, Wellington Registry. 20

Secondly, all that area of land containing sixteen perches and four one-hundredths of a perch, more or less, situate in the Borough of Petone, being part of Section 6, Hutt District, and being also Lot 4 on Land Transfer Plan 24727, and being part of the land comprised in certificate of title, Volume 738, folio 77, Wellington Registry. 25

Thirdly, all that area of land containing three acres one rood eight perches and ninety-eight one-hundredths of a perch, more or less, being part of Section 6, Hutt District, and being also Lot 1 on Land Transfer Plan 24727, and being part of the land comprised in certificate of title, Volume 738, folio 77, Wellington Registry. 30

37. Validating an agreement entered into between Manurewa Borough Council and Auckland Metropolitan Drainage Board—Whereas provision is made under sections 64 and 65 of the Auckland Metropolitan Drainage Act 1960 for the annual assessment of contributions to be paid by certain local authorities to the Auckland Metropolitan Drainage Board (in this section referred to as the Board): And whereas one of those local authorities is the Manurewa Borough Council (in this section referred to as the Council): And whereas it is provided by subparagraph (i) of paragraph (a) of subsection (4) of the said section 65 that until the sewerage 35 40

reticulation system of the Borough of Manurewa may be connected to the main sewerage system of the Board the amount of the annual payment calculated in accordance with the said subparagraph (i) is to be two-thirds of the amount of the
5 annual payment which the Council would be liable to make were it not for that subparagraph: And whereas by agreement dated the third day of July, nineteen hundred and sixty-three, a copy of which has been deposited in the Department of
10 Internal Affairs under No. I.A. 105/765, it was agreed between the Board and the Council that in consideration of the Board agreeing to construct the main sewer to a point where the sewerage reticulation system of the Borough could be connected to the main sewer at an earlier date than originally envisaged the Council would pay to the Board the amount
15 of the full assessment in each year calculated as from the first day of April, nineteen hundred and sixty-three: And whereas it is desirable to validate the said agreement and to authorise the Council to make payments to the Board in accordance therewith: Be it therefore enacted as follows:

20 (1) Notwithstanding the provisions of subparagraph (i) of paragraph (a) of subsection (4) of section 65 of the Auckland Metropolitan Drainage Act 1960, the Board and the Council shall be deemed to have been authorised and empowered to enter into the said agreement, and the same is declared to
25 have been lawfully made and shall have effect according to its tenor.

(2) The Council is hereby authorised and empowered to make the higher payments provided for under the terms of the said agreement, and any such payments made by the
30 Council before the date of the passing of this Act are hereby validated and declared to have been lawfully made.

(3) Section 65 of the Auckland Metropolitan Drainage Act 1960 is hereby amended by repealing subparagraph (i) of paragraph (a) of subsection (4).

35 **38. Validating an agreement between Nelson City Council and other local authorities as to establishment of museum—**
Whereas for the purpose of making provision for the establishment and control of a museum in the Provincial District of Nelson and for defraying the cost thereof the local authorities
40 mentioned in subsection (8) of this section entered into an agreement dated the twenty-sixth day of July, nineteen hundred and sixty-three, a certified copy of which agreement is recorded in the Department of Internal Affairs at Wellington as Number 105/887: And whereas doubts have arisen as

to the powers of the local authorities concerned to enter into and be bound by the said agreement: And whereas it is desirable that the said agreement should be validated and that the powers contained in subsection (6) of this section should be conferred on the Nelson City Council: Be it therefore enacted as follows: 5

(1) Notwithstanding anything to the contrary in the Municipal Corporations Act 1954, the Counties Act 1956, or in any other Act, but subject to subsections (2) to (4) of this section, the said agreement is hereby validated and confirmed, and the local authorities mentioned in subsection (8) of this section shall be deemed to have been at all times authorised and empowered to enter into and execute the said agreement which shall be binding on the parties thereto and shall for all purposes without further authority than this section be effective according to its tenor. 10 15

(2) The contributions payable under the said agreement by the contracting parties shall be paid to the Nelson City Council (in this section referred to as the Council) and shall be paid by the Council into a special account to be known as the Museum Account. 20

(3) The Executive Committee to be constituted pursuant to the said agreement shall prepare vouchers for all expenses incurred by it and shall, at the end of every month, submit such vouchers duly certified as payable by the Chairman of the Committee to the Council, which shall be responsible for the payment out of the Museum Account of such expenses. 25

(4) All donations and gifts for the Museum including any bequests or the proceeds of any devise or bequests which shall be received by the Nelson Provincial Museum Trust Board to be constituted pursuant to the said agreement (in this section referred to as the Board) or by the said Executive Committee or by the Council shall be paid into a special account to be known as the Gifts Account which shall be kept by the Council, and the funds in such account shall be used for the general purposes of the Museum: 30 35

Provided that no money in the Gifts Account shall be expended excepting on a resolution of the Board:

Provided also that any property of any kind which is given or held upon trust for any purpose shall be used only for such purpose. 40

(5) It shall be lawful for the Nelson Institute, a body corporate constituted under the Nelson Institute Act 1907, to transfer its museum exhibits to the Board.

(6) While the agreement remains in force, the Council may, from time to time, make bylaws for the purpose of regulating, controlling, or prohibiting any act, matter, or thing in connection with the control, management, maintenance, and use of the museum:

5 Provided that no such bylaw shall have any force or effect unless and until the same has been approved by a resolution of the Board, which approval may be proved by the production of a copy of the resolution with a certificate thereon purporting to be signed by the Chairman and any two members of the Board.

10 (7) The provisions of Part XXIX of the Municipal Corporations Act 1954 shall apply to any bylaws made under subsection (6) of this section.

15 (8) The local authorities to which this section relates are:
Nelson City Council
Motueka Borough Council
Westport Borough Council
Richmond Borough Council
20 Waimea County Council
Golden Bay County Council
Murchison County Council and
Buller County Council.

39. Provision with respect to an agreement entered into by
25 **Tauranga City Council and certain other local authorities with respect to Tauranga Aerodrome**—Whereas by deed dated the thirty-first day of August, nineteen hundred and sixty-one (in this section referred to as the principal deed), made between Her Majesty the Queen acting by and through
30 the Minister in Charge of Civil Aviation, of the one part, and the Mayor, Councillors, and Citizens of the City of Tauranga (in this section referred to as the Corporation), of the other part, the parties agreed to share equally the cost of the purchase of certain land required for the purpose
35 of extending the area of the Tauranga Aerodrome, the expenses incidental thereto, the costs of maintaining and managing the said aerodrome, and the costs of any further capital works agreed upon by them: And whereas by deed dated the first day of December, nineteen hundred and sixty-one
40 (in this section referred to as the subsidiary deed), made between the Corporation, of the one part, and the Chairman, Councillors, and Citizens of the County of Tauranga, the Mayor, Councillors, and Citizens of the Borough of Mount Maunganui, and the Mayor, Councillors, and Citizens of

the Borough of Te Puke (in this section referred to as the local authorities), of the other part, the parties agreed to contribute towards the Corporation's share of the said costs and expenses upon a basis of estimated population as set forth in the subsidiary deed: And whereas it was further 5 agreed by the parties that the Corporation should raise a loan of thirty thousand pounds to be known as the Tauranga Borough Council Aerodrome Loan 1960 (in this section referred to as the loan) to meet the Corporation's share of the said costs and expenses, and that all annual charges in 10 respect of that loan and all annual charges in respect of any further loans raised by the Corporation to meet the said costs and expenses should be borne and paid by the parties upon the basis of estimated population as set forth in the subsidiary deed: And whereas by Order in Council made on the twenty- 15 first day of December, nineteen hundred and sixty, consent was given to the raising by the Corporation of the loan: And whereas doubts have arisen as to the powers of the local authorities to enter into and be bound by the provisions of the subsidiary deed: And whereas it is desirable 20 to remove those doubts: Be it therefore enacted as follows:

(1) Notwithstanding anything in any other Act or rule of law, the subsidiary deed shall be deemed to be and to have always been lawful.

(2) The local authorities are hereby authorised to contribute to all annual loan charges for interest and debt repayment in respect of any future loan to be raised by the Corporation for the development and maintenance of the Tauranga Aerodrome in the shares and proportions and in the manner set forth in the subsidiary deed. 30

(3) For the purpose of providing any money to be paid or expended under the principal deed by the Corporation or by any other local authority which is a party to the subsidiary deed, the Corporation may from time to time, borrow money by way of special loan under the Local 35 Authorities Loans Act 1956, pursuant to a special order, and, notwithstanding anything contained in section 34 of that Act, without the prior consent of the ratepayers.

(4) Where the contributions to be paid by a local authority to the Corporation under the subsidiary deed are not all to be paid within the financial year in which the subsidiary deed is entered into, those contributions, or so much thereof as consist of principal, shall be paid upon and subject to such terms and conditions as the Minister of Finance thinks fit, and nothing in Part I of the Local 40 Authorities Loans Act 1956, or in the Local Authorities Empowering (Aviation Encouragement) Act 1929, shall apply to such contributions. 45

(5) For the purpose of providing any contribution to be paid by a local authority to the Corporation under the subsidiary deed, such local authority shall, in addition to any other rating power, have power to make, levy, and collect a rate over the whole of its district, or over any defined part or parts thereof which, in its opinion, will be particularly benefited by the works.

(6) If default is made by a local authority for more than fourteen days in payment of the whole or part of any contribution due by it under the subsidiary deed, the amount in respect of which default has been made together with interest thereon at the rate of five pounds per centum per annum or at such rate as may be provided by the subsidiary deed, shall be recoverable as a debt due by the local authority in default to the Corporation.

(7) A certificate under the hand of the Town Clerk of the Tauranga City Council shall, until the contrary is proved, be sufficient evidence of the amount in respect of which default has been made as aforesaid, and of the date on which it was payable.

40. Authorising Wellington City Council to transfer certain portions of street to Wellington Harbour Board—Whereas the Wellington Harbour Board (in this section referred to as the Board) is authorised by the Wellington Harbour Board Loan and Empowering Act 1961 to construct and carry out, among other things, the extension of Clyde Quay Wharf, complete with shed, to provide facilities for overseas passengers and cargo and including the formation of a car-parking area: And whereas for the purposes of carrying out those works the Board requires the fee simple of two pieces of land now vested in the Wellington City Council (in this section referred to as the Council) as street, being those portions of street more particularly described in subsection (3) of this section: And whereas the Council has agreed with the Board to take the necessary steps under the Municipal Corporations Act 1954, to stop the said portions of street: And whereas the Council has agreed upon completion of the said stopping to transfer the stopped portions to the Board without payment of any compensation: And whereas it is desirable that the Council be authorised to complete the transfer to the Board: Be it therefore enacted as follows:

(1) The Council is hereby authorised and empowered, upon the said portions being stopped as street as aforesaid, to transfer the same to the Board in fee simple without the Board making any payment of compensation to the Council therefor.

(2) The District Land Registrar for the Wellington Land Registration District is hereby authorised, on the deposit of such plans as he may require, to accept such documents for registration, to issue such certificates of title, and to do all such other things as may be necessary to give effect to the provisions of this section. 5

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

Those portions of street to be stopped in the Wellington Land District, situated in the City of Wellington, containing firstly, twenty-six perches and thirty-six one-hundredths of a perch, more or less, being part Chaffers Street passing through Reserve K and adjoining Lots 22 and 23, D.P. 4798, and part of the land in D.P. 7468; and secondly, thirty-eight perches and twenty-seven one-hundredths of a perch, more or less, being the unnamed street approach to Clyde Quay Wharf passing through Reserve K and adjoining Lot 23, D.P. 4798, and part of the land in D.P. 7468; the said portions of street being more particularly defined and shown coloured green on Survey Office Plan numbered 25690 lodged in the Office of the Chief Surveyor at Wellington. 10
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Miscellaneous Provisions

41. Authorising Flaxbourne Rabbit Board to raise special loan—Whereas the Flaxbourne Rabbit Board (in this section referred to as the Board) has incurred the expenditure of the sum of two thousand seven hundred and twenty-eight pounds in erecting a dwellinghouse at Seddon for the use of one of its employees: And whereas the Board has paid the said sum of two thousand seven hundred and twenty-eight pounds out of its General Account: And whereas it is desirable that the Board be empowered to raise by way of special loan a sum not exceeding two thousand seven hundred and twenty-eight pounds for the purpose of refunding to its General Account the money expended therefrom as aforesaid: Be it therefore enacted as follows: 25
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The Board is hereby authorised and empowered to borrow by way of special loan under the Local Authorities Loans Act 1956, and without taking the steps prescribed by sections 8 to 15 of that Act, a sum not exceeding two thousand seven hundred and twenty-eight pounds for the purpose of refunding to its General Account the money expended therefrom in respect of the erection of the said dwellinghouse. 40