



ANALYSIS

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1975, No. 7—*Local*

An Act to empower the Mayor, Councillors, and Citizens of the Borough of Carterton to embark upon a scheme for the afforestation of land vested in the Mayor, Councillors, and Citizens of the Borough of Carterton

[22 August 1975]

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

1. Short Title—This Act may be cited as the Carterton Borough Council Forestry Empowering Act 1975.

2. Interpretation—In this Act, unless the context otherwise requires, “Borough Council” means the Mayor, Councillors, and Citizens of the Borough of Carterton.

3. Power to establish, tend, and utilise forests—(1) The Borough Council shall have and shall be deemed always to have had the power to establish, tend, and utilise forests on

any land vested in the Borough Council not being land held for any particular purpose other than forestry or water works or water collection (in this section and in sections 4 and 5 of this Act referred to as forest land).

(2) The Borough Council shall have and shall be deemed always to have had all such powers as may be reasonably necessary or expedient to enable it to carry out its functions under this section, and in particular it may from time to time—

- (a) Prepare and carry out forest surveys, including surveys necessary for the demarcation of forests, for working plans, for land utilisation, for water conservation, for soil stabilisation, and for timber assessment:
- (b) Acquire, use, and develop land for the establishment, culture, growth, protection, maintenance, and management of trees and other plants; for the utilisation of forest produce; for administrative, industrial, residential, or storage uses in connection with its forest land or any forest produce; for providing access; for the carrying on of farming operations incidental to the management and operation of its forest land; for the conservation of water; for the stabilisation of soil; and for amenity purposes, including scientific purposes or such recreational purposes as are consistent with the proper use, management, and utilisation of its forest land:
- (c) Make provision for the establishment, culture, growth, protection, maintenance, and management of trees and other plants on its forest land, and for the utilisation of forest produce derived from the same:
- (d) Take such steps as may in its opinion be necessary or desirable for the prevention and control of fire on any of its forest land, including for those purposes the purchase and maintenance of cattle and sheep or other livestock:

Provided that nothing in this subsection shall authorise the Borough Council to carry out or permit to be carried out any farming operations, or to keep livestock or allow livestock to be kept, on any land used for water collection.

(3) In the exercise of the powers conferred by this section, the Borough Council may from time to time—

- (a) Sell or otherwise dispose of forest, pastoral, or other produce from its forest land:
- (b) Establish and carry on, or grant leases, licences, or permits for, any operations or industry relative to the felling, cutting, extraction, removal, conversion, manufacture, transport, distribution, or sale of timber or other forest produce derived from its forest land or the finished products derived from any such produce, and erect, purchase, rent, or lease any buildings, machinery, or plant required in connection therewith:
- (c) Subject to compliance with such requirements as to accounting as the Audit Office specifies, enter into any partnership or into any arrangement for sharing of profits, union of interest, co-operation, joint venture, reciprocal concession, or otherwise with any Government Department, corporation, company, or person carrying on or engaged in or about to carry on or engage in any purpose which the Borough Council is authorised to carry on or engage in under this section.

4. Working plans—(1) The Borough Council may from time to time prepare working plans for forestry purposes in respect of the whole or any part of its forest land, and every such working plan shall regulate the management of the land affected by the plan for such periods not exceeding 10 years as may be stated on the plan in that behalf.

(2) Every working plan shall specify with respect to the period thereof—

- (a) The silvicultural operations to be carried out; and
- (b) The maximum area from which forest produce may be disposed of or the maximum quantity of forest produce that may be disposed of, or both, as the Borough Council thinks fit; and
- (c) The protection and development operations to be carried out; and
- (d) Such other matters as the Borough Council thinks fit.

(3) Every working plan prepared under this section shall, so far as it relates to land vested in the Borough Council for water works or water collection, not have any force or effect until it has been approved by the Director-General of Health or such other officer of the Department of Health as the Director-General nominates for the purpose.

5. Grants for research—(1) The Borough Council may from time to time make grants from its funds for the purpose of giving assistance towards research or investigation in respect of matters relating to the forestry industry and generally for the purpose of encouraging the adoption of measures designed to promote the greater efficiency of that industry:

Provided that the money so granted shall not in any financial year exceed the sum of \$500.

(2) In addition to the amounts authorised to be paid by the Borough Council under subsection (1) of this section, the Borough Council may in any year pay to any organisation engaged in research in respect of forestry or silviculture for the purpose of receiving assistance in the destruction of forest pests or weeds, or in respect of any other matter likely to assist the Borough Council in administering with greater efficiency any of its forest land, an amount not exceeding a sum equivalent to 50 cents for every acre of its forest land which is planted with trees.

6. Operations to be trading undertaking—The operations of the Borough Council under this Act are hereby declared to be a trading undertaking for the purposes of Part XI of the Municipal Corporations Act 1954.
