

**Reprint
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Local Legislation Act 1956

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Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

This Act is administered by the Department of Internal Affairs.

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

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, before authority had been obtained to the raising of a loan of the sum of 10,000 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 amounting in the aggregate to the sum of 3,750 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 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 3,750 pounds.

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 SO 39845, and thereon edged red, shall 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 1 August 1952, 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 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 250 pounds to the contractors:

Be it therefore enacted as follows:

The Tauranga County Council is hereby authorised and empowered to pay the sum of 250 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 23 March 1956 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 (1) and (3) of section 121A of the Counties Act 1920 (as enacted by section 6 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 “5 years” in subsection (1) of the said section 121A there were substituted the words “10 years”.
- (2) This section shall be deemed to have come into force on 1 April 1956.

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

- (1) *Amendment(s) incorporated in the Act(s).*
- (2) This section shall be deemed to have come into force on 1 April 1956.

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

Whereas the Local Government Commission, pursuant to section 21 of the Local Government Commission Act 1953, has promulgated a final scheme dated 10 September 1956 providing, amongst other things, for the union of the Counties of Ashley, Eyre, Kowai, and Rangiora to form 1 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 10 ridings and that the number of Councillors of the united county be 14:

And whereas the Counties Act 1920 provides that the number of Councillors of a county so divided shall not exceed 12:

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:

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 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 14 as he deems fit.

8 Provision with respect to refund to County Fund Account from works loan by Clutha County Council

Whereas, before authority was obtained to the raising of a loan of the sum of 125,000 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 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 20,336 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 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 20,336 pounds.

9 Vesting certain land in Corporation of County of Rodney

Whereas by deed dated 29 March 1892, and registered in the Deeds Register Office at Auckland under Number 120227, the land described in subsection (3) was vested in the Pakiri Pub-

lic Library, a body incorporated under the Public Libraries Powers Act 1875:

And whereas by declaration dated 25 March 1892, 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 6 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 (3) 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 2 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
[Repealed]

Section 10: repealed, on 22 October 1959, by section 8(2) of the Local Legislation Act 1959 (1959 No 92).

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 (3) 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 30 July 1879 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 (3) 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 more particularly described as follows:
All that area in the North Auckland Land District containing by admeasurement 1 rood, more or less, being part of 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.

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 31 March 1954 of the sum of 171 pounds 3 shillings and 2 pence in the purchase of a mayoral chain and badge of office is hereby validated and declared to have been lawfully incurred.
- 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 (3):

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 2 agreements now recorded in the Department of Internal Affairs at Wellington under Number IA 105/23:

And whereas it is provided in each of the agreements:

- (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
- (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:

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:

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

- (a) all that piece of land containing 289 acres 1 rood and 27 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:
- (b) all that piece of land containing 338 acres 1 rood and 11 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.

**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 500 pounds for the purpose of celebrating and commemorating the 100th 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.

**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 500 pounds for the purpose of celebrating and commemorating the 100th 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.

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 21 of the Local Bodies' Loans Act 1926, as follows, namely:
- (a) by a resolution of the Mount Roskill Borough Council passed on 7 September 1948, and published in the *Gazette* of 16 September 1948, at page 1195, and relating to a loan of 33,000 pounds, known as the Drainage and Sewerage Loan 1946, authorised by Order in Council made on 27 November 1947, and published in the *Gazette* of 4 December 1947, at page 1861; and
 - (b) by a resolution of the said Council passed on 9 June 1953, and published in the *Gazette* of 18 June 1953, at page 956 (being identical with the special rating area referred to in paragraph (a)), and relating to a loan of 9,300 pounds, known as the Drainage and Sewerage Additional Loan 1952, authorised by Order in Council made on 28 January 1953, and published in the *Gazette* of 5 February 1953, at page 166,—

is hereby extended by adding thereto the contiguous areas described in subsection (2).

- (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 beforementioned, 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 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 1 April 1956.

17 Validating certain expenditure incurred by Palmerston North City Council

The expenditure by the Palmerston North City Council during the financial year ended on 31 March 1956 of the sum of 177 pounds 14 shillings and 6 pence 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 1,000 pounds to the Public Relations Organisation (P.N.), a society incorporated under the Incorporated Societies Act 1908, during each of the years ending on 31 March 1957 and 31 March 1958.

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 loan of 125,000 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 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 80,000 pounds:

And whereas it is desirable to authorise the Council to raise a special loan not exceeding the sum of 45,000 pounds for the purpose of recouping its District Fund Account in respect of money advanced 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, and, notwithstanding the provisions of section 9 of that Act, without the prior consent of the ratepayers, an amount not exceeding the sum of 45,000 pounds 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 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 31 March 1957, a sum not exceeding 3,500 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 223 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 processors 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 25 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 (2) of section 223 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 578 pounds 1 shilling and 8 pence for rates levied on rateable property of the Board for the rating year ended 31 March 1956:

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 12,700 pounds to 3,500 pounds with effect from 1 April 1956:

And whereas the amount of the said rates would have been 165 pounds 5 shillings and 8 pence 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 578 pounds 1 shilling and 8 pence, is desirous of ac-

cepting the sum of 165 pounds 5 shillings and 8 pence 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 the sum of 165 pounds 5 shillings and 8 pence 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 secondly described in subsection (4) 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 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 described in subsection (4) 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 be paid into a separate bank account in the name of the Council and be applied in or towards the construction of buildings for municipal offices or a civic administration centre and amenities therefor, on land vested in the Corporation.
- (3) The District Land Registrar for the Land Registration District of Auckland is hereby authorised and directed to deposit such plans, 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 South Auckland Land District, City of Hamilton, being Lots 3 and 4, DP 19075, and Lots 1 and 2, DP 21509, the said lots being parts of Allotments 43 and 44, Town of Hamilton West, situated in Block II, Hamilton Survey District, containing 2 roods 2 perches and sixty-three hundredths of a perch, more or less, and being part of the land comprised and described in certificate of title, Volume 80, folio 64, Auckland Registry, subject to right of way over the said Lot 4 appurtenant to the land comprised and described in leasehold certificate of title, Volume 1112, folio 258, and in leases numbered 20775, 21345, 21348, and 21639, Auckland Registry: as shown on the plan marked L and S 13/96, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

Secondly, all that area in the South Auckland Land District, City of Hamilton, being part of Allotment 476, Town of Hamilton West, situated in Block II, Hamilton Survey District, containing 2 roods 14 perches and seventy-six hundredths of a perch, more or less, and being the balance of the land comprised and described in certificate of title, Volume 73, folio 174, Auckland Registry, part of which is subject to lease number 18854 and to a restricted right of way appurtenant to the aforesaid lease: as shown on the plan marked L and S 13/96A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red and coloured yellow.

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 (2) (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

10 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 10 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 1 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 Wai-pareira 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 30 May 1956, a certified copy of which is recorded in the Department of Internal Affairs at Wellington under Number IA 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 author-

ised 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 11 January 1955, 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 25,000 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 5,000 pounds in completion of the said extensions:

And whereas it is desirable to authorise the Council to raise a loan of 5,000 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 5,000 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 56 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 2 roods 22 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:

- (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 1 chain wide across the sewerage reserve and through the adjoining land from the end of Makirikiri Road to Miller Street.
- (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.
- (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.
- (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.
- (6) Bylaws made under subsection (5) shall be made in the manner prescribed by Part 29 of the Municipal Corporations Act 1954, and the provisions of that Part shall apply to all such bylaws made by the Council.
- (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

- (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 31 March 1962 a sum not exceeding 50 pounds.
- (2) The money in the Fund shall be expended by the Council for the purpose of celebrating in the year 1961 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.

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

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 the land described in subsection (2):

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:

- (1) It shall be lawful for the Corporation to transfer the land described in subsection (2) 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:

All that piece of land containing 22 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 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 400 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.

**31 Changing purpose of certain land vested in Corporation
of Borough of Otahuhu**

Whereas all that parcel of land containing 1 acre 6 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 described in certificate of title, Volume 854, folio 164, Auckland Registry, was by Proclamation published in the *Gazette* on 19 April 1945, taken under the Public Works

Act 1928 and vested in the Mayor, Councillors, and Citizens of the Borough of Otahuhu (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 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 on the said plan pursuant to section 152 of the Municipal Corporations Act 1954 and has sold by public tender, pursuant to section 153 of the said Act, the leases of the said lots:

And whereas the Corporation is desirous of constituting Lot 8 on the said plan 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 (4) is hereby cancelled and the said land is hereby declared to be vested in the Corporation 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 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 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 (1), and he is hereby further empowered and directed to deposit the said plan Number 43269 on production to him of a resolution pursuant to subsection (4) of section 3 of the Public Works Amendment Act 1948 declar-

ing Lot 8 on the said plan to be a service lane, and a special order pursuant to subsection (1) of section 189 of the Municipal Corporations Act 1954 constituting Lot 10 on the said plan as a street.

- (4) The land to which subsection (1) relates is more particularly described as follows:

All that area containing 2 roods 39 perches and five-tenths of a perch, more or less, being Lots 1 to 8 inclusive 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

[Repealed]

Section 32: repealed, on 22 October 1959, by section 13(3) of the Municipal Corporations Amendment Act 1959 (1959 No 91).

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 (4), 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 therefore enacted as follows:

- (1) The Council may, without further authority than this section, sell the land described in subsection (4), or any part of that land, by public auction or public tender, and on the sale of any such land all trusts and reservations 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.
- (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.
- (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 1 acre 19 perches and eight-tenths of a perch, more or less, being Lots 45, 46, and 47 on Deposited Plan Number 7981, and being 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 18 July 1955 the Levin Borough Council (in this section referred to as the **Council**) by resolution made and levied rates for the year ended on 31 March 1956:

And whereas doubts have arisen as to the validity of the said resolution:

And whereas it is desirable 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 31 March 1956 are hereby validated and declared to have been lawfully made and levied:
provided that the additional charge of 10% chargeable in respect of the said rates under the provisions of section 76 of the Rating Act 1925 shall not be added to any of the said rates remaining unpaid until the expiration of 6 months and 14 days from the date of the demand of the rates made and levied by the Council for the year ending on 31 March 1957:
provided also that any such additional charge shall not be recoverable until the Council has publicly notified that the same shall be added.

- (2) Judgment for the amount of any of the said rates due may be given or signed at any time within 3 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 20 pounds 5 shillings and 3 pence 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 25 years' service as Mayor of that borough is hereby validated and deemed to have been lawfully incurred.

36 Provision with respect to overdraft of Waihi Borough Council

Whereas, following a financial adjustment made by the Governor-General pursuant to section 27 of the Municipal Corporations Act 1954 and dated 27 February 1956, the Waihi Borough Council (in this section referred to as the **Council**) was required to pay to the Ohinemuri County Council in March 1956 the sum of 1,769 pounds 12 shillings and 10 pence:

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 841 pounds 4 shillings and 3 pence 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 on 31 March 1956:

And whereas to meet the said payments, the Council had, as at 31 March 1956, 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:

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 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 said Act, the Council is hereby authorised to borrow from its bankers by way of overdraft, in the manner prescribed by section 3 of the said Act, the sum of 1,500 pounds.
- (3) The Council shall repay the said sum of 1,500 pounds by 5 equal payments out of money credited to its General Account, one such payment to be made in each year during the period of 5 years commencing on 1 April 1956:
provided that the Council may in any year repay out of the said General Account a sum greater than a fifth part.
- (4) The said sum of 1,500 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 1,500 pounds shall 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 owed by the Council pursuant to section 3 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 27 of the Municipal Corporations Act 1954 and dated 27 February 1956 (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 704 pounds 12 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:

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 in 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.

Catchment Boards

38 Further extending period during which classifications for rating purposes of certain lands in North Canterbury Catchment District shall continue in force

[Repealed]

Section 38: repealed, on 25 October 1957, by section 39(2) of the Local Legislation Act 1957 (1957 No 107).

39 Validating borrowing of certain loan money by South Canterbury Catchment Board

Whereas by Order in Council made on 8 August 1956 consent was given to the borrowing by the South Canterbury Catchment Board (in this section referred to as the **Board**) of the sum of 21,200 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 1,200 pounds:

And whereas it is desirable that the action of the Board in borrowing the said sum of 1,200 pounds should be validated:

Be it therefore enacted as follows:

The action of the Board in borrowing the said sum of 1,200 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 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 1 June 1955 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 100,000 pounds to be known as the Reticulation Loan 1955 (in this section referred to as the **loan**):

And whereas one of the conditions determined by the Local Government Loans Board in respect of the loan was that the loan should be repaid by 10 equal payments of 5,000 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 by a payment at the end of the tenth year from the date of borrowing of the loan of an amount of 50,000 pounds:

And whereas the Board has raised the loan on terms that it should be repaid by a payment of 5,000 pounds on 1 June 1956, 6,700 pounds on 1 June 1957, 3,300 pounds on 1 June 1958, 5,000 pounds on 1 June 1959, 5,000 pounds on 1 June 1960, 5,900 pounds on 1 June 1961, 6,200 pounds on 1 June 1962, 5,500 pounds on 1 June 1963, 3,400 pounds on 1 June 1964, and 54,000 pounds on 1 June 1965:

And whereas it is desirable that the action of the Board in varying the authorised manner of repaying the loan should be validated:

Be 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 100,000 pounds shall be deemed to have been lawfully borrowed.

Affecting 2 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 (3):

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:

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

All that parcel of land situate in Block IV of the Pareora Survey District, containing by admeasurement 5 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.

- 42 Provision with respect to certain leases granted to Auckland City Corporation by Auckland Harbour Board**
- Whereas by memorandum of agreement bearing date 20 May 1913, made between the Auckland Harbour Board (in this section referred to as the **Board**) and the Mayor, Councillors, and Citizens of the City of Auckland (in this section referred to as the **Corporation**), and more fully set out in Schedule 2 of the Auckland City Empowering Act 1913, the Board agreed to grant and the Corporation to take a lease of the land described 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 set out in clauses 1 and 2 of the said agreement respectively:

And whereas by section 7 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 executed and registered in the Deeds Register 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 1920 or thereabouts part of the buildings were erected on that part of the bath site described in subsection (7) (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 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 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 subsection (4):

And whereas it is provided in clause 9 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 therein provided and should be subject to a deduction of 25% 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 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.
- (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 (4) 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 (4).
- (4) The aggregate annual rental for the market site, together with the said land, shall be the sum of 2,100 pounds as from 1 July 1954, 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 (3), no deduction shall be made from the rental value determined as aforesaid.
- (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.

- (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:

All that area in the North Auckland Land District, situated in the City of Auckland, containing by admeasurement 22 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 SO 39751, and thereon edged red.

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 1,700 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 1,700 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 1,700 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 1,700 pounds by way of overdraft should be validated:

Be it therefore enacted as follows:

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 1,700 pounds for the purpose

of repaying that sum to its bankers, and the action of the Board in borrowing 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 (3) of section 2 of the Milk Amendment Act 1947 and dated 6 December 1955 the present members of the Buller Milk Board, constituted by the Buller Milk Board Constitution Order 1948, were appointed for a term of 3 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 2 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 28 February 1957.

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 498 pounds 11 shillings and 10 pence by the Auckland Harbour Bridge Authority during the financial year ended on 31 March 1956 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.

46 Validating certain payment by Invercargill Fire Board in respect of a contract

Whereas by an agreement dated 26 May 1954 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 12 tile slabs amounting to 336 pounds:

And whereas the Board has paid the contractor in respect of the said tile slabs a sum of 336 pounds in addition to the amount agreed upon in the said agreement:

Be it therefore enacted as follows:

The payment by the Board to the contractor in respect of the said works of the sum of 336 pounds over and above the amount agreed upon in the said agreement is hereby validated and declared to have been lawfully made.

Contents

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Notes**1 General**

This is a reprint of the Local Legislation Act 1956. The reprint incorporates all the amendments to the Act as at 22 October 1959, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, see <http://www.pco.parliament.govt.nz/reprints/>.

2 Status of reprints

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 How reprints are prepared

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and

provisions that are repealed or revoked are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 Changes made under section 17C of the Acts and Regulations Publication Act 1989

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint
(most recent first)*

Local Legislation Act 1959 (1959 No 92): section 8(2)

Municipal Corporations Amendment Act 1959 (1959 No 91): section 13(3)

Local Legislation Act 1957 (1957 No 107): section 39(2)
