

LOCAL LEGISLATION BILL

EXPLANATORY NOTE

County Councils

Clause 2: Provision with respect to refund to County Fund Account from housing loan by Clutha County Council—The Clutha County Council made application to the Local Government Loans Board for sanction to the raising of a loan of £10,000 for staff housing purposes. Before the loan had been sanctioned by the Local Government Loans Board the Council had the opportunity of purchasing a suitable house and also received an application from one of its workers for assistance to buy his own house. As the necessary finance was required urgently the Council drew on its County Fund Account to the extent of £3,750 for those purposes. The Council wishes to recoup its County Fund Account out of the proceeds of the loan but has no power to do so. This clause provides the necessary authority.

Clause 3: Certain area of County of Manukau deemed to be a legal subdivision for purposes of the Local Bodies' Loans Act 1926—The Ministry of Works, in conjunction with the Manukau County Council, is undertaking the urban development of an **area** of the Manukau County known as Otara. From time to time the Council **will** be required to raise loans to meet its share of the cost of providing roading, **stormwater** and **sanitary drainage**, water supply, etc., in the various parts of the area. However, the whole area is to be ultimately developed to the same standard and all properties will have derived similar urban benefits when the development is completed. It is desirable, therefore, that the whole area be declared to be a legal subdivision for the purposes of the Local Bodies' Loans Act 1926. This will enable the Council to secure over the whole area the loans which it will have to raise from time to time to meet the cost of development in various parts of the area instead of having to create numerous special rating areas which, in each case, could cover only that part which benefited immediately from the works for which the particular loan was raised. This clause makes provision accordingly.

Clause 4: Authorising Tauranga County Council to make *ex gratia* payment in respect of a contract—R. G. Oliver and Son, of Otorohanga, Contractors, entered into an agreement with the Tauranga County Council in August 1952 to construct and install a water supply for Katikati Township. Extraordinary flooding occurred in the area during the performance of the contract and this, coupled with price and wage increases, resulted in a considerable loss to the contractors. The Council now wishes to make an *ex gratia* payment of £250 to them by way of compensation. This clause provides the necessary authority.

Clause 5: Provision with respect to levying of general rates by Otorohanga and Waitomo County Councils—The County of Kawhia was abolished from 31 March 1956 by an Order in Council made on 23 March 1956. Part of the former county was included in the County of Otorohanga as a separate riding of that county and the balance was included in the County of Waitomo, also as a separate riding. Before the abolition it was agreed that the Otorohanga and Waitomo County Councils would, for a period of ten years commencing on 1 April 1956, and, notwithstanding that each County Council has abolished the system of separate riding finance, levy the general rate separately over the new ridings of each county created from the former county.

At the time when the County of Kawhia was abolished there was no legislation under which this could be done. A suitable general provision has been included in *clause 111* of the Counties Bill at present before the House, but that provision will not come into force until 1 April 1957. The purpose of this clause is to apply such a provision to the abolition of the County of Kawhia and authorise the Otorohanga and Waitomo County Councils to levy the general rate separately in each of the new ridings for a maximum period of ten years from 1 April 1956.

Clause 6: Extending period during which Manukau County Council may fix water rates and charges by special order—A section was included in the Local Legislation Act 1953 making temporary provision for the Manukau County Council to fix water rates and charges by special order.

The Council has now made application for the period of this provision, which expired on 31 March 1956, to be extended until permanent legislative authority is obtained. This clause makes provision accordingly.

Clause 7: Provision with respect to union of Counties of Ashley, Eyre, Kowai and Rangiora—The Local Government Commission has issued a final scheme dated 10 September 1956 providing for the union of the counties of Ashley, Eyre, Kowai, and Rangiora to form one county to be known as the County of Ashley.

The County Councils concerned in this union requested that there should be ten ridings in the proposed united county but that the number of Councillors to be elected at the first election should be fourteen. The Commission, after considering the circumstances, acquiesced in this request and has made a recommendation accordingly in the final scheme.

However, section 58 of the Counties Act 1920 provides that a Council shall consist of not less than six nor more than twelve Councillors, except in united counties where the number may be equal to the number of ridings. In this case it was not considered practicable to increase the number of ridings to fourteen as there is only a total of nine ridings at present in the four counties concerned.

To enable effect to be given to the recommendation contained in the final scheme and to the wishes of the County Councils involved it is necessary to override the provisions of section 58 of the Counties Act 1920. This can only be done by further legislation and this clause empowers the Governor-General, by Order in Council, to fix the number of members of the Council of the proposed united county at such number not exceeding fourteen as he sees fit. The increase in the number of Councillors beyond twelve will have effect until the second general election of Councillors.

Clause 8: Provision with respect to refund to County Fund Account from works loan by Clutha County Council—Before obtaining authority to the raising of its Works Loan 1956, £125,000, the Clutha County Council expended £20,336 from its County Fund Account for certain works for which the loan was to be raised.

Authority has since been obtained to the raising of the loan and the County Council wishes to recoup the County Fund Account from the loan money. This clause provides accordingly.

Clause 9: Vesting certain land in Corporation of County of Rodney—The land to which this clause relates is at present vested in the Pakiri Public Library, a body incorporated under the Public Libraries Powers Act 1875. Six of the seven original trustees are now deceased and no successors have been appointed. The surviving trustee, to meet the wishes of the local residents, has consented to the transfer of the land to the Rodney County Council, freed from the existing trust, as a site for a war memorial hall and the Council is prepared to accept the vesting of the land in trust for that purpose. This clause provides accordingly.

Clause 10: Provision with regard to further extension of period of appointment of Commissioner for County of Matakaoa—Provision was made by section 10 of the Local Legislation Act 1932–33 for the appointment of a Commissioner to control the Matakaoa County for a certain period. The Commissioner was appointed in May 1933, and his term of office has been extended on several occasions by subsequent legislation. The present extension will expire on 17 November 1956.

During the period of Commissioner control the powers of the County Council are suspended and are vested in the Commissioner. The two Commissioners who have held office have done excellent work in stabilising the county's financial position, and the county now seems to be approaching the end of its serious financial difficulties, although careful management will still be necessary for several years to come.

It is in the interests of the county that Commissioner control should be extended for a further period of three years and the purpose of this clause is to extend the period of Commissioner control until November 1959, the date of the next triennial general elections of members of local authorities.

Clause 11: Vesting certain land in Corporation of County of Franklin—The land in question is at present vested in the Pukekohe East Library, a body incorporated under the Public Libraries Powers Act 1875. All of the original trustees are deceased and no successors have been appointed. The local residents wish the land to be transferred to the Franklin County Council, freed from the existing trust, as a site for a community centre and the Council is prepared to accept the vesting of the land in trust for that purpose.

This clause provides accordingly.

City and Borough Councils

Clause 12: Validating certain expenditure incurred by Bluff Borough Council—The Bluff Borough Council recently incurred expenditure of £171 3s. 2d. in the purchase of a mayoral chain. There is no authority for such expenditure and the Council is unable to meet the sum involved from its unauthorised expenditure funds.

It is desirable that the expenditure by the Council be validated and this clause provides accordingly.

Clause 13: Validating the terms of certain agreements made between the Corporation of the Borough of Cambridge and certain property owners—With the increasing population in the Borough of Cambridge, the Council found it necessary to install a booster pump to increase the draw-off from the springs from which the Borough water supply is obtained. This had the effect of depriving two farm properties of their natural supply of water for farming and other purposes and gave rise to two claims for compensation totalling £12,767 2s. 6d.

The Council entered into agreements with the two claimants providing for a free supply of water by the Council while their lands are so deprived of their natural water supply. The agreements also provide for the payment by the Council of legal expenses incurred by the claimants up to a limit of £25. In consideration of these rights, the land owners have agreed to withdraw their claims against the Council for compensation.

The Council has no power to bind itself in this way and the necessary authority can only be given by special legislation. This clause makes provision accordingly.

Clause 14: Provision with respect to certain expenditure by Carterton Borough Council in connection with centennial celebrations—The Carterton Borough Council wishes to obtain authority to incur expenditure of up to five hundred pounds in connection with the centennial of the founding of the township of Carterton. It also desires that any expenditure already incurred should be validated. No authority exists for expenditure of this nature and this clause provides accordingly.

Clause 15: Provision with respect to certain expenditure by Featherston Borough Council in connection with centennial celebrations—The Featherston Borough Council wishes to obtain authority to expend up to five hundred pounds on celebrations to mark the centenary of the founding of the township of Featherston. It is also desired that any expenditure already incurred should be validated.

This clause makes provision accordingly.

Clause 16: Extending special rating area in Borough of Mount Roskill—In 1948 the Mount Roskill Borough Council raised a loan of £33,000 under the provisions of the Local Bodies' Loans Act 1926 for the purpose of providing sewerage in a certain area. A special rating area was created over which a special rate was levied.

In 1952 the Council raised another loan for the same purpose, levying a further special rate.

It is now found that certain sections within the special area could be more economically serviced by a drain connecting with a main sewer outside the area, which drain would also serve sections outside the area.

The Council therefore wishes to include three additional areas in the special rating area to enable it to utilise the loan moneys on the desired works, and also to empower it to extend both special rates referred to above to the outside sections.

This clause provides accordingly.

Clause 17: Validating certain expenditure incurred by Palmerston North City Council—The Palmerston North City Council recently expended £177 14s. 6d. in purchasing an official chain and badge of office for the Mayoress. There is no authority for such expenditure and validating legislation is necessary.

This clause makes the necessary provision.

Clause 18: Authorising Palmerston North City Council to make certain grants to the Public Relations Organisation (P.N.)—The Public Relations Organisation (P.N.) has as its objects the advancement and development of the city, the promotion of the interests and welfare of the citizens, and the development of qualities of citizenship and the ideal of service to the community. The Palmerston North City Council wishes to assist the organisation by making grants not exceeding £1,000 during each of the years ending 31 March 1957 and 31 March 1958 but has no power to do so.

This clause gives the Council the desired authority.

Clause 19: Authorising raising of special loan by Palmerston North City Council—The Palmerston North City Council applied to the Local Government Loans Board for sanction to the raising of a loan of £125,000 for the purpose of completing the Tiritea Dam and Treatment Plant, installing distribution mains and a gauging station, purchasing land, and refunding to its District Fund Account a sum of £45,000 advanced in connection with the above works. The Loans Board has sanctioned the raising of a loan of £80,000 but has no authority to sanction the raising of the £45,000 required to recoup the District Fund Account.

Legislative authority is therefore necessary to enable the City Council to raise a special loan for the purpose of recouping its District Fund Account and this clause makes provision accordingly.

Clause 20: Provision with respect to expenditure of money by Hastings City Council in connection with the celebration of attainment of city status—The Hastings City Council wishes to obtain authority to meet expenditure of up to three thousand five hundred pounds incurred in celebrating the attainment of city status. No authority exists for expenditure of this nature, and this clause provides accordingly.

Clause 21: Provision with respect to agreement made by Hastings City Council as to sewerage—The Hastings City Council entered into an agreement to give sewerage service for a period of 25 years, upon the terms and conditions contained in the agreement, to a factory which Seaview Farms Limited is erecting in the Hawke's Bay County.

Section 223 (2) of the Municipal Corporations Act 1954, provides that the Council may at any time, on twelve months' notice, disconnect any such premises from its drainage system without being liable to pay any compensation. Special legislative authority is therefore necessary to make the agreement binding on the Council. This clause gives the required authority.

Clause 22: Provision with respect to certain rates levied by Dunedin City Council—When the system of rating in Dunedin City was changed from the annual value to the unimproved value system, the rates payable by the Otago Presbyterian Church Board of Property increased considerably as the Board's rateable property is in the centre of the city and the land is very valuable. The Board therefore made application for a new valuation as the land was held on trust and had no commercial value. A revaluation was made taking into account the existence of the Trust, and the rateable value of the property was reduced from £12,700 to £3,500 with effect from 1 April 1956. If the revaluation had been effective for the rating year ended 31 March 1956, the Board's rates for that year would have amounted to £165 5s. 8d. The actual rates were £578 1s. 8d.

The Dunedin City Council is satisfied that hardship would result if the Board were required to pay the actual rates for the year ended 31 March 1956 and desires authority to accept the sum of £165 5s. 8d. in full payment. This clause provides accordingly.

Clause 23: Provision with respect to sale of certain lands by Hamilton City Council—The Hamilton City Council wishes to sell two blocks of land which it holds as endowments in aid of city funds. The municipal offices are on one of these blocks, but they are too small to accommodate the rapidly growing Council staff, especially as the basement floor is leased to the N.Z. Broadcasting Service. A building known as the Horse Bazaar is built on the other block it is desired to sell.

The Council has been approached by the N.Z. Broadcasting Service to sell the municipal offices for £60,000, and wishes to take advantage of this offer. The Council proposes to use the money towards the cost of erecting new municipal offices on a Council property in Garden Place, which is more suitable and central. As the proceeds from the sale of the present offices will be insufficient to meet the cost of the new offices, the Council wishes, in addition, to sell the Horse Bazaar to the Waikato Winter Show Association, and apply this money towards the cost of the new municipal offices also. As these buildings are on endowment lands, the Council cannot sell the properties without legislative authority. This clause gives the necessary powers.

Clause 24: Authorising the sale of certain land by Henderson Borough Council—The Henderson Borough Council wishes to sell a section of Council land to the local branch of the Returned Services' Association for a nominal price of £10. The land is required by the Association as a site for a permanent hall and adjoins the section on which the Association has its present rooms, built under a temporary permit. This latter section is a narrow one and is unsuitable for the erection of the proposed new hall.

The sale is to be conditional on the Association's agreeing to pay the Council the difference between the present Government valuation of £650 and the nominal price of £10 if the Association should for any reason decide to sell the land within a period of ten years. This clause gives the necessary authority.

Clause 25: Validating certain agreement made between Putaruru Borough Council and Leslie Wilfred Nicholl—The existing water supply to the Borough of Putaruru has become inadequate. To augment this supply the Putaruru Borough Council has made arrangements with Mr L. W. Nicholl, a farmer whose property lies partly in the Borough and partly in the County of Matamata, to enable the Council to construct a pumping station and draw water from his land. The Council has also obtained Mr Nicholl's permission to discharge the water from the local swimming baths on to his land. In return the Council is to supply water free of charge to Mr Nicholl's land so long as it is used for farming purposes.

The Council has entered into an agreement with Mr Nicholl, covering these arrangements. Section 248 (4) of the Municipal Corporations Act 1954, however, empowers a Council to terminate a supply of water outside its district on twelve month's notice without being liable to pay compensation, and the Council has no power, therefore, to enter into an agreement depriving itself of this right.

It is desired that the agreement be validated and this clause makes provision accordingly.

Clause 26: Authorising raising of special loan by Stratford Borough Council—The Stratford Borough Council buys electricity in bulk from the Taranaki Electric Power Board. In terms of the agreement with the Board, the Council was required to construct a substation and erect a transmission line from the Borough boundary to the substation. In 1954 the Council was authorised by the Local Government Loans Board to raise a loan of £25,000 for this purpose.

In addition to this loan, the Council has spent £5,000 from its District Fund Account on these works, which are now estimated to cost a total of £30,100. The Council now wishes to raise a special loan of £5,000 to recoup its District Fund Account and will meet the balance from revenue. The Loans Board has no power to sanction the raising of a loan for the purpose of enabling the Council to recoup its District Fund Account and special legislative authority is necessary. This clause provides accordingly.

Clause 27: Authorising Dannevirke Borough Council to construct stock route—At present it is necessary for stock from the Dannevirke saleyards to be driven through a residential area of the Dannevirke Borough to the railway trucking yards at Oringi. As the stock are largely station cattle which panic easily, they are difficult to control and there have been several near accidents.

The Dannevirke Borough Council therefore wishes to form a stock route outside the borough, and to do this it has been necessary to purchase approximately $\frac{3}{4}$ acre of privately owned land adjoining the borough sewerage reserve in the Dannevirke County. The stock route will be formed through that land and the sewerage reserve to link up two county roads. Stock being driven from the saleyards to the railway trucking yards will then by-pass the borough. The proposed stock route will be used solely for that purpose, and will not be a dedicated road. The Dannevirke County Council is in full agreement with the proposal.

The Council has no power to buy land for the establishment of a stock route outside the borough or to use the sewerage reserve for the purposes of a stock route, and special legislative authority is necessary.

This clause provides accordingly.

Clause 28: Provision with respect to expenditure by Lawrence Borough Council on centennial celebrations—In May 1961 the Lawrence Borough Council will be holding celebrations to commemorate the centennial of the founding of Lawrence and the discovery of gold in Gabriels Gully. Last year the Council set aside £50 in a Centennial Fund for the purpose of meeting the cost of these celebrations and wishes to contribute a further £50 to the Fund each year until the centennial. The Council has no power to do this and the necessary authority can only be given by means of special legislation.

This clause provides accordingly.

Clause 29: Authorising Morrinsville Borough Council to transfer certain land to the St. John Ambulance Association Trust Board—The Morrinsville Borough Council wishes to transfer a section of Council land to the St. John Ambulance Association Trust Board by way of gift, for use by its Morrinsville branch. The gift is to be made conditional on the Trust Board's agreeing to use the land only for the purposes of the Association and not to sell it without the consent of the Borough Council. The Trust Board will also be required to undertake to revest the land, with all buildings and improvements, in the Borough Council, in the event of its Morrinsville Branch ceasing to function.

The Borough Council has no power to transfer the land by way of gift and this clause gives the necessary authority.

Clause 30: Provision with respect to certain expenditure by Onehunga Borough Council in connection with official opening of War Memorial Swimming Pool—The Onehunga Borough Council wishes to obtain authority to expend up to £400 in connection with the official opening of its War Memorial Swimming Pool. It is also desired that any expenditure already incurred should be validated.

This clause makes provision accordingly.

Clause 31: Changing purpose of certain land vested in Corporation of Borough of Otahuhu—The Otahuhu Borough Council took certain land under the Public Works Act 1928, intending to proceed with a civic centre proposal which comprised Council chambers and offices, town hall, Plunket rooms, R.S.A. rooms and hall and memorial shrine and block tower. The total cost of the project was £216,000, £151,000 of which was to be raised by loan.

A poll of ratepayers rejected the loan proposal so that it was not possible to proceed with the project as planned.

Subsequently the R.S.A. erected its own club rooms and hall and a modern building was donated to the Plunket Society for use as Plunket rooms. It was decided not to proceed with a war memorial project.

The Council then proceeded with plans for the erection of municipal chambers and offices on the land, and also reserved part of the area for the erection of a town hall at a later date, if desired. The loan proposal in respect of these municipal chambers and offices met with no objection from the ratepayers and the new building is now nearing completion. The balance of the area has been subdivided into shop sites and leases of these sites have been sold by public tender. The rents from these leases are to be applied firstly in repayment of the loan on the new Council chambers and after full repayment of this loan in maintenance of the municipal buildings on the site. The Council cannot, however, register the plan of subdivision of the shop sites as the land is at present reserved for a town hall site. Before the land can be used as shop sites it is therefore necessary to remove the reservation and this can only be done by means of a special legislation.

This clause makes provision accordingly.

Clause 32: Provision with respect to apportionment by Takapuna Borough Council of the remainder of the annual income of the borough—Section 121 of the Municipal Corporations Act 1954 prescribes the order in which a Borough Council is required to apportion the gross estimated income of its district. It also provides that in the case of a divided borough, after the expenditure general to the borough as a whole has been met, the remainder of the annual income shall be apportioned among the several wards in proportion to the amount of general rates received from those wards respectively. The effect of this latter provision is that expenditure general to the borough as a whole, where the ward system of finance operates, is also required to be apportioned between the wards in the same manner, i.e., in proportion to the amount of general rates received from each ward.

The Takapuna Borough Council is the only Borough Council operating the ward system of finance. In one ward, which comprises an area recently added to the borough, the Council levies a much higher general rate than that levied over the rest of the borough, with the object of bringing the amenities in that ward up to the same standard as the remainder of the borough.

The Takapuna Borough Council now finds that because of the fact that section 121 of the Municipal Corporations Act has the effect of requiring the general expenditure of the borough to be apportioned between the wards in proportion to the amount of general rates received from each ward, the ward with the much higher rate is having to meet a disproportionate part of the general expenses of the borough.

As a result the Council desires to apportion the general expenditure of the borough between the wards in proportion to their rateable values, in the same manner as is the case in counties where the system of separate riding finance operates. This will give a much more equitable result.

This clause provides the necessary authority.

Clause 33: Authorising Kaikohe Borough Council to sell certain land—The land to which this clause relates is held by the Kaikohe Borough Council for the purposes of a war memorial. However, the Kaikohe and District War Memorial is being built on another site, so that the land will not be required for that purpose. The Council therefore wishes to sell the land by public auction or public tender and apply the proceeds towards the improvement of the Kaikohe and District War Memorial.

As the land is held in trust, special legislative authority is necessary and this clause makes provision accordingly.

Clause 34: Validating rates made and levied by Levin Borough Council for year ended 31 March 1956—At a meeting of the Levin Borough Council held on 18 July 1955, at which the Deputy Mayor presided, the rates for the year ended on 31 March 1956 were made and levied. Some doubts exist as to the validity of the resolutions passed by the meeting as constituted and, consequently, as to the validity of the rates made and levied. The majority of the ratepayers have paid their rates for the year ended on 31 March 1956 but it is desirable to clarify the position by validating the rates made and levied for that year.

This clause makes provision accordingly.

Clause 35: Validating certain expenditure by Thames Borough Council—The Thames Borough Council recently expended £20 5s. 3d. in purchasing a silver tea set and tray for presentation to the Mayor in recognition of his twenty-five years' service as Mayor of the borough. There is no authority for such expenditure and validating legislation is necessary.

This clause makes the necessary provision.

Clause 36: Provision with respect to overdraft of Waihi Borough Council—The Waihi Borough Council and the Ohinemuri County Council were unable to agree on the basis of the necessary financial adjustment following the alteration of their boundaries as from 1 April 1954. On the application of the Borough Council, the financial adjustment was therefore made by the Governor-General under section 27 of the Municipal Corporations Act 1954. Under the financial adjustment the Borough Council was required to pay the sum of £1,769 12s. 10d. to the County Council in March 1956 and, in addition, the Borough Council agreed to pay, at the same time, a further sum of £841 4s. 3d., being a share of bridge construction costs. The Borough Council was therefore required to pay a total of £2,160 17s. 1d. for which it was not possible to make provision in the estimates for that year and, to meet this commitment, it was necessary for the Borough Council to borrow additional money by way of overdraft. This has resulted in the Borough Council owing on overdraft, as at 31 March 1956, a sum in excess of the limits prescribed by the Local Bodies' Finance Act 1921–22.

This clause validates the additional borrowing by the Borough Council and authorises it, for the purpose of partially repaying the sum so borrowed, to borrow by way of overdraft the sum of £1,500, to be repaid by five equal annual instalments. It is proposed that this sum be carried to a separate account and not be taken into account in assessing the overdraft limits allowed by the Local Bodies' Finance Act 1921-22.

This clause provides accordingly.

Clause 37: Authorising levying of separate rate by Waihi Borough Council—The boundaries of the Borough of Waihi and the County of Ohinemuri were altered as from 1 April 1954. Under the financial adjustment made between the Borough Council and the County Council, pursuant to section 27 of the Municipal Corporations Act 1954, the Borough Council is required to pay the sum of £704 12s. to the County Council annually until 1969. The Borough Council desires legislative authority to levy a separate rate not exceeding 1¼d. in the pound on the unimproved value of all rateable property in the borough for the purpose of meeting this annual payment.

This clause makes the necessary provision.

Catchment Boards

Clause 38: Further extending period during which classifications for rating purposes of certain lands in North Canterbury Catchment District shall continue in force—Section 31 of the Local Legislation Act 1953 extended the period during which the existing classifications for rating purposes of certain lands in the North Canterbury Catchment District, originally comprising the now abolished Waimakariri and Ashley River Districts and the Ellesmere Lands Drainage District, should continue in force until 1 April 1955. Section 33 of the Local Legislation Act 1954 further extended the period until 1 April 1957. The purpose of these extensions was to allow the Catchment Board extra time to prepare fresh classifications of these lands in accordance with the provisions of section 102 of the Soil Conservation and Rivers Control Act 1941.

Further difficulties and delays have occurred in the preparation of the new classifications and it is now desired to extend further the period within which the present classifications shall continue in force until 1 April 1958.

This clause makes provision accordingly.

Clause 39: Validating borrowing of certain loan money by South Canterbury Catchment Board—By an Order in Council made on 8 August 1956 consent was given to the borrowing by the South Canterbury Catchment Board of the sum of £21,200 as part of the Board's Orari-Waihi-Temuka Loan 1956, £126,000.

Before the issue of the Order in Council the Board accepted two sums of £600 as part of the loan. The borrowing of loan money before the consent of the Governor-General in Council has been given is contrary to the provisions of the Local Government Loans Board Act 1926.

Legislation is necessary to validate the Board's action in this case and this clause provides accordingly.

Electric Power Board

Clause 40: Validating variation of terms of raising certain loan money by Hawke's Bay Electric Power Board—In June 1955 the Hawke's Bay Electric Power Board was authorised to raise a loan of £100,000 to be called the Reticulation Loan 1955.

One of the conditions laid down by the Local Government Loans Board provided that the loan should be repaid by ten equal annual payments of £5,000 together with a final payment of £50,000.

Being unable to raise the money on these terms the Board raised a loan on the basis of repayment by ten unequal annual instalments, the final of these being for an amount of £54,000.

The Board now wishes to validate its action in varying the terms of the loan. This clause provides accordingly.

Affecting Two or More Classes of Public Bodies

Clause 41: Authorising Pleasant Point Public Library to transfer certain land to Levels County Council—The title to the Pleasant Point Public Library site is in the name of the Pleasant Point Public Library, but the land is not required for library purposes. Some years ago, when the Pleasant Point Town Hall was being built, the Pleasant Point Town Board made provision for a public library in the Town Hall and the Pleasant Point Public Library was transferred permanently to that building. It was intended that the library transfer its interest in the title mentioned to the Pleasant Point Town Board but it was found that the library had no power to do so and the title remained in the name of the library.

The Pleasant Point Town District was merged in the Levels County as from 1 April 1954. The Library Committee has now reopened the matter and desires to transfer its title to the old library site to the Levels County Council. The position as regards the power of the library to divest itself of the title in this way is unchanged and special legislative authority is necessary before the title can be so transferred.

This clause provides accordingly.

Clause 42: Provision with respect to certain leases granted to Auckland City Corporation by Auckland Harbour Board—The Auckland City Council is leasing two blocks of adjoining land from the Auckland Harbour Board under agreements made under the provisions of the Auckland City Empowering Act 1913, one block for the purposes of a market site and the other for a bath site. However, when buildings were being erected on the market site in 1920 part of the buildings were inadvertently erected on the adjoining bath site. It is now desired that the City Council and the Harbour Board be empowered to vary the leases to exclude the land on which part of the market buildings are erected from the lease of the bath site and include it in the lease of the market site.

This clause makes provision accordingly.

Under the terms of the lease of the market site, the land is required to be used only for the purposes of a public market, but it is no longer practicable for the land to be used solely for that purpose and the clause also gives power for it to be utilised for public or commercial markets and also for portion of it to be used for a petrol and service station.

The clause also varies the basis of assessment of the rental payable by the City Council to the Harbour Board in respect of the market site.

The Council has for many years, with the consent of the Board, granted subleases of portions of the market site, but there is some doubt as to the validity of these subleases and the clause also seeks to validate the current subleases and authorise the City Council to grant further subleases with the consent of the Harbour Board.

Miscellaneous

Clause 43: Provisions with respect to certain money borrowed by Owaka Rabbit Board—The Owaka Rabbit Board entered into an agreement to purchase a dwelling for staff housing, paid a deposit and subsequently completed the purchase by raising a temporary overdraft of £1,700— all prior to obtaining the sanction of the Local Government Loans Board to the raising of a loan.

The Local Government Loans Board has no authority to sanction the raising of a loan to repay the above overdraft and it is therefore necessary to authorise the raising of a special loan for this purpose. Also, the action of the Board in borrowing from its bankers by way of overdraft without first obtaining the consent of the Governor-General in Council requires validating.

This clause provides accordingly.

Clause 44: Amending term of office of members of Buller Milk Board—The Westport Borough Council and Buller County Council who nominate the members of the Buller Milk Board have requested that the Board's term of office be amended to expire on 28 February 1957 so that the new Councils elected in November next can then nominate the members for the ensuing term of office of the Milk Board. This practice has been followed in the case of several other milk authorities by appropriate amendments to the individual regulations under which the authorities were constituted. The Buller Milk Board, however, was constituted under the Milk Amendment Act 1947, and special legislation is required in this case. This clause provides accordingly.

Clause 45: Validating certain expenditure by Auckland Harbour Bridge Authority in connection with unveiling the Foundation Tablet of the Auckland Harbour bridge—The Auckland Harbour Bridge Authority recently incurred expenditure of £498 11s. 10d. in connection with the unveiling of the Foundation Tablet of the Auckland Harbour Bridge. There is no authority for the expenditure and the Authority has therefore applied for the expenditure to be validated. This clause makes provision accordingly.

Clause 46: Validating certain payment by Invercargill Fire Board in respect of a contract—When tendering his price to the Invercargill Fire Board for the erection of new staff quarters the contractor omitted to include the cost of twelve tile slabs amounting to £336. As his price was £2,389 less than the next lowest tender the Board decided to pay him for the tiles. It is desirable that the payment be validated and this clause provides accordingly.

Hon. Mr Smith

LOCAL LEGISLATION

ANALYSIS

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| <p>24. Authorising the sale of certain land by Henderson Borough Council</p> <p>25. Validating certain agreement made between Putaruru Borough Council and Leslie Wilfred Nicholl</p> <p>26. Authorising raising of special loan by Stratford Borough Council</p> <p>27. Authorising Dannevirke Borough Council to construct stock route</p> <p>28. Provision with respect to expenditure by Lawrence Borough Council on centennial celebrations</p> <p>29. Authorising Morrinsville Borough Council to transfer certain land to the St. John Ambulance Association Trust Board</p> <p>30. Provision with respect to certain expenditure by Onehunga Borough Council in connection with official opening of War Memorial Swimming Pool</p> <p>31. Changing purpose of certain land vested in Corporation of Borough of Otahuhu</p> <p>32. Provision with respect to apportionment by Takapuna Borough Council of the remainder of the annual income of the borough</p> <p>33. Authorising Kaikohe Borough Council to sell certain land</p> <p>34. Validating rates made and levied by Levin Borough Council for year ended 31 March 1956</p> <p>35. Validating certain expenditure by Thames Borough Council</p> <p>36. Provision with respect to overdraft of Waihi Borough Council</p> <p>37. Authorising levying of separate rate by Waihi Borough Council</p> | <p style="text-align: center;"><i>Catchment Boards</i></p> <p>38. Further extending period during which classifications for rating purposes of certain lands in North Canterbury Catchment District shall continue in force</p> <p>39. Validating borrowing of certain loan money by South Canterbury Catchment Board</p> <p style="text-align: center;"><i>Electric Power Board</i></p> <p>40. Validating variation of terms of raising certain loan money by Hawke's Bay Electric Power Board</p> <p style="text-align: center;"><i>Affecting Two or More Classes of Public Bodies</i></p> <p>41. Authorising Pleasant Point Public Library to transfer certain land to Levels County Council</p> <p>42. Provision with respect to certain leases granted to Auckland City Corporation by Auckland Harbour Board</p> <p style="text-align: center;"><i>Miscellaneous</i></p> <p>43. Provisions with respect to certain money borrowed by Owaka Rabbit Board</p> <p>44. Amending term of office of members of Buller Milk Board</p> <p>45. Validating certain expenditure by Auckland Harbour Bridge Authority in connection with unveiling the foundation tablet of the Auckland Harbour Bridge</p> <p>46. Validating certain payment by Invercargill Fire Board in respect of a contract</p> |
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A BILL INTITULED

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

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

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

County Councils

2. **Provision with respect to refund to County Fund Account from housing loan by Clutha County Council**—Whereas, 10
before authority had been obtained to the raising of a loan of the sum of ten thousand pounds, known as the Housing Loan

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

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

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

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

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

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

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

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

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

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

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

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

7. Provision with respect to union of counties of Ashley, Eyre, Kowai, and Rangiora—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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City and Borough Councils

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

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

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- (a) That, subject to the conditions and limitations therein prescribed, the Corporation will supply in perpetuity such water as may be needed for domestic and farming purposes to the land to which the agreement relates; and

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

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

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

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

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

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

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

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14. Provision with respect to certain expenditure by Carterton Borough Council in connection with centennial celebrations—The Carterton Borough Council is hereby authorised and empowered to expend out of its General Account a sum not exceeding five hundred pounds for the purpose of celebrating and commemorating the one hundredth anniversary of the founding of the township of Carterton, and any expenditure heretofore incurred or made by the said Council for that purpose is hereby validated and declared to have been lawfully incurred and made.

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15. Provision with respect to certain expenditure by Featherston Borough Council in connection with centennial celebrations—The Featherston Borough Council is hereby authorised and empowered to expend out of its General Account a sum not exceeding five hundred pounds for the purpose of celebrating and commemorating the one hundredth anniversary of the founding of the township of Featherston, and any expenditure heretofore incurred or made by the said Council for that purpose is hereby validated and declared to have been lawfully incurred and made.

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16. Extending special rating area in Borough of Mount Roskill—(1) The special rating area within the Borough of Mount Roskill, created pursuant to section twenty-one of the Local Bodies' Loans Act 1926, as follows, namely:

- (a) By a resolution of the Mount Roskill Borough Council passed on the seventh day of September, nineteen hundred and forty-eight, and published in the *Gazette* of the sixteenth day of September, nineteen hundred and forty-eight, at page 1195, and relating to a loan of thirty-three thousand pounds, known as the Drainage and Sewerage Loan 1946, authorised by Order in Council made on the twenty-seventh day of November, nineteen hundred and forty-seven, and published in the *Gazette* of the fourth day of December, nineteen hundred and forty-seven, at page 1861; and
- (b) By a resolution of the said Council passed on the ninth day of June, nineteen hundred and fifty-three, and published in the *Gazette* of the eighteenth day of June, nineteen hundred and fifty-three, at page 956 (being identical with the special rating area referred to in paragraph (a) hereof), and relating to a loan of

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nine thousand three hundred pounds, known as the Drainage and Sewerage Additional Loan 1952, authorised by Order in Council made on the twenty-eighth day of January, nineteen hundred and fifty-three, and published in the *Gazette* of the fifth day of February, nineteen hundred and fifty-three, at page 166,—

is hereby extended by adding thereto the contiguous areas described in subsection *two* of this section.

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

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

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

368, and 369 beforementioned, to the eastern boundary of Lot 353 aforesaid; thence northerly along that eastern boundary and the eastern boundaries of Lots 352, 351, and 350 aforesaid, all the aforesaid lots being parts of Allotment 49 beforementioned, to the point of commencement.

Thirdly, all that area bounded by a line commencing at a point on the south-western side of Stoddard Road, being the eastern corner of Lot 6 on Deposited Plan 38811, being part of Allotment 90 of the Parish of Titirangi, and running south-easterly along the south-western side of May Road; thence south-westerly along the north-western side of May Road to the eastern corner of Lot 3 on Deposited Plan 18183, being part of Allotment 89 of the said parish; thence north-westerly along the north-eastern boundary of the said Lot 3 to the south-eastern boundary of part Lot 8 on Deposited Plan 36008, being part of Allotment 90 aforesaid; thence north-easterly along that south-eastern boundary to and along the south-eastern boundaries of Lots 7 and 6 on Deposited Plan 38811 beforementioned, being parts of the said Allotment 90, to the point of commencement:

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

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

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

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

19. Authorising raising of special loan by Palmerston North City Council—Whereas the Palmerston North City Council (in this section referred to as the Council) applied to the Local Government Loans Board for sanction to the raising of a
5 loan of one hundred and twenty-five thousand pounds for the purpose of meeting the cost of completing the Tiritea Dam and Treatment Plant, installing distribution mains and a gauging station, purchasing land, and refunding to its District Fund Account money advanced thereout in connection with
10 the aforesaid works: And whereas the Local Government Loans Board, having no authority to sanction the raising of that portion of the loan which related to the refunding to the District Fund Account, has sanctioned the raising of the balance of the loan amounting to eighty thousand pounds:
15 And whereas it is desirable to authorise the Council to raise a special loan not exceeding the sum of forty-five thousand pounds for the purpose of recouping its District Fund Account in respect of money advanced thereout as aforesaid: Be it therefore enacted as follows:
20 The Council is hereby authorised and empowered to borrow by way of special loan under the Local Bodies' Loans Act 1926, and, notwithstanding the provisions of section nine of that Act, without the prior consent of the ratepayers, an amount not exceeding the sum of forty-five thousand pounds
25 for the purpose of refunding to its District Fund Account money advanced thereout for the purposes of the aforesaid works.

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

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

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

22. Provision with respect to certain rates levied by Dunedin City Council—Whereas the Otago Presbyterian Church Board of Property (in this section referred to as the Board) is indebted to the Mayor, Councillors, and Citizens of the City of Dunedin (in this section referred to as the Corporation) in the sum of five hundred and seventy-eight pounds one shilling and eightpence for rates levied on rateable property of the Board for the rating year ended the thirty-first day of March, nineteen hundred and fifty-six: And whereas the said rates were levied on the unimproved value of the said rateable property as appearing in the valuation roll then in force: And whereas when the valuation of the said rateable property was made, the Valuer-General was unaware that the Board's property was held subject to statutory restrictions: And whereas consequent on a revaluation of the said rateable property the said valuation was reduced from twelve

thousand seven hundred pounds to three thousand five hundred pounds with effect from the first day of April nineteen hundred and fifty-six: And whereas the amount of the said rates would have been one hundred and sixty-five pounds
5 five shillings and eightpence if the said revaluation had been effective for the said rating year: And whereas the Corporation, being satisfied that hardship would result to the Board if it were required to pay the said sum of five hundred and seventy-eight pounds one shilling and eightpence, is desirous
10 of accepting the sum of one hundred and sixty-five pounds five shillings and eightpence in full discharge and satisfaction of the said rates: Be it therefore enacted as follows:

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

23. Provision with respect to sale of certain lands by Hamilton City Council—Whereas the lands firstly and
20 secondly described in subsection *four* of this section are vested in the Corporation of the Mayor, Councillors, and Citizens of the City of Hamilton (in this section referred to as the Corporation) as an endowment in aid of the city funds: And whereas it is expedient to empower the Hamilton City Council
25 to sell the said lands and apply the proceeds of the sale thereof in manner hereinafter provided: Be it therefore enacted as follows:

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

(2) The net proceeds from the sale of the said lands shall
35 be paid into a separate account at the bank and be applied in or towards the construction of buildings for municipal purposes, or amenities therefor, on land vested in the Corporation.

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

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

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

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

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

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

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

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

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

Be it therefore enacted as follows:

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

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

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

27. Authorising Dannevirke Borough Council to construct stock route—Whereas the Dannevirke Borough Council (in this section referred to as the Council) is registered as the proprietor of all that piece of land containing by admeasurement fifty-six acres, more or less, situated in the Tahoraiti Survey District, comprising portion of the Tahoraiti Number 2 Block shown on a plan lodged in the Land Transfer Office at Napier with Proclamation Number 157, and being all the land comprised and described in certificate of title, Volume 68, folio 156, Hawke's Bay Registry (in this section referred to as the sewerage reserve): And whereas the sewerage reserve is held by the Council for the purpose of a sanitary sewage irrigation area: And whereas the Council has purchased all that piece of land adjoining the sewerage reserve containing by admeasurement two roods twenty-two perches and eight-tenths of a perch, more or less, being part of Suburban Section 48, Dannevirke, situated in Block III, Tahoraiti Survey District, and being Lot 1 on Deposited Plan Number 9256, and being all the land comprised and described in certificate of title, Volume 157, folio 15, Hawke's Bay Registry (in this section referred to as the adjoining land): And whereas the Council is desirous of establishing a stock route across the sewerage reserve and the adjoining land connecting Makirikiri Road and Miller Street, both in the County of Dannevirke, but has no power so to do: Be it therefore enacted as follows: 25

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

(2) Notwithstanding that the sewerage reserve is held by the Council for the purpose of a sanitary sewage irrigation area, the Council may lay out, form, and maintain, to such standard as it deems desirable, a stock route one chain wide across the sewerage reserve and through the adjoining land from the end of Makirikiri Road to Miller Street. 30

(3) The Council may from time to time construct, erect, maintain, alter, or improve bridges, fences, and gates on or along the said stock route. 35

(4) Any work which the Council is authorised by this section to undertake shall be deemed to be a public work within the meaning of the Local Bodies' Loans Act 1926 and the Public Works Act 1928. 40

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

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

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

5

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

10

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

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

15

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

20

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

25

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

35

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

40

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5 therefore enacted as follows:

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

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

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

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

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

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

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

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

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

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

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

40 have been lawfully made and levied:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

to pay annually to the Ohinemuri County Council the net sum of seven hundred and four pounds twelve shillings: And whereas it is desirable that the Council should be authorised to make and levy a separate rate for the purpose of meeting this payment: Be it therefore enacted as follows: 5

The Council is hereby authorised and empowered, for the purpose of meeting the net annual payment due to the Ohinemuri County Council under the adjustment, to make and levy each year during which any such payment is required to be made a separate rate not exceeding one and a quarter pence in the pound on the unimproved value on all rateable property in the Borough of Waihi, and any deficiency in the amount produced by the rate made and levied annually under this section may be met by the Council by transfer from its General Account. 10 15

Catchment Boards

38. Further extending period during which classifications for rating purposes of certain lands in North Canterbury Catchment District shall continue in force—(1) Subsection one of section thirty-one of the Local Legislation Act 1953, as amended by section thirty-three of the Local Legislation Act 1954, is hereby further amended by omitting the words “four years”, and substituting the words “five years”. 20

(2) Section thirty-three of the Local Legislation Act 1954 is hereby repealed. 25

39. Validating borrowing of certain loan money by South Canterbury Catchment Board—Whereas by Order in Council made on the eighth day of August, nineteen hundred and fifty-six, consent was given to the borrowing by the South Canterbury Catchment Board (in this section referred to as the Board) of the sum of twenty-one thousand two hundred pounds (in this section referred to as the loan) being part of the Orari-Waihi-Temuka Loan 1956, £126,000: And whereas, contrary to the provisions of the Local Government Loans Board Act 1926, the Board, without first obtaining the consent of the Governor-General in Council, borrowed as part of the loan sums amounting in the aggregate to the sum of one thousand two hundred pounds: And whereas it is desirable that the action of the Board in borrowing the said sum of one thousand two hundred pounds should be validated: Be it therefore enacted as follows: 30 35 40

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

Electric Power Board

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

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

Affecting Two or More Classes of Public Bodies

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

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

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

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

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

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

City of Auckland (in this section referred to as the Corporation), and more fully set out in the Second Schedule to the Auckland City Empowering Act 1913, the Board agreed to grant and the Corporation to take a lease of the land described
5 in the first schedule to the said agreement for the purposes of a bath site (in this section referred to as the bath site) and a lease of the land described in the second schedule to the said agreement for the purposes of a public market (in this section referred to as the market site) upon the terms and conditions
10 set out in clauses one and two of the said agreement respectively: And whereas by section seven of the said Act (in this section referred to as the said section) the said agreement was validated: And whereas pursuant to the provisions of the said section the Board and the Corporation duly
15 executed and registered in the Deeds Registry Office at Auckland leases Numbers 237919 and 240196 of the bath site and the market site respectively: And whereas in erecting buildings on the market site in the year nineteen hundred and twenty or thereabouts part of the buildings were erected on that part of
20 the bath site described in subsection seven of this section (in this section referred to as the said land): And whereas it is expedient that the said land should be excluded from the lease of the bath site and that the Board should have power to lease the said land to the Corporation for the purposes and upon
25 the terms and conditions hereinafter appearing: And whereas the Corporation has from time to time granted subleases in respect of portions of the market site and the said land and the Board has consented to certain of the said subleases: And whereas doubts have arisen in respect of the validity of certain
30 of those subleases and it is expedient that the subleases now current should be validated: And whereas it is no longer practicable for the market site to be used solely for the purposes of a public market and it is expedient that the same should be available for use for the purposes set out in sub-
35 section *four* of this section: And whereas it is provided in clause nine of the said lease Number 240196 of the market site that on the granting of a renewal thereof in pursuance of the perpetual rights of renewal therein contained, the rental to be paid for a renewed term should be determined by valuation as
40 therein provided and should be subject to a deduction of twenty-five per cent of that valuation and it is desirable that on any renewal of the said lease Number 240196 and on the renewal of any lease of the said land granted in pursuance of this section there should be no deduction from the rental value
45 determined as aforesaid: Be it therefore enacted as follows:

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

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

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

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

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

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

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

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

10

Miscellaneous

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

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

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

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

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

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

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

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