

LOCAL LEGISLATION BILL

EXPLANATORY NOTE

County Councils

Clause 2 authorises the Franklin County Council to raise a special loan. The Council has expended out of its County Fund Account the sum of £1,500 for renovating and improving the Hunua Hall. The Council wishes to refund this amount to its County Fund Account from a loan raised for this purpose. The Local Authorities Loans Board has no authority to sanction loans for work already completed or for the reimbursement of the County Fund Account. Legislation is therefore required to give the Council the necessary authority.

Clause 3 validates a refund by the Rotorua County Council to its County Fund Account from loan money. The Council incorrectly charged expenditure to the Airport Loan 1963 before the raising of the loan was authorised, thereby committing a breach of section 30 of the Local Authorities Loans Act 1956.

The amount incorrectly charged was £8,988 10s. 7d. which consisted of payments of compensation and transfer costs to occupiers whose land was required for the new airport. The Council believed that these payments could be treated as preliminary expenses, and be recouped from the proceeds of the loan. Accordingly, after the loan was authorised the Council made a refund to its County Fund Account out of the proceeds of the loan. It had no authority to do this and the clause validates the Council's action.

Clause 4 validates two refunds by the Otorohanga County Council to its County Fund Account from loan money. During the financial year ended 31 March 1964 the Otorohanga County Council incorrectly charged expenditure to two loan accounts before the raising of the loans was authorised. The Council thereby committed a breach of section 30 of the Local Authorities Loans Act 1956. The amounts incorrectly charged were £4,304 10s. 5d. to the Bridges Loan 1963 and £857 15s. 9d. to the Kawhia North Riding Road and Bridges Loan 1963.

After the loans were authorised the Council made refunds to its County Fund Account out of the proceeds of the loans. It had no authority to do this and the clause validates the Council's action.

Clause 5 authorises the Corporation of the County of Taupo to operate a confectionery stall in the Mangakino Cinema. As a result of an agreement between the Taupo County Council and the Government, the Corporation took over the administration of all services and amenities at Mangakino, including a cinema. While the Council has authority under the Counties Act 1956 to operate the cinema, it has no authority to operate the confectionery stall located in the foyer. This clause authorises the Council to operate the confectionery stall for a period of five years and validates the Council's action in operating the stall since the Council took over the operation of the cinema.

Clause 6 extends the Kaihu Valley Drainage Special Rating Area in the County of Hobson. In 1963 the Hobson County Council raised a loan of £10,000 known as the Kaihu Valley Drainage Loan 1962, for deepening and widening a section of the Kaihu River and constructing diversion cuts and side drains. A special rating area was created in connection with this loan. The Council has now been requested by residents outside this area to extend the boundaries of the special rating area so as to include their properties to enable the extension of the drainage works for the benefit of the properties. Legislation is required to extend the boundaries of the special rating area.

Clause 7 amends section 3 of the Local Legislation Act 1962 so that that section does not expire on 31 October 1965 but continues in force for a further three years.

The section authorises the Matamata County Council to appoint up to twelve members to the Tokoroa County Town Committee. The number of members of that Committee would otherwise be limited to seven by section 418 (2) of the Counties Act 1956.

Clause 8 amends section 3 of the Local Legislation Act 1963 so that that section does not expire on 31 October 1965 but continues in force for a further three years. The section authorises the Hutt County Council to appoint up to twelve members to the Wainuiomata County Town Committee. The number of members would otherwise be limited to seven by section 418 (2) of the Counties Act 1956.

Clause 9 authorises the Hutt County Council to raise a special loan. The Council has expended out of its County Fund Account the sum of £3,600 to repay the outstanding balance in respect of the Day's Bay Water and Sewerage Additional Loan 1953. This was done because the due date for repayment fell earlier than expected. The Council wishes to refund this amount to its County Fund Account from a special loan raised for that purpose. The Local Authorities Loans Board has no authority to sanction loans for such payments already made or for the reimbursement of the County Fund Account. Legislation is therefore required to give the Council the necessary authority.

In addition, as the original loan was raised as a result of a Board of Health requisition, the ratepayers had no right to demand a poll on the proposal, nor would they have had any right to demand a poll on the raising of the renewal loan of £3,600 if the Council had obtained the necessary authority at the proper time. This clause accordingly provides that the special loan may be raised without the prior consent of the ratepayers.

Clause 10 validates the purchase of certain land by the Hutt County Council, and authorises the Council to deal with that land. Before the enactment of section 380A of the Counties Act 1956 (as inserted by section 15 of the Counties Amendment Act 1964) relating to the purchase and development of land by County Councils for industrial and commercial purposes, the Hutt County Council entered into an agreement to purchase an area of land for commercial purposes. The Council wishes to dispose of it for these purposes but certain doubts have arisen as to the Council's power to do this. This clause validates the transaction and empowers the Council to deal with the land.

City and Borough Councils

Clause 11 authorises the New Plymouth City Council to refund £12,740 to its District Fund Account out of the proceeds of the Airport Development and Construction Loan 1964 of £250,000.

The refund of £12,740 is the Council's share of progress payments made for the purchase of land for the New Plymouth Airport. The Council was delayed in applying for sanction to the loan because of a delay in the preparation of estimates for the project. Before the loan was sanctioned the Council paid £12,740 towards the acquisition of the land required, to avoid payment of further compensation for disturbance during the dairy season, and also to reduce the payment of interest on instalments of the land purchase money.

Clause 12 authorises the Geraldine Borough Council to raise a special loan. The Council has expended out of its District Fund Account the sum of £9,000 to repay outstanding debentures issued in respect of the Council's Sewerage Loan No. 1, 1954. The Council wishes to refund this amount to its District Fund Account from a special loan raised for that purpose. The Local Authorities Loans Board has no authority to sanction loans for such payments already made or for the reimbursement of the District Fund Account. Legislation is therefore required to give the Council the necessary authority.

Clause 13 validates a refund by the Porirua Borough Council to its District Fund Account from loan money. The Council incorrectly charged expenditure to the Porirua Community Hall Extension Loan 1963 before the raising of the loan was authorised, thereby committing a breach of section 30 of the Local Authorities Loans Act 1956.

The amount incorrectly charged was £4,209 17s. 11d. to provide for the addition of a supper room and kitchen to the community hall. These additions had originally been deleted when it was realised that their inclusion would result in a cost in excess of the main loan. However, the additions were reinstated as the Council decided to raise an extension loan to cover the additional costs. Before the loan was authorised the Council was obliged to meet, out of its District Fund Account, certain contract payments amounting to £4,209 17s. 11d. Accordingly, after the loan was authorised the Council made a refund to its District Fund Account out of the proceeds of the loan. It had no authority to do this and the clause validates the Council's action.

Clause 14 validates the variation of terms of raising certain loan money by the Whangarei City Council. The Whangarei City Council is responsible for the raising of the Joint Special Sewerage Loan 1961 of £669,000. This joint loan comprises the Sewage Treatment and Sewerage Reticulation Loan 1961 of £630,000, authorised by the Local Authorities Loans Board to be raised by the then Whangarei Borough Council and the Sewerage Loan 1961 of £39,000 authorised to be raised by the Borough Council on behalf of the former Kamo Town Council. As from 1 July 1965 Whangarei City (as it had by then become) and Kamo Town District were abolished and a new Whangarei City was constituted, so that the present City Council is now responsible for raising the joint loan.

The Local Authorities Loans Board laid down certain conditions for raising portions of the loan money. The amount of £188,300 of the Sewage Treatment and Sewerage Reticulation Loan 1961 was to be raised on terms of 6 or 10 years at rates of interest of $5\frac{1}{4}$ per cent and $5\frac{3}{8}$ per cent respectively but the amount to be raised for six years was not to exceed £56,500. Similar conditions were laid down regarding the raising of £11,700 of the Sewerage Loan 1961 and the amount to be raised for six years was not to exceed £3,500.

A second instalment of £100,000 on the Second Issue of £200,000 for the joint loan was offered and subscribed to, a portion prior to 1 July 1965 and the balance after that date. The terms offered for this instalment provided for repayment over 6 years with interest at 5 per cent or for repayment over 10, 15, and 20 years with interest at $5\frac{1}{4}$ per cent. The amounts raised were £19,070 to be repaid in 6 years, £54,950 to be repaid in 10 years, £1,000 to be repaid in 15 years, and £24,980 to be repaid in 20 years. These terms were not in accordance with the conditions imposed by the Loans Board and legislation is required to validate the raising of this second instalment of £100,000. This clause provides accordingly.

Clause 15 validates and authorises certain actions of the Ellerslie Borough Council in connection with certain loans.

In 1952 the Local Authorities Loans Board sanctioned the raising, in two portions of £25,000 each, of the Ellerslie Borough Council Streets Construction and Improvements Loan of £50,000.

Consent to the raising of the two portions of the loan was given by Orders in Council dated 20 April 1953, in respect of the first portion, and 30 September 1953, in respect of the second portion.

The balance of each of those portions outstanding on 1 May 1963 and 13 November 1963, respectively, at the expiration of the terms for which they were borrowed was £15,600 in each case. Both of these sums of £15,600 were paid out of the Council's District Fund Account.

With respect to the first portion, the Auckland Savings Bank readvanced to the Council £13,600 on 8 May 1963 and £2,000 on 17 July 1963 for a term of ten years at $5\frac{3}{8}$ per cent interest, repayable as to both principal and interest by half-yearly instalments.

With respect to the second portion, the Auckland Savings Bank readvanced to the Council £15,600 on 13 November 1963 for a term of ten years at $5\frac{1}{4}$ per cent interest, repayable as to both principal and interest by half-yearly instalments.

The Council did not secure the approval of the Local Authorities Loans Board to these three further loans. In addition, the new advances were refunded to the Council's District Fund Account, which was a contravention of the Local Authorities Loans Act 1956. The Bank requires, and it is proposed to issue, three single debentures for the new loans of £13,600, £2,000, and £15,600.

Since the new loans were made the Council has made repayments to the Bank.

The clause validates the raising of the three loans, and the refund to the Council's District Fund Account, and authorises the issue of the three debentures.

Clause 16 validates and authorises certain actions of the Ellerslie Borough Council in connection with certain loans.

In 1954 the Local Authorities Loans Board sanctioned the raising of the Ellerslie Borough Council Street Construction and Improvements Loan of £40,000.

The balance of the loan outstanding on 13 May 1964 at the expiration of the term for which it was borrowed was £24,874 6s. This sum was paid out of the Council's District Fund Account. The Auckland Savings Bank readvanced to the Council on 13 May 1964, £24,000 for a term of ten years at $5\frac{1}{4}$ per cent, repayable as to both principal and interest by half yearly instalments.

The Council did not secure the approval of the Local Authorities Loans Board to this further advance. In addition, the new advance was refunded to the Council's District Fund Account, which was a contravention of the Local Authorities Loans Act 1956. The Bank requires, and it is proposed to issue, a single debenture for the new loan of £24,000.

Since the new loan was made the Council has made repayments to the Bank.

The clause validates the raising of the loan and the refund to the Council's District Fund Account, and authorises the issue of the debenture.

Clause 17 authorises the Manukau City Council to levy a sewerage rate. In 1960, the Manukau County Council was given authority, by section 9 of the Local Legislation Act 1960, to meet the charges on all loans raised within two years of the commencement of that section, for internal sewerage reticulation in certain areas of the county which were in the Inner Area of the Auckland Metropolitan Drainage District, by a separate rate on all rateable property in those areas as at 1 April 1961. The section was amended in 1962 and again in 1964 extending its operation over those areas of the Inner Area as at 1 April 1964 and to cover loans raised within six years of the commencement of the section. The County of Manukau has been abolished and now forms part of the City of Manukau. However, it is desired to retain the provisions of section 9, and to further extend its operation over those parts of the former county, now within the district of the city, which are now in the Inner Area, as at 1 April 1965. It is also desired to extend the provisions of section 9 to cover any loans raised within seven years of the commencement of that section, namely before 25 October 1967. The clause provides accordingly.

Clause 18 declares an area of land in the Borough of Cambridge to be street. A thoroughfare, known as Hally's Lane, in the Borough of Cambridge, has been used for many years for rear and other access to various commercial properties under a complicated series of rights of way. There is however, no provision for maintenance of the carriage way and the Cambridge Borough Council has been concerned with the problem of control of the lane for some time. Steps were taken to declare the lane to be a service lane but it was found that it was impracticable to do this because at least two properties would have been deprived of legal street frontage. It is now desired to declare the lane a street which would satisfy all the parties concerned, but as the width of the lane is only 33 feet and the legal minimum is 40 feet, legislation is required to do this.

Clause 19 declares areas of endowment land in the City of Auckland to be street. During the construction of the Auckland Harbour Bridge approaches, substantial portions of two allotments of land, held as an endowment for the improvement and benefit of the City of Auckland and vested in the Corporation of that City by the Auckland City Endowments and Reserves Act 1875, were constructed and laid out as street. Legislation is required to declare this land street and to remove all trusts, reservations, and restrictions affecting it.

The balance portions of the two allotments are also being declared street as they are so small that it would be uneconomic and cumbersome to continue to administer them as endowment land.

Clause 20 validates an agreement with respect to land held by the Corporation of the City of Auckland and the Auckland Hebrew Congregation Trust Board and makes provision with respect to proceeds from the sale of the land by the Corporation. The Corporation recently agreed with the Auckland Hebrew Congregation Trust Board to sell to the Board for a Synagogue site, part of an area of land vested in the Corporation, and for

the Corporation to purchase from the Board the existing Synagogue site to facilitate future street widening. The land which the Corporation is to sell to the Board was formerly Crown land which was, by way of exchange, vested as freehold land in the Corporation. However, as the Crown land was in exchange for City Improvement Trust land acquired by the Crown, the Corporation considers that the land, which includes the piece sold to the Board, should also have been vested in the Corporation for Improvement Trust purposes. Legislation is therefore required to validate the agreement for the sale of land to the Board and the clause provides accordingly. The clause also makes provision for the utilisation of the proceeds of the sale and authorises the eventual dedication of part of the existing Synagogue site as street and for the balance of that site to be incorporated in the existing Improvement Trust lands which abut the existing Synagogue site.

Harbour Boards

Clause 21 authorises the Southland Harbour Board to lease certain land at Bluff to the Southland Merchant Navy Centre Incorporated at such rental, including a nominal rental, as the Board thinks fit. The society has a building, which is a port amenity, erected on the land to be leased. Legislation is required to authorise the grant of the lease as the Board could not otherwise grant a lease without selling it by public auction or tender or offering it by public application at a fixed rental, as is normally required by the Public Bodies' Leases Act 1908.

Clause 22 validates the expenditure by the Lyttelton Harbour Board, during the financial year ended 30 September 1965, of £1,353 Os. 5d. in connection with the official opening of the First Berth at Cashin Quay at the new Eastern Extension of the harbour. This amount exceeds the Board's limit of unauthorised expenditure and the Board now wishes to have the expenditure validated.

Clause 23 validates the expenditure by the Otago Harbour Board, during the financial year ended 30 September 1965, of £500 in connection with the 1964 Conference of the Harbours Association of New Zealand. This amount exceeds the Board's limit of unauthorised expenditure and the Board now wishes to have the expenditure validated.

Clause 24 validates the variation of terms of raising certain loan money by the Timaru Harbour Board. When the Local Authorities Loans Board sanctioned the raising by the Harbour Board of the Mechanical Handling Plant Loan 1963 of £500,000, one of the conditions it imposed was that the loan was to be repayable over 25 years. However, £50,000 of this amount has since been raised on a 12 year term and the Board omitted to obtain the Loans Board's approval to this variation in terms. Legislation is required to validate the Harbour Board's action.

Clause 25 amends the Timaru Harbour Board Loan Act 1962. This Act authorised the Board to borrow £500,000 to carry out certain harbour works. However the Board made substantial savings of about £50,000 in carrying out certain of these works and desires to apply the surplus so accrued for the purpose of further reclamation and for constructing a fishing boat harbour. This clause amends the Schedule to the Timaru Harbour Board Loan Act 1962 accordingly.

Clause 26 validates certain payments authorised by the Patea Harbour Board in connection with its dissolution. The Patea Harbour Board was abolished on 1 September 1965 by section 4 (3) of the Taranaki Harbours Act 1965. Before this date, the Board passed certain resolutions authorising payments by the Board to meet the cost of a suitable function to mark the dissolution of the Board, to pay a retiring allowance to the Secretary to the Board, and to pay a sum in recognition of long-standing service to the Board's solicitor. The total amount involved is £437 10s. 0d. which has been paid out of the Board's bank account. The Board had no authority to authorise these payments and this clause validates its action.

Clause 27 repeals the provisions of the Thames Harbour Board Loans Adjustment Act 1932-33 which are at present in force and makes provision with respect to funds derived from the sale of harbour capital assets by the Thames Borough Council. The Thames Borough Council, which administers the Thames Harbour, is at present reconstructing a wharf and desires to apply the credit balance of its Harbour Sale of Assets Account towards the cost of reconstruction. However, the Council is unable to do so as section 6 of the Thames Harbour Board Loans Adjustment Act 1932-33 provides that such money shall be applied, first in providing further capital works or plant, and secondly in payment to certain sinking funds in proportion to the balance of principal due on certain loans. The provisions of the above Act which are still in force are now superseded or spent, and it is desirable that they be repealed. The clause accordingly repeals those provisions and authorises the Council to apply the money at present in its Harbour Sale of Capital Assets Account towards reimbursing its Harbour Account for the cost of reconstructing the Thames wharf. Provision is also made in the clause for any money derived from future sales of harbour assets purchased or constructed out of loan money to be credited to the Borough's Loan Assets Realisation Account. This latter provision will replace the provisions of section 6 of the Thames Harbour Board Loans Adjustment Act 1932-33.

Electric Power Boards

Clause 28 validates the purchase by the Westland Electric Power Board of the whole of the shares in Westland Power Limited. The Board entered into an agreement with the shareholders of Westland Power Limited to purchase the whole of the shares in that company and this was authorised on 9 December 1964 by Order in Council. However, doubts have arisen as to both the authority of the Board to enter into such an agreement and the validity of the Order in Council. Legislation is required to put the matter beyond doubt.

Clause 29 validates the purchase by the Amethyst Electric Power Board of the whole of the shares in Amethyst Power Limited. The Board entered into an agreement with the shareholders of Amethyst Power Limited to purchase the whole of the shares in that company and this was authorised on 16 December 1964 by Order in Council. However, doubts have arisen as to both the authority of the Board to enter into such an agreement and the validity of the Order in Council. Legislation is required to put the matter beyond doubt.

Rabbit Boards

Clause 30 repeals subsection (2) of section 42 of the Local Legislation Act 1949. This subsection was enacted so that, with the prior approval of the Audit Office, the Kekerangu Rabbit Board could enter into certain contracts notwithstanding the provisions of the Local Authorities (Members' Contracts) Act 1934. The subsection is no longer necessary as approvals can now be given under the Local Authorities (Members' Contracts) Act 1954 in the same way as they are given under this subsection.

Clause 31 validates and authorises the payment by the Wanganui Rabbit Board of an honorarium. In 1962 the Wanganui Rabbit Board established a factory to produce poison both for its own use and for the use of rabbit boards for surrounding districts. A Supply Committee was appointed to administer the factory and a Board member was appointed Chairman of the Committee. Since 1963, the Board has paid an annual honorarium of £100 to the Chairman under the impression that authority existed for such payments. There is no statutory authority for such payments and the Board requires legislation to validate its action in making them and to authorise the payment of the honorarium for the current financial year. It is unlikely that there will be any such payments required after 31 March 1966 as arrangements are being made for the factory to be placed under the control of the Rabbit Destruction Council.

Clause 32 validates and authorises the making and levying of a general rate by the Ararimu Rabbit Board and makes provision with respect to representation on the Board.

Before 3 September 1965 the district of the Ararimu Rabbit Board comprised the whole of the district of Manukau County and part of Franklin County. On that date the County of Manukau was abolished and now forms part of the new City of Manukau. Section 22 of the Rabbits Act 1955 provides that any borough lying within any rabbit district shall be deemed not to form part of that district. On 28 July 1965, the Board made a general rate to be levied over its district, as it then existed, and legislation is required to allow the Board to levy this rate in respect of those rateable properties which were in the County of Manukau but which are now included in the City of Manukau. The Manukau City Council is in agreement with this arrangement.

At the request of the Manukau City Council, the Board will continue its operations in that portion of the city which was formerly within the Board's district, and the Board therefore desires that the city should have representation on the Board until 12 October 1968. The clause provides accordingly.

Affecting Two or More Classes of Public Bodies

Clause 33 validates an agreement entered into between the Maitua Borough Council and the Southland Catchment Board. The Board has, with the consent of the Local Authorities Loans Board, raised £8,100 for a term of 20 years for improvement of the Waimumu Stream. The loan is secured by a special rate over a separate rating area comprising the land, benefited by the scheme, except that in the Maitua Borough. By agreement between the Board and the Council, the Council has agreed to pay to the Board 27.35 per cent of the annual loan charges in consideration of the benefit certain land in the Borough will receive from the work. However, doubts have arisen as to the validity of the agreement. This clause validates the agreement.

Clause 34 authorises and validates certain expenditure by the Tauranga City Council and the Tauranga Electric Power Board in connection with joint investigations into hydro-electric generating schemes. The Tauranga City Council and the Tauranga Electric Power Board were granted, by Order in Council dated 23 December 1963, a licence to carry out, jointly, certain work in connection with two hydro-electric power schemes. However, there is doubt as to whether the Council and the Board have power to expend money on a joint undertaking of this nature. This clause validates past expenditure in connection with the undertaking, and authorises further expenditure, up to a

total of £25,000 for each local authority. The clause also empowers the Council and the Board from time to time to raise loans and to reimburse any account or fund out of which any payments have been made in connection with the hydro-electric power investigations.

Miscellaneous Provisions

Clause 35 dissolves the Napier Airport Board and repeals the Napier Airport Act 1935. The Board was constituted under that Act to provide, establish, and maintain an airport for the Borough of Napier. The Hawke's Bay Airport near Napier which now serves the needs of the surrounding district is controlled by an airport authority of which the Napier City Council is a member. The Board does not function and it has no assets or liabilities.

Clause 36 validates the expenditure by the Wellington Fire Board, during the financial year ending 31 March 1966, of £280 13s. 9d. in connection with the official celebration of the centennial of the founding of the Wellington Fire Brigade. This amount exceeds the Board's limit of unauthorised expenditure and the Board now wishes to have the expenditure validated.

Clause 37 authorises the Auckland Regional Authority to spend, in the current financial year, up to £2,650 in connection with the official opening of the Auckland International Airport at Mangere. Specific authority is required as the Auckland Regional Authority Act 1963 does not authorise expenditure of this nature.

Clause 38 empowers the Southland Catchment Board to make a classification specially for the purpose of maintenance rates in respect of certain works. The Board desires to make a new classification as the basis for levying maintenance rates on land included in the Duck Creek Rating District, to meet the cost of maintaining the works carried out with the proceeds of the Duck Creek Works Loan 1956. The existing classification, on which the present maintenance rates are based, does not provide an equitable basis for maintenance rates as between certain ratepayers and groups of ratepayers, as many ratepayers with long lengths of channels through their properties are paying much less in rates than is warranted by the amount of maintenance work required therein, and the Board is powerless, under existing legislation, to increase their rates to what would be a reasonable charge, without, at the same time increasing the rates payable by other ratepayers who are at the moment paying a fair share of the cost of maintaining the drainage channels concerned.

The Board has no authority to make a different classification to enable a more equitable distribution of the incidence of maintenance rates and legislation is required to give the Board such authority.

Hon. Mr Seath

LOCAL LEGISLATION

ANALYSIS

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A BILL INTITULED

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

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

1. **Short Title**—This Act may be cited as the Local Legislation Act 1965.

County Councils

2. **Authorising Franklin County Council to raise special loan**—Whereas the Franklin County Council (in this section referred to as the Council) has expended out of its County Fund Account the sum of one thousand five hundred pounds in payment of the cost of renovating and improving the Hunua Hall: And whereas the Local Authorities Loans Board has no authority to sanction the raising of a loan for the purpose of 10
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enabling the Council to refund the said sum of one thousand five hundred pounds to its County Fund Account: And whereas it is desirable to authorise the Council to raise a special loan of not more than one thousand five hundred pounds for the purpose of recouping its County 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 by way of special loan under the Local Authorities Loans Act 1956 an amount not exceeding one thousand five hundred pounds for the purpose of refunding to its County Fund Account the sum expended from that account as aforesaid.

3. Validating refund by Rotorua County Council to County Fund Account from loan money—Whereas, before the Rotorua County Council (in this section referred to as the Council) obtained authority to raise a loan of sixty-five thousand pounds to be known as the Airport Loan 1963 (in this section referred to as the loan), 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 eight thousand nine hundred and eighty-eight pounds ten shillings and sevenpence: And whereas when that authority had been obtained and the loan raised the Council refunded to its County Fund Account out of the proceeds of the loan the sum of eight thousand nine hundred and eighty-eight pounds ten shillings and sevenpence, but had no authority to do so: And whereas it is desirable to validate the said refund: Be it therefore enacted as follows:

The action of the Council in refunding the sum of eight thousand nine hundred and eighty-eight pounds ten shillings and sevenpence to its County Fund Account out of the proceeds of the loan is hereby validated and declared to have been lawful.

4. Validating refunds by Otorohanga County Council to County Fund Account from loan money—Whereas, before the Otorohanga County Council (in this section referred to as the Council) obtained authority to raise a loan of forty-seven thousand five hundred pounds to be known as the Bridges Loan 1963 (in this section referred to as the first loan), the Council expended out of its County Fund Account for certain purposes for which the first loan was to be raised money amounting in the aggregate to the sum of four thousand three hundred and four pounds ten shillings and fivepence:

And whereas when that authority had been obtained and the first loan raised the Council refunded to its County Fund Account out of the proceeds of the first loan the sum of four thousand three hundred and four pounds ten shillings and fivepence, but had no authority to do so: And whereas, before the Council obtained authority to raise a loan of eighteen thousand pounds to be known as the Kawhia North Riding Road and Bridges Loan 1963 (in this section referred to as the second loan), the Council expended out of its County Fund Account for certain purposes for which the second loan was to be raised money amounting in the aggregate to the sum of eight hundred and fifty-seven pounds fifteen shillings and ninepence: And whereas when that authority had been obtained and the second loan raised the Council refunded to its County Fund Account out of proceeds of the second loan the sum of eight hundred and fifty-seven pounds fifteen shillings and ninepence, but had no authority to do so: And whereas it is desirable to validate the said refunds: Be it therefore enacted as follows:

The action of the Council in refunding the sum of four thousand three hundred and four pounds ten shillings and fivepence and the sum of eight hundred and fifty-seven pounds fifteen shillings and ninepence to its County Fund Account out of the proceeds of the first loan and the second loan respectively, is hereby validated and declared to have been lawful.

5. Authorising the Corporation of the County of Taupo to operate a confectionery stall in the Mangakino Cinema— Whereas the Chairman, Councillors, and Inhabitants of the County of Taupo (in this section referred to as the Corporation) own and operate the Mangakino Cinema in the town of Mangakino: And whereas since the first day of April, nineteen hundred and sixty-five, the Corporation has operated a confectionery stall in the foyer of the Cinema: And whereas there are no other facilities for the purchase of confectionery in the vicinity of the Cinema during the hours within which films are screened and it is desirable that such facilities be available for the convenience of patrons of the Cinema: And whereas the Corporation has no authority to operate the confectionery stall: And whereas it is desirable to confer such authority on the Corporation: Be it therefore enacted as follows:

(1) Notwithstanding anything in the Counties Act 1956 or in any other Act, the Corporation is hereby authorised and empowered to operate a confectionery stall in the foyer of the Mangakino Cinema during the times that the Cinema is open to the public and shall be deemed to have been so authorised and empowered as from the first day of April, nineteen hundred and sixty-five.

(2) The Corporation shall at all times keep such records, books, and accounts with respect to the operation of the confectionery stall, as may be required by the Controller and Auditor-General.

(3) This section shall continue in force until the expiration of five years after the date of commencement of this Act.

6. Extending Kaihu Valley Drainage special rating area in County of Hobson—(1) The special rating area within the County of Hobson created pursuant to the Local Authorities Loans Act 1956 and defined in a resolution of the Hobson County Council published in the *Gazette* of the twenty-eighth day of March, nineteen hundred and sixty-three, at page 429, and relating to a loan of ten thousand pounds known as the Kaihu Valley Drainage Loan 1962, is hereby extended by adding thereto certain contiguous areas of land, to the intent that the special rating area shall henceforth consist of the land described in subsection (4) of this section.

(2) Notwithstanding the provisions of subsection (4) of section 3 of the Rating Amendment Act 1935, the special rating area, as extended by subsection (1) of this section, shall be reclassified pursuant to section 232 of the Counties Act 1956 to include the whole special rating area as so extended; and thereupon the said subsection (4) shall apply as if the new classification were that referred to in the resolution of the Hobson County Council referred to in subsection (1) of this section.

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

(4) The said special rating area, as extended by subsection (1) of this section, is more particularly described as follows:

All that area in the North Auckland Land District, Hobson County, bounded by a line commencing at the southernmost corner of Lot 89, D.P. 10700, on the eastern

side of Provincial State Highway No. 12 in Block XI, Kaihu Survey District, and proceeding north-easterly along the south-eastern boundary of that lot, crossing the intervening Section 2 of the said Block XI, and along the last-mentioned boundary produced across Railway land to and westerly 5 along the northern side of the said Railway land to and north-easterly generally along part of the north-western boundary of part Kaihu 1 shown on D.P. 3941, and along the right bank of the stream forming the northern boundary of the said part Kaihu 1 to and south-easterly along the 10 right bank of the Kaihu River to a point in line with the southern boundary of Lot 24, D.P. 10667; thence across the Kaihu River to and along that southern boundary and southerly generally along the generally western side of Opake Road to the left bank of the Kaihu River in Block XII, 15 Kaihu Survey District, and along the last-mentioned roadside produced to the right bank of that river; thence still southerly along the said right bank to and westerly and then southerly along the northern and western boundaries of part Lot 52, D.P. 10695, and along the last-mentioned boundary produced 20 across Railway land to and south-easterly along the south-western side of the said Railway land, to and westerly generally along the northern side of Parore Road to and along the north-eastern and north-western boundaries of Lot 18, D.P. 10695, and along the north-eastern side of 25 Provincial State Highway No. 12 to a point in Block XI, Kaihu Survey District, in line with the eastern portion of the northern boundary of Lot 11, D.P. 10695; thence to and along that northern boundary and southerly generally along the south-western boundary of the said Lot 11, and 30 along the generally north-western sides of Scottys Camp Road to the southernmost corner of Lot 3, D.P. 38745 in Block XIV, Kaihu Survey District; thence along a right line across that road to the northernmost corner of Lot 41, D.P. 10695, and still southerly generally along the north-eastern and 35 south-eastern boundaries of the said Lot 41, and north-westerly generally along the northern side of Baylys Coast Road, to and along the generally south-western boundaries of Lot 1, D.P. 39419, and along part of the south-western boundary of Lot 31, D.P. 14921, to the southern side of 40 Baylys Coast-Basin Road in Block XIII, Kaihu Survey District; thence along a right line across that road to and along another part of the south-western boundary of the said Lot 31 and along that boundary produced across the last-mentioned road to and north-westerly generally along the 45

eastern and northern boundaries of Lot 1, D.P. 43778, to and along the eastern boundary of Lot 12, D.P. 28101, to and easterly generally along the generally southern sides of Basin and Babylon Coast Roads to the north-eastern corner
5 of Lot 37, D.P. 10697, in Block XI, Kaihu Survey District; thence along a right line crossing the said Babylon Coast Road to the southernmost corner of part Lot 12, D.P. 23704, comprised in certificate of title, Volume 919, folio 165, and then north-easterly generally along the south-western, north-
10 western, and north-eastern boundaries of the said part Lot 12, to and along the south-eastern boundary of Lot 13, D.P. 23704, and along that boundary produced across Provincial State Highway No. 12 to and north-westerly generally along the generally north-eastern side of that
15 State Highway, to the point of commencement.

7. Amending section 3 of the Local Legislation Act 1962—Section 3 of the Local Legislation Act 1962 is hereby amended by omitting from subsection (3) the words “nineteen hundred and sixty-five”, and substituting the words “nineteen
20 hundred and sixty-eight”.

8. Amending section 3 of the Local Legislation Act 1963—Section 3 of the Local Legislation Act 1963 is hereby amended by omitting from subsection (2) the words “nineteen hundred and sixty-five”, and substituting the words
25 “nineteen hundred and sixty-eight”.

9. Authorising Hutt County Council to raise special loan—Whereas the Hutt County Council (in this section referred to as the Council) has expended out of its County Fund Account the sum of three thousand six hundred pounds to repay the
30 balance outstanding in respect of the Day’s Bay Water and Sewerage Additional Loan 1953: 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 three thousand six hundred pounds to
35 its County Fund Account: And whereas it is desirable to authorise the Council to raise a special loan of not more than three thousand six hundred pounds for the purpose of recouping its County Fund Account in respect of the sum expended from that account as aforesaid: Be it therefore enacted as
40 follows:

The Council is hereby authorised and empowered to borrow by way of special loan under the Local Authorities Loans Act 1956 an amount not exceeding three thousand six hundred pounds for the purpose of refunding to its County Fund Account the sum expended from that account as aforesaid and, notwithstanding anything in section 34 of that Act, without the prior consent of the ratepayers. 5

10. Validating purchase of certain land by Hutt County Council, and authorising Council to deal with that land— 10
Whereas the Hutt County Council (in this section referred to as the Council) by agreement dated the twenty-ninth day of May, nineteen hundred and sixty-four, agreed to purchase from Wainuiomata Development Limited the land described in subsection (3) of this section: And whereas in pursuance of the said agreement the Council has become the registered proprietor of the said land: And whereas doubts have arisen as to the power of the Council to acquire and dispose of the said land: Be it therefore enacted as follows: 15

(1) The action of the Council in purchasing and becoming the registered proprietor of the said land is hereby validated and declared to have been lawful. 20

(2) The Council shall be deemed to have purchased the said land under subsection (2) of section 380A of the Counties Act 1956 (as inserted by section 15 of the Counties Amendment Act 1964) and the provisions of subsections (3) to (7) of that section shall apply accordingly. 25

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

All that area of land containing four acres and twenty-four perches, more or less, situated in Block XVI, Belmont Survey District, being part of Sections 2 and 3, Lowry Bay District and part closed road, and being also Lot 3 on Deposited Plan 25907, and being also all of the land comprised and described in certificate of title number C4/658, Wellington Registry. 30

City and Borough Councils

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11. Authorising New Plymouth City Council to refund to District Fund Account from loan money—Whereas before the New Plymouth City Council (in this section referred to as the Council) obtained authority to raise a loan of two hundred and fifty thousand pounds to be known as the Airport Development and Construction Loan 1964 (in this section 40

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 twelve thousand seven hundred and forty pounds: And
5 whereas authority to raise the loan has since been obtained: And whereas the Council is desirous of refunding to its District Fund Account out of the proceeds of the loan the sum of twelve thousand seven hundred and forty pounds, but has no authority to do so: Be it therefore enacted as
10 follows:

The Council is hereby authorised to refund to its District Fund Account out of the proceeds of the loan the sum of twelve thousand seven hundred and forty pounds.

12. Authorising Geraldine Borough Council to raise special
15 **loan**—Whereas the Geraldine Borough Council (in this section referred to as the Council) has expended out of its District Fund Account the sum of nine thousand pounds to repay outstanding debentures issued in respect of the Council's Sewerage Loan No. 1, 1954: And whereas the
20 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 nine thousand pounds to its District Fund Account: And whereas it is desirable to authorise the Council to raise a special loan of not more than nine thousand
25 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 by way of special loan under the Local Authorities
30 Loans Act 1956 an amount not exceeding nine thousand pounds for the purpose of refunding to its District Fund Account the sum expended from that account as aforesaid.

13. Validating refund by Porirua Borough Council to District Fund Account from loan money—Whereas before the
35 Porirua Borough Council (in this section referred to as the Council) obtained authority to raise a loan of fifteen thousand pounds to be known as the Porirua Community Hall Extension Loan 1963 (in this section referred to as the loan), the Council expended out of its District Fund Account for certain purposes
40 for which the loan was to be raised money amounting in the

aggregate to the sum of four thousand two hundred and nine pounds seventeen shillings and elevenpence: And whereas when that authority had been obtained and the loan raised the Council refunded to its District Fund Account out of the proceeds of the loan the sum of four thousand two hundred and nine pounds seventeen shillings and elevenpence, but had no authority to do so: And whereas it is desirable to validate the said refund: Be it therefore enacted as follows: 5

The action of the Council in refunding the sum of four thousand two hundred and nine pounds seventeen shillings and elevenpence to its District Fund Account out of the proceeds of the loan is hereby validated and declared to have been lawful. 10

14. Validating variation of terms of raising certain loan money by Whangarei City Council—Whereas by Order in Council made on the fourth day of September, nineteen hundred and sixty-one, consent was given to the raising by the Whangarei Borough Council (in this section referred to as the Council) of a loan of six hundred and thirty thousand pounds to be known as the Sewage Treatment and Sewerage Reticulation Loan 1961 (in this section referred to as the first loan): And whereas by Order in Council made on the twentieth day of September, nineteen hundred and sixty-one, consent was given to the raising by the Kamo Town Council of a loan of thirty-nine thousand pounds to be known as the Sewerage Loan 1961 (in this section referred to as the second loan): And whereas three of the conditions imposed by the Local Authorities Loans Board in respect of the raising of part of the first loan, namely, the sum of one hundred and eighty-eight thousand three hundred pounds, were that the money borrowed should be borrowed for terms of six or ten years, that the interest payable in respect of money borrowed for a term of ten years should not exceed five pounds seven shillings and sixpence per cent per annum and for a term of six years should not exceed five pounds five shillings per cent per annum, and that the amount borrowed for a term of six years should not exceed fifty-six thousand five hundred pounds: And whereas the Local Authorities Loans Board imposed similar conditions in respect of the raising of part of the second loan, namely, the sum of eleven thousand seven hundred pounds, but in that case limited the amount that could be borrowed for a term of six years to three thousand five hundred pounds: And whereas the Council raised both 15
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loans together as a joint special loan: And whereas the Council raised the sum of ninety-four thousand one hundred and seventy pounds eight shillings and a penny, as part of the first loan, and, on behalf of the Kamo Town Council, raised the
5 sum of five thousand eight hundred and twenty-nine pounds eleven shillings and elevenpence, as part of the second loan, on terms calling for repayment of seventeen thousand nine hundred and fifty-eight pounds five shillings and elevenpence, and one thousand one hundred and eleven pounds fourteen
10 shillings and a penny, respectively, in six years at a rate of interest of five pounds per cent per annum, for repayment of fifty-one thousand seven hundred and forty-six pounds twelve shillings and ninepence, and three thousand two hundred and three pounds seven shillings and threepence, respectively, in
15 ten years at a rate of interest of five pounds five shillings per cent per annum, for repayment of nine hundred and forty-one pounds fourteen shillings and a penny, and fifty-eight pounds five shillings and elevenpence, respectively, in fifteen years at a rate of five pounds five shillings per cent per annum, and for
20 repayment of twenty-three thousand five hundred and twenty-three pounds fifteen shillings and fourpence, and one thousand four hundred and fifty-six pounds four shillings and eightpence, respectively, in twenty years at a rate of interest of five pounds five shillings per cent per annum: And whereas
25 by Order in Council made on the twenty-third day of June, nineteen hundred and sixty-five, the City of Whangarei and the Town District of Kamo were abolished and in place thereof there was constituted a borough to be known as the City of Whangarei, from and after the first day of July, nineteen
30 hundred and sixty-five: And whereas part of the money raised was subscribed for before the first day of July, nineteen hundred and sixty-five, and the balance was subscribed for after that date: And whereas it is desirable that the actions of the Council, the Kamo Town Council and the previous and
35 present Whangarei City Councils in respect of the raising of that loan money be validated: Be it therefore enacted as follows:

The actions of the Council, the Kamo Town Council and the previous and present Whangarei City Councils in raising
40 the sum of ninety-four thousand one hundred and seventy pounds eight shillings and a penny as part of the first loan and the sum of five thousand eight hundred and twenty-nine

pounds eleven shillings and elevenpence as part of the second loan, otherwise than in accordance with the conditions imposed by the Local Authorities Loans Board as aforesaid are hereby validated and the stock issued in respect thereof shall be deemed to have been lawfully issued and shall have full force and effect according to its tenor. 5

15. Validating and authorising certain actions of the Ellerslie Borough Council in connection with certain loans—
 Whereas by Order in Council made on the twentieth day of April, nineteen hundred and fifty-three, consent was given to the raising by the Ellerslie Borough Council (in this section referred to as the Council) of a sum of twenty-five thousand pounds as the first portion of a loan: And whereas by Order in Council made on the thirtieth day of September, nineteen hundred and fifty-three, consent was given to the raising by the Council of a sum of twenty-five thousand pounds as the second portion of a loan: And whereas the said first portion and the said second portion together constituted a loan of fifty thousand pounds to be known as the Streets Construction and Improvements Loan 1952 (in this section referred to as the streets construction loan): And whereas the Council subsequently borrowed the said two sums of twenty-five thousand pounds: And whereas to secure repayment of the streets construction loan the Council issued debentures providing for a final payment, on the first day of May, nineteen hundred and sixty-three, of fifteen thousand six hundred pounds in redemption of the first portion of that loan, and a final payment, on the thirteenth day of November, nineteen hundred and sixty-three, of fifteen thousand six hundred pounds in redemption of the second portion of that loan: And whereas the Council made both of those final payments out of its District Fund Account, the first on the eighth day of May, nineteen hundred and sixty-three, and the second on the thirteenth day of November, nineteen hundred and sixty-three: And whereas the Council, without first complying with the provisions of the Local Authorities Loans Act 1956, raised three further loans, namely, a loan of thirteen thousand six hundred pounds on the eighth day of May, nineteen hundred and sixty-three, a loan of two thousand pounds on the seventeenth day of July, nineteen hundred and sixty-three, and a loan of fifteen thousand six hundred pounds 40

on the thirteenth day of November, nineteen hundred and sixty-three and refunded the proceeds to its District Fund Account: And whereas to secure the repayment of the said three further loans the Council desires to issue three
5 debentures, namely, one debenture for the sum of thirteen thousand six hundred pounds repayable during a term of ten years from the first day of May, nineteen hundred and sixty-three, by half-yearly instalments commencing on the first day of November, nineteen hundred and sixty-three,
10 and bearing interest calculated at the rate of five pounds seven shillings and sixpence per cent per annum, another debenture for the sum of two thousand pounds repayable during a term of ten years from the seventeenth day of July, nineteen hundred and sixty-three, by half-yearly instalments commencing on the seventeenth day of January,
15 nineteen hundred and sixty-four, and bearing interest calculated at the rate of five pounds seven shillings and sixpence per cent per annum, and another debenture for the sum of fifteen thousand six hundred pounds repayable during a
20 term of ten years from the thirteenth day of November, nineteen hundred and sixty-three, by half-yearly instalments commencing on the thirteenth day of May, nineteen hundred and sixty-four, and bearing interest calculated at the rate of five pounds five shillings per cent per annum: And where-
25 as it is expedient that the aforesaid actions of the Council be validated, and that the Council be authorised to issue the said three debentures: Be it therefore enacted as follows:

(1) The actions of the Council in raising the said three
30 further loans of thirteen thousand six hundred pounds, two thousand pounds, and fifteen thousand six hundred pounds, respectively, and in refunding to its District Fund Account, out of the proceeds of the said three further loans, the amounts paid from that Account to repay the balance of the first portion of the streets construction loan and the
35 balance of the second portion of that loan, are hereby validated and declared to have been lawful.

(2) All payments made by the Council before the passing of this Act towards repayment of the said three further loans, and the interest accrued thereon, are hereby validated
40 and declared to have been lawfully made.

(3) The Council is hereby authorised to issue the said three debentures for the purpose of securing the repayment of the said three further loans.

16. Validating and authorising certain actions of the Ellerslie Borough Council in connection with certain loans—
 Whereas by Order in Council made on the fourteenth day of April, nineteen hundred and fifty-four, consent was given to the raising by the Ellerslie Borough Council (in this section referred to as the Council) of a sum of forty thousand pounds to be known as the Streets Construction and Improvements Loan 1953 (in this section referred to as the streets construction loan): And whereas the Council subsequently borrowed the said sum of forty thousand pounds: And whereas to secure repayment of the loan the Council issued debentures providing for a final payment on the thirteenth day of May, nineteen hundred and sixty-four, of twenty-four thousand eight hundred and seventy-four pounds six shillings in redemption of the loan: And whereas the Council made this final payment out of its District Fund Account on that date: And whereas the Council, without first complying with the provisions of the Local Authorities Loans Act 1956, raised a further loan of twenty-four thousand pounds on the thirteenth day of May, nineteen hundred and sixty-four, and refunded the proceeds to its District Fund Account: And whereas to secure the repayment of the said further loan the Council desires to issue a debenture for the sum of twenty-four thousand pounds repayable during a term of ten years from the thirteenth day of May, nineteen hundred and sixty-four, by half-yearly instalments commencing on the thirteenth day of November, nineteen hundred and sixty-four, and bearing interest calculated at the rate of five pounds five shillings per cent per annum: And whereas it is expedient that the aforesaid actions of the Council be validated: Be it therefore enacted as follows:

(1) The action of the Council in raising the said further loan of twenty-four thousand pounds and in refunding to its District Fund Account, out of the proceeds of that further loan, the amount paid from that Account to repay the balance of the streets construction loan, is hereby validated and declared to have been lawful.

(2) All payments made by the Council before the passing of this Act towards repayment of the said further loan, and the interest accrued thereon, are hereby validated and declared to have been lawfully made.

(3) The Council is hereby authorised to issue the said debenture for the purpose of securing the repayment of the said further loan.

- 17. Authorising Manukau City Council to levy sewerage rate—**(1) The Manukau City Council may, instead of levying any special rates made as security for any loans raised by that Council or by the Manukau County Council, whether
- 5 before or within seven years after the twenty-fifth day of October, nineteen hundred and sixty, for the purpose of the installation of sewerage reticulation within any part of the City of Manukau which was formerly part of the
- 10 Area of the Auckland Metropolitan Drainage District at the first day of April, nineteen hundred and sixty-five or is included in that Inner Area at the first day of April, nineteen hundred and sixty-six, as the case may be, and secured
- 15 on all rateable property within such part of the City, make and levy an annual rate (in this section referred to as the sewerage rate) on all rateable property in those parts of the City included in that Inner Area at such of the
- 20 aforesaid dates as may be appropriate of an amount calculated to yield ten per cent more than the annual charges payable in respect of any such loans.
- (2) If the sewerage rate would produce less than one pound in respect of any such property, a rate of not more than one pound may be made and levied.
- (3) Nothing in this section shall prejudicially affect the
- 25 security afforded by any special rate to the holders of any securities.
- (4) The proceeds of the sewerage rate shall be applied for the purposes of the special rate or special rates in lieu of which the sewerage rate was made.
- 30 (5) The sewerage rate made and levied by the Manukau County Council for the year ending on the thirty-first day of March, nineteen hundred and sixty-six, on all rateable property in those parts of the former County of Manukau which were included in that Inner Area at the first day
- 35 of April, nineteen hundred and sixty-five, shall be deemed to have been lawfully made and levied.
- (6) The following enactments are hereby consequentially repealed:
- 40 (a) Section 9 of the Local Legislation Act 1960:
(b) Section 11 of the Local Legislation Act 1964.

18. Declaring an area of land in Borough of Cambridge to be street—Whereas certain land in the Borough of Cambridge described in subsection (3) of this section is private land subject to various rights of way and has for many years been used as a thoroughfare known as Hally's Lane (in this section referred to as the lane): And whereas the lane is thirty-three feet wide and serves only commercial or industrial premises: And whereas it has been found impracticable to declare the same to be a service lane as certain areas of land would thereby be deprived of frontage to a legal street: And whereas the Cambridge Borough Council is of opinion that the lane, notwithstanding its narrow width, is adequate for present and likely future traffic and desires that it be declared to be a street: Be it therefore enacted as follows:

(1) Notwithstanding anything in the Municipal Corporations Act 1954 or in any other Act, the land described in subsection (3) of this section is hereby declared to be a street and vested in the Mayor, Councillors, and Citizens of the Borough of Cambridge freed and discharged from all encumbrances, easements, and other restrictions affecting the same immediately before the commencement of this Act.

(2) The District Land Registrar for the South Auckland Land Registration District is hereby authorised and directed to make such entries in the 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:

Firstly, Part Allotment 49 of the Town of Cambridge East, containing six and two-tenths perches, more or less, being more particularly defined and shown coloured yellow on Survey Office Plan numbered 43045 lodged in the Office of the Chief Surveyor at Hamilton.

Secondly, Lot 2 on D.P. S. 3033, being also parts Allotments 49 and 50 of the Town of Cambridge East, containing seventeen perches, more or less, being more particularly defined and shown coloured sepia on Survey Office Plan numbered 43045 lodged in the Office of the Chief Surveyor at Hamilton.

Thirdly, Part Lot 5 on D.P. 26974, being also part Allotment 50 of the Town of Cambridge East, containing nineteen and eight-tenths perches, more or less, being more particularly defined and shown coloured blue on Survey Office Plan numbered 43045 lodged in the Office of the Chief Surveyor at Hamilton.

19. Declaring areas of endowment land in the City of Auckland to be street—Whereas certain land was vested in the Mayor, Councillors, and Citizens of the City of Auckland (in this section referred to as the Corporation) by the Auckland City Endowments and Reserves Act 1875 as an endowment for the improvement and benefit of the City of Auckland: And whereas during the construction of the Auckland Harbour Bridge approaches certain portions of two allotments of the said land were laid out as a street: And whereas it is desirable that the portions of the said two allotments so laid out should be declared to be a street: And whereas the balance portions of the said two allotments are now so small that it would be uneconomic and cumbersome for the Corporation to continue to administer them as an endowment and it is desirable that they should also be declared to be a street: Be it therefore enacted as follows:

(1) Notwithstanding anything in the Auckland City Endowments and Reserves Act 1875 or in any other Act, the land described in subsection (4) of this section is hereby declared to be a street and vested in the Corporation freed and discharged from all trusts, reservations, and restrictions affecting the same immediately before the commencement of this Act.

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

(3) The Auckland City Endowments and Reserves Act 1875 is hereby consequentially amended by repealing clauses 1 and 2 of the Second Schedule.

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

Firstly, Allotment 36 of Section 42 of the City of Auckland, containing thirty-five and five-tenths perches, more or less, being more particularly defined and shown coloured sepia on Survey Office Plan numbered 44701 lodged in the Office of the Chief Surveyor at Auckland.

Secondly, Allotment 39 of Section 39 of the City of Auckland, containing thirty-nine and two-tenths perches, more or less, being more particularly defined and shown coloured sepia on Survey Office Plan numbered 44701 lodged in the Office of the Chief Surveyor at Auckland.

20. Validating an agreement with respect to land held by Corporation of City of Auckland and Auckland Hebrew Congregation Trust Board and making provision with respect to proceeds from sale of land by Corporation—Whereas various pieces of land in the City of Auckland were vested in the Corporation of the City of Auckland (in this section referred to as the Corporation) pursuant to the provisions of the Auckland Improvement (Albert Barrack Reserves) Act 1872, the Auckland Improvement Act 1873, and the Auckland Improvement Commissioners' Transfer of Powers Act 1879 (in this section collectively referred to as the said Acts): And whereas by agreement dated the twenty-ninth day of March, nineteen hundred and fifty-six, Her Majesty the Queen acquired parts of the said land for education purposes and in exchange therefor vested in the Corporation by certificates of title issued under section 12 of the Land Transfer Act 1952, free of any trusts, the land described in subsection (8) of this section (in this section referred to as the Corporation's land): And whereas the Corporation's land should have been vested in the Corporation subject to the provisions of the said Acts: And whereas the Corporation has agreed with the Auckland Hebrew Congregation Trust Board (in this section referred to as the Board) to sell to the Board the Corporation's land and to purchase from the Board the land described in subsection (9) of this section (in this section referred to as the Board's land): And whereas part of the Board's land will eventually be required for street widening: And whereas it is expedient that the sale of the Corporation's land to the Board be validated and that the proceeds of the sale be credited to the Corporation's Improvement Trust Account and that the Board's land when vested in the Corporation should be held by it in trust as to part for the purposes of street widening and as to the residue for the purposes of the said Acts: Be it therefore enacted as follows:

(1) The agreement between the Corporation and the Board for the sale to the Board of the Corporation's land is hereby validated, and the Corporation is hereby authorised and empowered to transfer the Corporation's land to the Board in accordance with the provisions of that agreement, freed and discharged from the restrictions, reservations, and conditions imposed by the said Acts.

(2) The Corporation is hereby directed and empowered to pay the proceeds of the said sale into the Corporation's Improvement Trust Account and the same shall be applied in or towards the costs of purchasing or otherwise acquiring
5 land in the City of Auckland for the purposes expressed in the said Acts 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.

10 (3) 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 Acts 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 Acts
15 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 (4) of this section.

(4) The Corporation is hereby empowered to expend the whole or part of the said proceeds of sale to the Board or of
20 the proceeds of sale of any land purchased or acquired under subsection (2) of this section on 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 Acts and on the cost of erecting a building or buildings on any such
25 land.

(5) The Council shall expend the net income received from the said proceeds of sale to the Board and from the leasing of any land purchased or acquired under subsection (2)
30 of this section for the 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 Acts.

(6) When the Board's land has become vested in the Corporation, the Corporation is hereby authorised and
35 empowered to dedicate as a street such parts of the Board's land as the Corporation may hereafter consider necessary or expedient for street widening and to hold the residue of that land for the purposes expressed in the said Acts, and shall have in respect of that residue all the powers of leasing
40 set out in subsection (3) of this section, and shall hold the income arising therefrom for any of the purposes set out in subsection (5) of this section.

(7) The District Land Registrar for the Land Registration District of North Auckland is hereby authorised and directed to make such entries in the registers, 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. 5

(8) The land which the Corporation is authorised and empowered to transfer to the Board is more particularly described as follows:

Allotments 57 and 58 of Section 29 of the City of Auckland, and Lot 2 on Deposited Plan 44754, and Lot 2 on Deposited Plan 45093, containing three roods two and two-tenths perches, more or less, being also all the land comprised and described in certificates of title, Volume 1345, folio 58, and Volume 1565, folio 12, North Auckland Registry, subject as to Allotments 57, and 58, and Lot 2 on Deposited Plan 45093, to the reservations imposed by section 8 of the Coal Mines Amendment Act 1950. 10 15

(9) The land which the Board is to sell to the Corporation is more particularly described as follows: 20

All the land on Deposited Plan 10249, being also Allotments 1 and 2 of Subsection 1 of Section 13 of the City of Auckland, containing one rood four and five-tenths perches, more or less, and being also all the land comprised and described in certificate of title, Volume 246, folio 180, North Auckland Registry. 25

Harbour Boards

21. Authorising Southland Harbour Board to grant a lease—Whereas the Southland Harbour Board (in this section referred to as the Board) is the registered proprietor of the land described in subsection (2) of this section: And whereas a building occupied by the Southland Merchant Navy Centre Incorporated (in this section referred to as the Society) is erected on part of the said land: And whereas the Board is desirous of granting a lease of the part of the said land on which the building is erected to the Society: And whereas the Board has no authority to grant such a lease without selling the same by public auction or public tender or offering the same by public application at a fixed rental: Be it therefore enacted as follows: 30 35 40

(1) The Board is hereby authorised to grant to the Society under the Public Bodies' Leases Act 1908, but without complying with section 8 of that Act and section 66 of the Statutes Amendment Act 1945, a lease of that part of the
5 land described in subsection (2) of this section on which is erected the building occupied by the Society at such rental, including a nominal rental, as the Board thinks fit.

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

10 All that piece of land containing eighty-six acres one rood twenty perches, more or less, being Section 41, Block I, Campbelltown Hundred, and being all of the land comprised and described in certificate of title, Volume 235, folio 90, Southland Registry.

15 **22. Validating certain expenditure incurred by Lyttelton Harbour Board**—The expenditure by the Lyttelton Harbour Board during the financial year ended on the thirtieth day of September, nineteen hundred and sixty-five, of the sum of one thousand three hundred and fifty-three pounds and five-
20 pence, in connection with the official opening of the First Berth at Cashin Quay at the new Eastern Extension of the harbour, is hereby validated and declared to have been lawfully incurred.

23. Validating certain expenditure incurred by Otago Harbour Board—The expenditure by the Otago Harbour Board during the financial year ended on the thirtieth day of September, nineteen hundred and sixty-five, of the sum of five hundred pounds in connection with the 1964 Annual
30 Conference of the New Zealand Harbours Association, is hereby validated and declared to have been lawfully incurred.

24. Validating variation of terms of raising certain loan money by Timaru Harbour Board—Whereas by Order in Council made on the third day of July, nineteen hundred and sixty-three, consent was given to the raising by the
35 Timaru Harbour Board (in this section referred to as the Board) of a loan of five hundred thousand pounds to be known as the Mechanical Handling Plant Loan 1963 (in this section referred to as the loan): And whereas one of the conditions imposed by the Local Authorities Loans Board
40 in respect of the loan was that the loan, together with

interest thereon, should be repaid by equal aggregate annual or half-yearly instalments extending over a term of twenty-five years: And whereas the Board has raised the sum of fifty thousand pounds as part of the loan by borrowing that sum for a term of twelve years repayable by equal half-yearly instalments of principal extending over the last ten years of that term: And whereas it is desirable that the action of the Board be validated: Be it therefore enacted as follows: 5

The action of the Board in raising the sum of fifty thousand pounds as part of the loan, otherwise than in accordance with the conditions imposed by the Local Authorities Loans Board, is hereby validated and the said sum of fifty 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. 10 15

25. Amending Timaru Harbour Board Loan Act 1962—
The Timaru Harbour Board Loan Act 1962 is hereby amended by repealing the Schedule, and substituting the following Schedule: 20

“SCHEDULE

“(a) Provision for sheds, plant, railways, and other equipment for all-weather mechanical loading of frozen meat on No. 1 Wharf	£	25
	350,000	
“(b) Provision for sheds, plant, and other equipment for cargo handling on the North Mole berthage	50,000	30
“(c) Construction of a new harbour for fishing boats and of ancillary works, including the construction of a protective break-water and wharf and the reclamation of land	50,000	35
“(d) Cost of raising the loan and contingency fund	50,000	
	<u>£500,000.”</u>	40

26. **Validating payments authorised by Patea Harbour Board in connection with its dissolution**—Whereas the Patea Harbour Board (in this section referred to as the Board) was dissolved on the first day of September, nineteen hundred and sixty-five, by section 4 (3) of the Taranaki Harbours Act 1965: And whereas at a meeting held on the thirtieth day of August, nineteen hundred and sixty-five, the Board resolved to mark its dissolution by holding a suitable function and to make certain payments to its Secretary and to its solicitor: And whereas the Board had no authority to pass such resolutions: And whereas it is desirable that the action of the Board be validated: Be it therefore enacted as follows:

The action of the Board in passing resolutions on the thirtieth day of August, nineteen hundred and sixty-five, authorising the payment of—

- (a) A sum not exceeding two hundred pounds to meet the cost of a function to mark the occasion of the dissolution of the Board and the abolition of the Patea Harbour District; and
- (b) A sum of one hundred and eighty-seven pounds ten shillings to the Secretary of the Board as a retiring allowance; and
- (c) A sum of fifty pounds to William Collinson Nicholson, solicitor to the Board, in recognition of his long-standing service to the Board,—

is hereby validated and declared to have been lawful and the payments made pursuant to those resolutions shall be deemed to have been lawfully made.

27. **Repealing certain provisions of Thames Harbour Board Loans Adjustment Act 1932–33 and making provision with respect to funds derived from sale of harbour capital assets by Thames Borough Council**—Whereas section 6 of the Thames Harbour Board Loans Adjustment Act 1932–33 (as modified by the Thames Harbour Act 1936) provides that the proceeds of every sale by the Thames Borough Council of any of the capital assets of the former Thames Harbour Board shall be applied, first in providing further capital works or plant, and secondly in payment to certain sinking funds in proportion to the balance of principal due on certain of the Board's loans: And whereas the Thames Borough Council (in this section referred to as the Council) has expended eight thousand eight hundred and seventy pounds six shillings and eightpence in connection with

the reconstruction of the Thames wharf: And whereas the Council desires to apply the balance of two thousand one hundred and fifty-six pounds fifteen shillings standing to the credit of its Harbour Sale of Capital Assets Account, plus accrued interest thereon, towards the cost of the reconstruction, but has no authority to do so: And whereas, with the exception of section 6, such of the provisions of the Thames Harbour Board Loans Adjustment Act 1932-33 as have not already been repealed, are now spent or superseded: And whereas it is desirable to repeal the provisions of the said Act which are still in force and to provide that any money derived from the future sale of harbour capital assets purchased or constructed out of loan money should be credited to the Borough Loan Assets Realisation Account in accordance with section 104 of the Local Authorities Loans Act 1956: Be it therefore enacted as follows:

(1) Sections 5 and 6, subsections (4) and (5) of section 7, and sections 8 and 16 of the Thames Harbour Board Loans Adjustment Act 1932-33 are hereby repealed.

(2) The Thames Harbour Act 1936 is hereby consequentially amended by repealing so much of the Second Schedule as relates to the Thames Harbour Board Loans Adjustment Act 1932-33.

(3) The Council is hereby authorised to apply the balance standing to the credit of its Harbour Sale of Capital Assets Account, plus accrued interest thereon, towards reimbursing its Harbour Account for the cost of reconstructing the Thames wharf.

(4) All money derived from the future sale of harbour assets purchased or constructed out of loan money shall be credited to the Borough Loan Assets Realisation Account in accordance with section 104 of the Local Authorities Loans Act 1956, and the provisions of that section shall apply accordingly.

Electric Power Boards

28. Validating purchase by Westland Electric Power Board of the whole of the shares in Westland Power Limited— Whereas by an agreement made on the twenty-fifth day of November, nineteen hundred and sixty-four, between the Westland Electric Power Board (in this section referred to as the Board), of the one part, and Charles Gilbert White of Wellington, solicitor, Charles Victor Birch of Wellington, company director, John Charles White of Wellington, solicitor, and Peter Scott Stannard of Wellington, public accountant (in this section referred to as the vendors), of the other part,

- a copy of which has been deposited in the office of the New Zealand Electricity Department at Wellington, the Board agreed to purchase and the vendors agreed to sell the whole of the shares in Westland Power Limited for the sum of
- 5 sixty-one thousand pounds: And whereas by an Order in Council made on the ninth day of December, nineteen hundred and sixty-four, and published in the *Gazette* of the seventeenth day of that month at page 2340, the Board
- 10 was authorised to purchase the whole of the shares in Westland Power Limited: And whereas doubts have arisen as to the authority of the Board to enter into the said agreement and as to the validity of the said Order in Council: And whereas it is desirable that the said agreement and the said Order in Council be validated: Be it therefore enacted as follows:
- 15 (1) The said agreement is hereby validated and declared to have been lawfully made.
- (2) The said Order in Council, authorising the purchase by the Board of the whole of the shares in Westland Power Limited, is hereby validated and shall have and be deemed
- 20 to have had full force and effect according to its tenor as from the date of the making thereof.

- 29. Validating purchase by Amethyst Electric Power Board of the whole of the shares in Amethyst Power Limited—**
- Whereas by an agreement made on the first day of February,
- 25 nineteen hundred and sixty-five, between the Amethyst Electric Power Board (in this section referred to as the Board), of the one part and Joyce Minehan, married woman, George Harold Hope Robertson, retired, Frederick William Wyatt, farmer, John Adamson, farmer, William Johnston Anderson,
- 30 farmer, Frederick Athol Oates, farm hand, and Alfred John Wall, engineer, all of Harihari (in this section referred to as the vendors), of the other part, a copy of which has been deposited in the office of the New Zealand Electricity Department at Wellington, the Board agreed to purchase and the
- 35 vendors agreed to sell the whole of the shares in Amethyst Power Limited for the sum of thirty-two thousand four hundred and thirty-nine pounds: And whereas by an Order in Council made on the sixteenth day of December, nineteen hundred and sixty-four, and published in the *Gazette* of the
- 40 twenty-third day of that month at page 2384, the Board was authorised to purchase the whole of the shares in Amethyst Power Limited: And whereas doubts have arisen as to the

authority of the Board to enter into the said agreement and as to the validity of the said Order in Council: And whereas it is desirable that the said agreement and the said Order in Council be validated: Be it therefore enacted as follows:

(1) The said agreement is hereby validated and declared to have been lawfully made. 5

(2) The said Order in Council, authorising the purchase by the Board of the whole of the shares in Amethyst Power Limited, is hereby validated and shall have and be deemed to have had full force and effect according to its tenor as from the date of the making thereof. 10

Rabbit Boards

30. Amending section 42 of the Local Legislation Act 1949—Section 42 of the Local Legislation Act 1949 is hereby amended by repealing subsection (2). 15

31. Validating and authorising the payment by the Wanganui Rabbit Board of an honorarium—Whereas the Wanganui Rabbit Board (in this section referred to as the Board) has established a factory to produce poison both for its own use and for the use of rabbit boards for surrounding districts: And whereas a Supply Committee (in this section referred to as the Committee) has been established to administer the factory: And whereas the Chairman of the Committee has received and is receiving an honorarium of one hundred pounds per annum from the Board: And whereas there is no authority for the Board to pay such an honorarium: Be it therefore enacted as follows: 20 25

(1) The payments by the Board to the Chairman for the time being of the Committee of an honorarium of one hundred pounds on each of the following dates, namely, the seventeenth day of December, nineteen hundred and sixty-three, the twenty-first day of August, nineteen hundred and sixty-four, and the twenty-sixth day of March, nineteen hundred and sixty-five, are hereby validated and declared to have been lawfully made. 30 35

(2) The Board is hereby authorised and empowered to pay, during the financial year ending on the thirty-first day of March, nineteen hundred and sixty-six, to the Chairman for the time being of the Committee and to the acting Chairman for the time being of the Committee, by way of honorarium, a total sum not exceeding one hundred pounds, in such proportions as the Committee may determine. 40

- 32. Validating and authorising the making and levying of general rate by Ararimu Rabbit Board and making provision with respect to representation on the Board**—Whereas by Order in Council made on the twenty-fifth day of August, 5 nineteen hundred and sixty-five, the districts of the County of Manukau and the Borough of Manurewa were abolished and the councils of that county and that borough were dissolved on and from the third day of September, nineteen hundred and sixty-five: And whereas a new borough to be 10 known as the City of Manukau (in this section referred to as the City) and comprising the districts of the said county and the said borough was constituted by the said Order in Council: And whereas before the constitution of the City the district of the County of Manukau was included 15 in the district of the Ararimu Rabbit Board (in this section referred to as the Board): And whereas on the twenty-eighth day of July, nineteen hundred and sixty-five, the Board made a general rate to be levied, on all rateable property within its district, for the year ending on the thirty-first day of 20 March, nineteen hundred and sixty-six: And whereas section 22 of the Rabbits Act 1955 (as substituted by section 2 of the Rabbits Amendment Act 1963) provides that any borough lying wholly or in part within any rabbit district shall be deemed not to form part of the district: And whereas it is 25 desirable that the rate be levied for the year ending on the thirty-first day of March, nineteen hundred and sixty-six, throughout the Board's district as that district existed on the twenty-eighth day of July, nineteen hundred and sixty-five, notwithstanding that the City does not now form part of 30 that district: And whereas it is also desirable to provide that the City be represented on the Board: Be it therefore enacted as follows:
- (1) Notwithstanding anything to the contrary in the Rabbits Act 1955 or in any other Act, the Board is hereby 35 authorised to levy the general rate made by the Board on the twenty-eighth day of July, nineteen hundred and sixty-five, for the year ending on the thirty-first day of March, nineteen hundred and sixty-six, on all rateable property within the district of the Board as that district existed on the twenty- 40 eight day of July, nineteen hundred and sixty-five, and all actions of the Board before the commencement of this section with respect to the making and levying of the rate are hereby validated and declared to have been lawful.

(2) Notwithstanding anything to the contrary in the Rabbits Act 1955 or in any other Act, the Board may, by resolution, determine that, until the twelfth day of October, nineteen hundred and sixty-eight, or until the date on which the Manukau City Council sooner withdraws from participation in the work of the Board in respect of the control and destruction of rabbits and opossums within the City of Manukau (the first of which dates to occur being in this section referred to as the termination date), the number of members on the Board be increased by the appointment of not more than four additional members. 5 10

(3) The additional members shall be ratepayers in respect of land in the City of Manukau which immediately before the twenty-eighth day of July, nineteen hundred and sixty-five, formed part of the rateable property within the Board's district. 15

(4) They shall be appointed by the Minister of Agriculture on the nomination of the Manukau City Council and shall hold office until the termination date.

(5) Any member of the Board appointed under this section shall vacate his office if he ceases to be a ratepayer in accordance with subsection (3) of this section, or if he would have vacated his office under the provisions of subsection (1) of section 40 of the Rabbits Act 1955, except paragraph (d) of that subsection, if he had been an elective member of the Board. 20 25

Affecting Two or More Classes of Public Bodies

33. Validating agreement between Maitara Borough Council and Southland Catchment Board—Whereas by an Order in Council made on the first day of February, nineteen hundred and sixty-five, consent was given to the raising by the Southland Catchment Board (in this section referred to as the Board) of a sum of eight thousand one hundred pounds to be known as the Waimumu Stream Works Loan 1964 (in this section referred to as the loan): And whereas certain land in the Borough of Maitara which is outside the special rating area created in respect of the loan will benefit from the works financed by the loan: And whereas by written agreement dated the twenty-eighth day of October, nineteen hundred and sixty-four (in this section referred to as the agreement), made between the Board and the Maitara 30 35 40

Borough Council (in this section referred to as the Council) the Council has undertaken to pay to the Board annually, over a term of twenty years or until the loan is fully repaid, twenty-seven and thirty-five hundredths per cent of the annual charges on the loan: And whereas doubts have arisen as to the validity of the agreement and it is desirable to validate the same: Be it therefore enacted as follows:

Notwithstanding anything to the contrary in any Act, the Board and the Council shall be deemed to have been authorised and empowered to enter into the agreement and the same is declared to have been lawfully made and shall have effect according to its tenor.

34. Authorising and validating the expenditure by Tauranga City Council and Tauranga Electric Power Board in connection with joint investigations into hydro-electric generating schemes—Whereas by Order in Council made on the twentieth day of December, nineteen hundred and sixty-three, and published in the *Gazette* on the sixth day of February, nineteen hundred and sixty-four, at page 141, as extended by subsequent Orders in Council made on the second day of September, nineteen hundred and sixty-four, and published in the *Gazette* on the third day of September, nineteen hundred and sixty-four, at page 1397, and the first day of September, nineteen hundred and sixty-five, and published in the *Gazette* on the ninth day of September, nineteen hundred and sixty-five, at page 1499, the Mayor, Councillors, and Citizens of the City of Tauranga (in this section referred to as the Council) and the Tauranga Electric Power Board (in this section referred to as the Board) were authorised to proceed with certain schemes to obstruct, impound, or divert the waters of the Mangapapa, Opuiaki, Mangakarengorengo, and Omanawa Rivers, for the purposes and upon and subject to the terms and conditions set out in the said Orders in Council, including the condition that the Council and the Board should within thirty-six months of the grant of the authority produce to the Minister of Electricity evidence that an agreed scheme for the joint exploitation of the water resources referred to in the said Orders in Council had been assented to by the Council and the Board: And whereas the Council and the Board have separately and jointly undertaken preliminary exploration and investigation of the water resources referred to in the said Orders in Council:

And whereas doubts have arisen as to the powers of the Council and the Board to undertake such preliminary exploration and investigation as a joint undertaking and to expend money thereon: And whereas it is desirable to validate the expenditure heretofore incurred by the Council and the Board in connection therewith and to authorise expenditure in connection with current and future exploration and investigation: And whereas it is desirable to limit the expenditure by the Council and the Board for such past, current, and future exploration and investigation to twenty-five thousand pounds each: Be it therefore enacted as follows:

(1) Notwithstanding anything to the contrary in any Act, regulation, or rule of law, the expenditure already incurred by the Council and the Board in connection with the said preliminary exploration and investigation of the water resources referred to in the said Orders in Council is hereby validated and declared to have been lawfully incurred, and current and future expenditure by the Council and the Board in connection with the said preliminary exploration and investigation is hereby authorised:

Provided that the Council and the Board shall not incur an expenditure in excess of twenty-five thousand pounds each in connection with the past, current, and future preliminary exploration and investigation.

(2) It shall be lawful for the Council and the Board from time to time to borrow, subject to the provisions of the Local Authorities Loans Act 1956, the whole or any part of the expenditure validated and authorised by this section and to make refunds out of the proceeds of any such loans to any account or fund of the Council or the Board out of which any payments validated or authorised by this section have been made.

Miscellaneous Provisions

35. Dissolving Napier Airport Board and repealing Napier Airport Act 1935—Whereas the Napier Airport Board was established by the Napier Airport Act 1935 for the purpose of providing, establishing, and maintaining an aerodrome for the Borough of Napier: And whereas the purpose for which the Board was established has been attained by other means: And whereas the Board has no assets or liabilities and does

not function: And whereas it is desirable to dissolve the Board and to repeal the Napier Airport Act 1935: Be it therefore enacted as follows:

- (1) The Napier Airport Board is hereby dissolved.
- 5 (2) The following enactments are hereby repealed:
 - (a) The Napier Airport Act 1935:
 - (b) The Napier Airport Amendment Act 1938:
 - (c) So much of Part II of the First Schedule to the Local Authorities (Members' Contracts) Act 1954 as relates to the Napier Airport Board:
 - 10 (d) So much of Part II of the Schedule to the Public Bodies Meetings Act 1962 as relates to the Napier Airport Board.

36. **Validating certain expenditure incurred by Wellington Fire Board**—The expenditure by the Wellington Fire Board during the financial year ending on the thirty-first day of March, nineteen hundred and sixty-six, of the sum of two hundred and eighty pounds thirteen shillings and ninepence in connection with the official celebration of the centennial of the founding of the Wellington Fire Brigade, is hereby validated and declared to have been lawfully incurred.

37. **Authorising Auckland Regional Authority to incur certain expenditure in connection with official opening of Auckland International Airport**—The Auckland Regional Authority is hereby authorised and empowered to expend, during the financial year ending on the thirty-first day of March, nineteen hundred and sixty-six, a sum not exceeding two thousand six hundred and fifty pounds in connection with the official opening of the Auckland International Airport at Mangere.

38. **Empowering Southland Catchment Board to make a classification specially for the purpose of maintenance rates in respect of certain works**—Whereas the Southland Catchment Board (in this section referred to as the Board) has made and levied a special rate over a defined portion of its district, being that portion described in the Second Schedule to the Southland Catchment Board Empowering Act 1953 as the Duck Creek Drainage Rating District, as security for the repayment of, and the payment of interest on, a loan of

twenty-five thousand pounds known as the Duck Creek Works Loan 1956 (in this section referred to as the loan): And whereas the rate has been made and levied on a graduated scale according to a classification, made under the Soil Conservation and Rivers Control Act 1941, of the rateable property upon which the rate is levied: And whereas under subsection (3) of section 106 of the Soil Conservation and Rivers Control Act 1941, any maintenance rate in respect of the works constructed out of the proceeds of the loan is required to be made and levied on a graduated scale according to the said classification: And whereas it is desirable that the maintenance rate be made and levied by the Board on a graduated scale according to a classification specially made for the purposes of that rate: Be it therefore enacted as follows:

Notwithstanding anything in section 106 of the Soil Conservation and Rivers Control Act 1941 or in section 3 of the Southland Catchment Board Empowering Act 1953, the Board is hereby authorised and empowered to make a classification specially for the purpose of any maintenance rate, made and levied by the Board after the thirty-first day of March, nineteen hundred and sixty-six, in respect of the works constructed out of the proceeds of the loan.