

Mr Roy

**BALCLUTHA BOROUGH (FORESTRY)
EMPOWERING**

[LOCAL BILL]

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A BILL INTITULED

AN ACT to confer powers on the Balclutha Borough Council in respect of forestry and afforestation operations. Title.

5 WHEREAS many years ago the Balclutha Borough Council (hereinafter called the Council) planted timber trees on land belonging to the Mayor, Councillors, and Burgesses of the Borough of Balclutha: And whereas such plantations are now reaching the stage of development when it is desirable to fell the trees therein and mill the timber resulting therefrom and market the same: And whereas it is desirable to confer certain additional powers upon the Council in relation to afforestation matters: Preamble.

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

No. 7—1

2 *Balclutha Borough (Forestry) Empowering*

Short Title.

1. This Act may be cited as the Balclutha Borough (Forestry) Empowering Act 1954.

Empowering provisions.

2. Subject to the provisions of this Act, the Council is hereby empowered to do all or any of the following things:

- (a) To purchase, lease, take pursuant to section fifteen of the Public Works Act 1928, or otherwise acquire any area or areas of land, either with or without improvements, or any interest therein which the Council may deem it desirable to hold for afforestation purposes or other purposes incidental thereto: 10
- (b) To carry on the business of forestry, afforestation, and the nursery production of forest trees, whether indigenous or exotic: 15
- (c) To cut down, remove, recover, and sell by private sale, tender, or auction any trees, timber, or firewood on or from any existing plantation the property of the Council or on or from any area or areas hereafter acquired pursuant to the authority hereinbefore granted: 20
- (d) To recover from the trees, timber, or wood or any other like thing by any process whatsoever any products capable of being put to commercial use or profit or to any scientific or other useful purpose, and to sell such articles and things: 25
- (e) To purchase any tree, seeds, or nursery stock necessary for the aforesaid business and to recover and sell tree-seeds and other forest products from the trees grown by the Council: 30
- (f) To take all steps which in the opinion of the Council may be necessary or desirable for the prevention or control of fire, including for that purpose the purchase of sheep and cattle and the proper care and maintenance of the same: 35
- (g) To enter into any contract or agreement for the carrying out of the purposes of this Act.

Council empowered to carry on sawmilling operations, etc.

3. The Council may for the purposes of this Act establish and carry on any operations or industry relative to the felling, cutting, extraction, removal, conversion, manufacture, transport, distribution, or sale of timber, forest produce, or finished products derived from forest 40

produce, and may construct, purchase, rent, lease, or hire any buildings, machinery, or plant required in connection therewith.

5 4. The Council may from time to time, subject to the provisions of this Act and of any working plan for the time being in force thereunder, grant licences and permits to take forest produce from any land to which this Act applies or to occupy any such land for any purpose which in the opinion of the Council is not prejudicial to forestry operations, upon and subject to such terms and conditions whether as to royalties, charges, or otherwise as the Council thinks fit.

Power to grant licences to work timber.

15 5. The Council may from time to time make such by-laws as it thinks fit for the purpose of regulating the subject matter of this Act, and in particular for protecting from damage, injury, or misappropriation any property, whether real or personal, belonging to the Corporation or controlled by the Council for the purposes of this Act, whether within or beyond the Borough of Balclutha.

Power to enact by-laws.

20 6. The Council may by special order and without taking the steps prescribed by sections nine to thirteen of the Local Bodies' Loans Act 1926 raise a special loan for any of the purposes hereinbefore mentioned:

Borrowing powers.

25 Provided that the Council shall not be empowered to borrow a greater sum than three thousand pounds pursuant to the authority hereby granted.

30 7. All the proceeds resulting from the sale of trees, timber, firewood, or other forest products under the powers hereinbefore contained shall be paid into such account of the Council as may be appropriate, and all expenditure incurred in carrying out the objects of this Act shall be debited against such account.

Destination of proceeds.

35 8. Nothing in this Act shall be construed to limit or affect in any way the provisions of the Forest and Rural Fires Act 1947 or any other enactment.

Forest and Rural Fires Act 1947 not to be limited.