

*Mr Prebble*

**AUCKLAND MUNICIPAL ABATTOIR LIVESTOCK  
AUCTIONS EMPOWERING**

[LOCAL]

ANALYSIS

Title	3. Conduct of livestock auctions on
Preamble	part of the abattoir site freed
1. Short Title	from the provisions of the said
2. Authorising Council to conduct	Act
livestock auctions on the site of	4. Additional borrowing powers
the Auckland municipal abattoir	Schedule

**A BILL INTITULED**

**An Act to empower the Auckland City Council to conduct  
public auction sales of livestock on its abattoir premises  
at Otahuhu**

- 5 WHEREAS the Auckland City Council (hereinafter called  
the Council) has, with the appropriate statutory authorisa-  
tions, operated an abattoir in the Borough of Mount  
Wellington on a site owned by the Council with frontage to  
Great South Road (the same being more particularly  
10 described in the Schedule hereto) for the benefit of persons  
in the Auckland Abattoir District: And whereas on the 26th  
day of October 1978 the Council, at its request, was  
authorised by the Meat Industry Authority (hereinafter called  
the Authority) in terms of section 9 of the Meat Act 1964  
15 (hereinafter referred to as the said Act) to conduct public  
auction sales of livestock on the said site on terms and  
conditions as proposed by the Council: And whereas it has  
since been determined by the Supreme Court that the  
Authority did not have the power to approve that request,  
20 and, accordingly, the Council is prevented from conducting

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such sales pursuant to that purported authorisation: And  
whereas, having regard to all relevant circumstances, it is in  
the public interest that a proposal by the Council to conduct  
such sales on the said site should, for the purposes of section 9  
of the said Act, be declared to be a subsidiary undertaking 5  
which is ancillary to the carrying on by the Council of its  
abattoir operations, and which could therefore be put into  
effect by the Council upon such terms and conditions as might  
be imposed by the Authority: And whereas it is expedient 10  
that the Council should also be authorised, in the alternative,  
to conduct such sales on any part of the said site that may  
in the future be freed from the provisions of the said Act  
pursuant to an approval obtained from the Director-General  
of Agriculture thereunder

BE IT THEREFORE ENACTED by the General Assembly of 15  
New Zealand in Parliament assembled, and by the authority  
of the same, as follows:

**1. Short title**—This Act may be cited as the Auckland  
Municipal Abattoir Livestock Auctions Empowering Act 20  
1979.

**2. Authorising Council to conduct livestock auctions on  
the site of the Auckland municipal abattoir**—It is hereby  
declared, for the purposes of section 9 of the said Act, that  
any proposal by the Council to conduct public auction sales 25  
of livestock on the said site is a subsidiary undertaking which  
is ancillary to the carrying on by the Council of its abattoir  
operations thereon, and that public auction sales of livestock  
may there be carried on, subject to such conditions upon  
the Council's conduct of the same as the Authority may 30  
think fit to impose:

Provided that nothing in this section shall relieve the  
Council from its obligation to comply with the requirements  
of the said Act and of the regulations in force thereunder  
when conducting any such auction sales.

**3. Conduct of livestock auctions on part of the abattoir 35  
site freed from the provisions of the said Act**—(1) If the  
Director-General of Agriculture, in the exercise of his powers  
under the said Act, approves an application by the Council  
for the alteration of the site of the abattoir by the exclusion  
therefrom of any part of the site described in the Schedule 40

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hereto (with the consequence that that part is freed from the controls imposed by the said Act), the Council may conduct such sales on the part so excluded in such manner as the Council thinks fit.

5 (2) Any part so excluded shall be physically separated from the remainder of the site described in the Schedule hereto (that remainder comprising the area on which the abattoir operations are then carried on) by such means as shall be approved by the Director-General of Agriculture.

10 **4. Additional borrowing powers**—In addition to any power to borrow conferred upon it by the said Act, the Council may from time to time borrow money under the Local Authorities Loans Act 1956 for the purpose of establishing or maintaining facilities for sales authorised to be conducted  
15 by section 3 of this Act.

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SCHEDULE

NORTH AUCKLAND LAND DISTRICT—MOUNT WELLINGTON BOROUGH

10.8025 hectares, more or less, being Lot 1, D.P. 54143, situated in Block VI, Otahuhu Survey District. All certificate of title 9C/1327, as more particularly shown on S.O. Plan 53972, lodged in the Office of the Chief Surveyor at Auckland and thereon marked A.