



ANALYSIS

Title
1. Short Title
2. Gas and electricity

3. Assessment of certain charges in respect of No. 1 Combined Area
4. Rebate on payments made in advance

1969, No. 7—*Local*

An Act to amend the North Shore Drainage Act 1963

[24 October 1969]

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

1. Short Title—This Act may be cited as the North Shore Drainage Amendment Act 1969, and shall be read together with and deemed part of the North Shore Drainage Act 1963 (hereinafter referred to as the principal Act).

2. Gas and electricity—The principal Act is hereby amended by inserting, after section 31, the following section:

“31A. (1) The Board may use any sludge gas derived from the treatment of sewage, sewage sludge, or trade wastes for any purpose and in any manner connected with its operations or the works under its control.

“(2) The Board may sell and dispose of any such gas—

“(a) To the Auckland Gas Company Limited; or

“(b) To the occupiers of trade premises discharging trade wastes from which a substantial portion of the gas is derived; or

“(c) To the occupiers of any other trade premises—
and the Board shall accord such parties, in the foregoing

order of priority, the opportunity of purchasing such gas as it may desire to sell. The Auckland Gas Company Limited, as a retailer of gas, shall be allowed a rebate in accordance with normal commercial practice.

“(3) The Board may generate electricity and may use such electricity within the limits of the premises in which the same is generated for any purposes and in any manner connected with its operations or the works or property under its control.

“(4) The Board may sell any such electricity to the New Zealand Electricity Department or to the Waitemata Electric Power Board.

“(5) Any electric lines, plant, or works necessary for the transmission of any electricity within the limits of the premises in which the electricity is generated may be constructed and maintained by the Board.

“(6) Subject to the provisions of this section, the Board may construct all such works and do all such acts and things as it may deem necessary or expedient to enable it to obtain the full benefit to be derived from the production of gas or the use, sale, or other disposition thereof or to enable it to obtain the full benefit to be derived from the generation and use of electricity within the limits of the Board's premises (but not elsewhere) or the sale of any such electricity.

“(7) In the exercise of the powers conferred by this section in relation to the generation, use, and transmission of electricity, the Board shall comply with the provisions of the Electricity Act 1968 and any regulations made under that Act.

“(8) The powers conferred by this section shall not be limited by the provisions of the Auckland Gas Company's Act 1871 and such powers shall subsist notwithstanding the provisions of the Electric Power Boards Act 1925.

“(9) In this section the word ‘premises’ in relation to premises of the Board, means any continuous area of land owned or controlled by the Board as one composite block and, for the purposes of this section, an area of land shall be deemed to be continuous notwithstanding that the same is severed by roads or streets running through the same and leaving part on one side of the road or street and the balance on the other side.”

3. Assessment of certain charges in respect of No. 1 Combined Area—(1) Section 57 of the principal Act (as

amended by section 2 of the North Shore Drainage Amendment Act 1966) is hereby further amended by inserting, after subsection (2), the following subsection:

“(2A) Nothing in paragraph (b) of subsection (1) of this section shall apply in respect of the combined area commonly known and designated in the Board’s plans and records as the ‘No. 1 Combined Area’ and comprising the City of Takapuna, the Boroughs of Devonport, Northcote, Birkenhead, and East Coast Bays, and portion of the County of Waitemata, and the costs of servicing that combined area (including amounts and costs referred to in paragraph (b) of subsection (1) of this section) shall be charged and assessed to the local authorities of the local districts or portion thereof comprising that combined area in the proportions which the population of each such local district or portion thereof bears to the aggregate population of the respective local districts or portion thereof.”

(2) Section 57 of the principal Act (as so amended) is hereby further amended by inserting in subsection (3), after the words “this section”, the words “or of subsection (2A) of this section”.

(3) This section shall come into force on the 1st day of April 1970.

4. Rebate on payments made in advance—Section 60 of the principal Act is hereby amended by inserting, after subsection (1), the following subsection:

“(1A) Where any contributing authority pays to the Board before the due date for payment the whole or any part of any assessment or contribution required of it, the Board is hereby authorised and empowered to allow to the contributing authority a rebate (calculated at a rate per centum per annum not exceeding the rate for the time being charged by the bankers of the Board for money owing to them by the Board and borrowed from them by way of overdraft or that would be charged if money so borrowed were owing, as the case may be) on the amount or amounts paid in advance from the time or times of payment thereof until the due date for the payment of the assessment or contribution.”
