

**Reprint
as at 31 December 1971**



Local Legislation Act 1967

Public Act 1967 No 148
Date of assent 24 November 1967
Commencement 24 November 1967

Contents

	Page
Title	3
1 Short Title	3
<i>County councils</i>	
2 Vesting stopped road in the Malvern branch of the Plunket Society	3
3 Authorising refund by Kiwitea County Council to County Fund Account from loan money	4
4 Authorising Hutt County Council to appoint additional members to Paraparaumu County Town Committee [<i>Expired</i>]	4
5 Amending section 3 of the Local Legislation Act 1963	5
6 Validating agreement between Waimairi County Council and the Hospitaller Brothers of Saint John of God (New Zealand) Society	5
7 Authorising refund by Taranaki County Council to County Fund Account from loan money	6

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.

8	Authorising Taranaki County Council to develop and subdivide and to sell or lease certain land	6
9	Authorising Heathcote County Council to raise a special loan	7
10	Declaring a member of the Otamatea County Council not to have been disqualified as a result of his interest in a contract with the Council	7
	<i>City and borough councils</i>	
11	Authorising refund by Temuka Borough Council to District Fund Account from loan money	8
12	Providing for expenditure by Roxburgh Borough Council in connection with centennial celebrations	9
13	Authorising Timaru City Council to raise special loan	9
14	Validating certain expenditure incurred by Otorohanga Borough Council	10
15	Authorising Tauranga City Council to raise special loan	10
16	Authorising Tauranga City Council to raise special loan	11
17	Authorising refund by Takapuna City Council to District Fund Account from loan money	11
18	Declaring portion of street in City of Manukau to be limited access road	12
19	Authorising refund by Manukau City Council to District Fund Account from loan money	13
20	Vesting certain land in the Corporation of the City of Nelson	13
21	Authorising Dunedin City Council to make <i>ex gratia</i> payment in respect of a contract	14
22	Provision with respect to certain land vested in Auckland City Corporation [<i>Repealed</i>]	14
23	Validating a loan raised by the Levin Borough Council	15
24	Authorising <i>ex gratia</i> payment by Bluff Borough Council in respect of a contract	15
25	Validating variation of terms of raising certain loan money by Whakatane Borough Council	16
26	Validating expenditure and providing for further expenditure by Thames Borough Council in respect of Thames Goldfield centennial celebrations, etc	17
27	Authorising Wellington City Council to raise special loan	17
28	Authorising Wellington City Council to resubdivide and improve parts of reclamation area	18
29	Authorising Birkenhead Borough Council to raise a special loan	20

Miscellaneous provisions

30	Validating certain actions of the Southland Catchment Board in connection with a loan	21
31	Authorising distribution by Auckland Harbour Board of certain money	21
32	Validating certain expenditure incurred by Auckland Harbour Board	22
33	Validating certain expenditure incurred by Otorohanga Urban Fire Authority	22
34	Authorising Northland Harbour Board to transfer certain land to Whangarei City Council	23

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

1 Short Title

This Act may be cited as the Local Legislation Act 1967.

County councils

2 Vesting stopped road in the Malvern branch of the Plunket Society

Whereas, by an Order in Council made on 31 June 1961, and published in the *Gazette* on 29 June 1961, at page 915, consent was given to the stopping of certain portions of road pursuant to section 149 of the Public Works Act 1928:

And whereas the said portions of road have been stopped pursuant to section 148 of that Act:

And whereas a portion of the road so stopped, being the land described in subsection (2) (in this section referred to as the **land**), has not yet been disposed of:

And whereas the Malvern County Council desires to make the land available by way of gift to the Malvern branch of the Royal New Zealand Society for the Protection of Women and Children (Incorporated) (in this section referred to as the **Plunket Society**):

And whereas the council has no authority to dispose of the land otherwise than to the adjoining land owners or by way of

public auction and has no authority to dispose of it by way of gift to the Plunket Society:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in the Public Works Act 1928 or in any other Act, the land is hereby vested in the Plunket Society for an estate in fee simple; and the council shall neither demand nor accept any consideration for such vesting.
- (2) The land to which this section relates is described as follows:
All that parcel of land in the Canterbury Land District situated in Block VII, Hawkins Survey District, containing twenty-six and three-tenths perches, more or less, being Section 5, Block XV, Town of Darfield (SO 9780).

3 Authorising refund by Kiwitea County Council to County Fund Account from loan money

Whereas, before the Kiwitea County Council (in this section referred to as the **Council**) obtained authority to raise a loan of 7,650 pounds to be known as the Bridges Renewal Loan 1966 (in this section referred to as the **loan**), 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 648 pounds 11 shillings and 7 pence:

And whereas authority to raise the loan has since been obtained and it is desirable to authorise the Council to refund the said sum so expended to its County Fund Account out of the proceeds of the loan:

Be it therefore enacted as follows:

The Council is hereby authorised to refund the sum of \$1,297.16 to its County Fund Account out of the proceeds of the loan.

4 Authorising Hutt County Council to appoint additional members to Paraparaumu County Town Committee

[Expired]

Section 4: expired, on 31 December 1971, pursuant to section 4(2).

5 Amending section 3 of the Local Legislation Act 1963

(1), (2) *Amendment(s) incorporated into the Act(s).*

6 Validating agreement between Waimairi County Council and the Hospitaller Brothers of Saint John of God (New Zealand) Society

Whereas the Chairman, Councillors, and Inhabitants of the County of Waimairi (in this section referred to as the **Corporation**) on 9 December 1966, agreed with the Hospitaller Brothers of Saint John of God (New Zealand) Society (in this section referred to as the **Society**) to purchase the land described in subsection (2) from the Society:

And whereas the purchase price for the land was to be paid by a deposit of 40,000 pounds with the balance of the purchase price, namely the sum of 112,775 pounds, secured to the Society by a memorandum of mortgage over the land:

And whereas the Corporation had no power to enter into the agreement or to execute such a memorandum of mortgage:

And whereas it is desirable that the agreement and the mortgage given by the Council to the Society should both be validated:

Be it therefore enacted as follows:

- (1) Notwithstanding anything in any other Act or rule of law, the agreement (a copy of which is held by the Department of Internal Affairs on file 105/946) between the Corporation and the Society whereby the Corporation is to purchase the land described in subsection (2) from the Society, and the mortgage given by the Corporation to the Society are hereby validated and confirmed, and the Corporation shall be deemed to have at all times been authorised and empowered to enter into and execute the agreement and the mortgage which shall be binding on the parties thereto and shall for all purposes, without further authority than this section, be effective according to their tenor.
- (2) The land to which this section relates is described as follows:
All that area in the Canterbury Land District, comprising 40 acres and twenty-seven and four-tenths perches, more or less, being part Lot 2, Deposited Plan 18554, and being parts

of Rural Sections 145 and 488, situated in Blocks X and XIV, Christchurch Survey District, and being the balance of the land comprised and described in certificate of title, Volume 695, folio 24, Canterbury Land Registry.

7 Authorising refund by Taranaki County Council to County Fund Account from loan money

Whereas, before the Taranaki County Council (in this section referred to as the **Council**) obtained authority to raise a loan of 8,250 pounds to be known as the Okato Water Supply Loan 1967 (in this section referred to as the **loan**), 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 6,259 pounds 9 shillings and 7 pence:

And whereas authority to raise the loan has since been obtained and it is desirable to authorise the Council to refund that sum to its County Fund Account out of the proceeds of the loan:

Be it therefore enacted as follows:

The Council is hereby authorised to refund the sum of \$12,518.96 to its County Fund Account out of the proceeds of the loan.

8 Authorising Taranaki County Council to develop and subdivide and to sell or lease certain land

Whereas the Taranaki County Council (in this section referred to as the **Council**) purchased the land described in subsection (2) in 1920:

And whereas the Council desires to develop and subdivide and to either sell or lease the land for commercial or industrial purposes:

And whereas doubts have arisen as to the power of the Council to deal with the land as aforesaid:

Be it therefore enacted as follows:

- (1) The Council shall be deemed to have purchased the land under subsection (2) of section 380A of the Counties Act 1956 (as inserted by section 15 of the Counties Amendment Act 1964)

and the provisions of subsections (3) to (7) of that section shall apply accordingly.

- (2) The land to which this section relates is described as follows:
All that piece of land containing 7 acres 3 roods 30 perches, more or less, situated in Block V, Paritutu Survey District, being part of Section 126, Fitzroy District, and being also Lots 27 and 32 on Deposited Plan 1055, and being also all of the land comprised and described in certificate of title number B1/1238, Taranaki Land Registry.

9 Authorising Heathcote County Council to raise a special loan

Whereas the Heathcote County Council (in this section referred to as the **Council**) has from time to time owed money and incurred liabilities in excess of the limits prescribed by section 20 of the Local Authorities Loans Act 1956 (in this section referred to as the **Act**) and has, in addition, failed to comply with section 23 of the Act:

And whereas the excess liabilities of the Council, on 31 March 1967, amounted to 123,905 pounds 6 shillings and 3 pence:

And whereas it is expedient that the Council be authorised to raise a special loan for the purpose of partially repaying those excess liabilities:

Be it therefore enacted as follows:

The Council is hereby authorised to borrow by way of special loan under the Act an amount not exceeding \$200,000 and shall apply the money borrowed towards repayment of the excess liabilities incurred and, notwithstanding anything in section 34 of the Act, the special loan may be raised without the prior consent of the ratepayers.

10 Declaring a member of the Otamatea County Council not to have been disqualified as a result of his interest in a contract with the Council

Whereas the Otamatea County Council (in this section referred to as the **Council**) resolved on 21 September 1966 to purchase certain land and a dwellinghouse from Ronald Noble Skelton, a member of the Council:

And whereas the Council subsequently entered into a contract with the said Ronald Noble Skelton to purchase the said land and dwellinghouse for the sum of \$3,806.83:

And whereas the Council, owing to an oversight, did not obtain the prior approval of the Audit Office to the contract pursuant to section 3 of the Local Authorities (Members' Contracts) Act 1954 because of an omission to supply sufficient information to the Audit Office:

And whereas the Audit Office would not have withheld approval had the information been supplied before the contract was entered into:

Be it therefore enacted as follows:

The said Ronald Noble Skelton shall be deemed not to be and never to have been disqualified under the Local Authorities (Members' Contracts) Act 1954 from holding office as a member of the Council as a result of entering into the said contract.

City and borough councils

11 Authorising refund by Temuka Borough Council to District Fund Account from loan money

Whereas, before the Temuka Borough Council (in this section referred to as the **Council**) obtained authority to raise a loan of 3,000 pounds to be known as the Sewage Treatment Works and Reticulation Extension Supplementary Loan 1965 (in this section referred to as the **loan**), the Council expended out of its District Fund Account for certain purposes for which the loan was to be raised money amounting in the aggregate to the sum of 1,894 pounds 12 shillings and 6 pence:

And whereas authority to raise the loan has since been obtained and it is desirable to authorise the Council to refund that sum to its District Fund Account out of the proceeds of the loan:

Be it therefore enacted as follows:

The Council is hereby authorised to refund the sum of \$3,789.25 to its District Fund Account out of the proceeds of the loan.

12 Providing for expenditure by Roxburgh Borough Council in connection with centennial celebrations

Whereas in the year 1974 the Roxburgh Borough Council (in this section referred to as the **Council**) proposes to expend money in respect of the celebration and commemoration of the centennial of the founding of the Borough of Roxburgh:

And whereas it is necessary to make special provision to enable the council to set aside money for that purpose:

Be it therefore enacted as follows:

- (1) The Council is hereby authorised to establish a separate bank account to be known as the Centennial Fund Account (in this section referred to as the **Fund**) and to pay into the Fund in each financial year until and including the year ending with 31 March 1975 a sum not exceeding \$200.
- (2) The money in the Fund shall be expended by the Council solely in respect of the celebration and commemoration of the centennial of the founding of the Borough of Roxburgh and any sum remaining in the Fund after all such expenditure has been made shall be transferred to the District Fund Account of the Council to the credit of the General Account.

13 Authorising Timaru City Council to raise special loan

Whereas the Timaru City Council (in this section referred to as the **Council**) has expended out of its District Fund Account certain sums totalling 38,000 pounds in repayment of portions of 5 loans that matured on 1 March 1967, namely, the sum of 3,800 pounds in respect of the Western Extension Loan (No 2) 1954, the sum of 3,400 pounds in respect of the Stormwater Drainage Loan 1954, the sum of 5,100 pounds in respect of the Sewer and Drainage Loan 1954, the sum of 5,000 pounds in respect of the Reservoir Loan 1960, and the sum of 20,700 pounds in respect of the Renewal Loan 1962:

And whereas the Local Authorities Loans Board has no authority to sanction the raising of a loan for the purpose of enabling the Council to refund the said 38,000 pounds to its District Fund Account:

And whereas it is desirable to authorise the Council to raise a special loan of not more than \$76,000 for the purpose of

recouping its District Fund Account in respect of the sums expended from that account 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 Authorities Loans Act 1956 an amount not exceeding \$76,000 for the purpose of refunding to its District Fund Account the sums expended from that account as aforesaid and, notwithstanding anything in section 34 of that Act, the special loan may be raised without the prior consent of the ratepayers.

14 Validating certain expenditure incurred by Otorohanga Borough Council

The expenditure by the Otorohanga Borough Council, during the financial year ended with 31 March 1966, of the sum of 73 pounds 16 shillings and 6 pence and, during the financial year ended with 31 March 1967, of the sum of 83 pounds 3 shillings and 9 pence in connection with the official opening of the Otorohanga Flood Protection Works is hereby validated and declared to have been lawfully incurred.

15 Authorising Tauranga City Council to raise special loan

Whereas the Tauranga City Council (in this section referred to as the **Council**) has expended out of its District Fund Account the sum of 17,800 pounds in repayment of portion of the Development Loan 1955, which matured on 1 May 1966:

And whereas the Local Authorities Loans Board has no authority to sanction the raising of a loan for the purpose of enabling the Council to refund the said sum of 17,800 pounds to its District Fund Account:

And whereas it is desirable to authorise the Council to raise a special loan of not more than \$35,600 for the purpose of recouping its District Fund Account in respect of the said sum expended from that account 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 Authorities Loans Act 1956 an amount not exceeding \$35,600 for the purpose of re-

funding to its District Fund Account the sum expended from that account as aforesaid and, notwithstanding anything in section 34 of that Act, the special loan may be raised without the prior consent of the ratepayers.

16 Authorising Tauranga City Council to raise special loan

Whereas the Tauranga City Council (in this section referred to as the **Council**) has expended out of its District Fund Account the sum of 62,000 pounds in repayment of portion of the Waikareao Bridge Loan 1956, which matured on 15 May 1967:

And whereas the Local Authorities Loans Board has no authority to sanction the raising of a loan for the purpose of enabling the Council to refund the said sum of 62,000 pounds to its District Fund Account:

And whereas it is desirable to authorise the Council to raise a special loan of not more than \$124,000 for the purpose of recouping its District Fund Account in respect of the said sum expended from that account 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 Authorities Loans Act 1956 an amount not exceeding \$124,000 for the purpose of refunding to its District Fund Account the sum expended from that account as aforesaid and, notwithstanding anything in section 34 of that Act, the special loan may be raised without the prior consent of the ratepayers.

17 Authorising refund by Takapuna City Council to District Fund Account from loan money

Whereas, before the Takapuna City Council (in this section referred to as the **Council**) obtained authority to raise a loan of 30,000 pounds to be known as Refuse Disposal Loan 1966 (in this section referred to as the **loan**), the Council expended out of its District Fund Account for certain purposes for which the loan was to be raised money amounting in the aggregate to 7,343 pounds:

And whereas authority to raise the loan has since been obtained and it is desirable to authorise the Council to refund that sum to its District Fund Account out of the proceeds of the loan:

Be it therefore enacted as follows:

The Council is hereby authorised to refund the sum of \$14,686 to its District Fund Account out of the proceeds of the loan.

18 Declaring portion of street in City of Manukau to be limited access road

Whereas the portion of street described in subsection (2) (in this section referred to as the **street**) and known as the George Bolt Memorial Drive is the main route to the Auckland International Airport at Mangere:

And whereas section 4 of the Public Works Amendment Act 1963 (relating to the declaration of roads as limited access roads) does not apply to streets within a borough:

And whereas it is desirable that the street be declared to be a limited access road:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in the Public Works Act 1928 or in any other Act, the street is hereby declared to be a limited access road and shall be deemed to have been declared as such by the Manukau City Council in accordance with subsection (2) of section 4 of the Public Works Amendment Act 1963; and all the provisions of that section shall, so far as they are applicable, apply to the street accordingly.
- (2) The portion of street to which this section relates is described as follows:

All that portion of street in the City of Manukau known as the George Bolt Memorial Drive commencing on the southern side of Kirkbride Road and then proceeding generally in a southerly direction to its junction with the western side of Westney Road, being all the land in Block IX, Otahuhu Survey District, comprised and described in—

- (a) the Proclamation dated 6 September 1963, and published in the *Gazette* on 19 September 1963, at page 1447;

- (b) the First Schedule to the declaration dated 6 September 1963, and published in the *Gazette* on 19 September 1963, at page 1460; and
- (c) the declaration dated 10 March 1965, and published in the *Gazette* on 25 March 1965, at page 390.

19 Authorising refund by Manukau City Council to District Fund Account from loan money

Whereas, before the Manukau City Council (in this section referred to as the **Council**) obtained authority to raise a loan of 110,000 pounds to be known as the Bridges Loan 1966 (in this section referred to as the **loan**), the Council expended out of its District Fund Account for certain purposes for which the loan was to be raised money amounting in the aggregate to 34,456 pounds 10 shillings and 8 pence:

And whereas authority to raise the loan has since been obtained and it is desirable to authorise the Council to refund that sum to its District Fund Account out of the proceeds of the loan:

Be it therefore enacted as follows:

The Council is hereby authorised to refund the sum of \$68,913.07 to its District Fund Account out of the proceeds of the loan.

20 Vesting certain land in the Corporation of the City of Nelson

Whereas certain land in the City of Nelson is vested in the Nelson Harbour Board as an endowment:

And whereas it is desired to vest the land in the Mayor, Councillors, and Citizens of the City of Nelson (in this section referred to as the **Corporation**) for an estate in fee simple:

Be it therefore enacted as follows:

- (1) The land described in subsection (2) is hereby vested in the Corporation for an estate in fee simple freed and discharged from all trusts, reservations, and restrictions affecting it immediately before the passing of this section.
- (2) The land to which this section relates is more particularly described as follows:

All that parcel of land containing 1 acre and twenty-six and five-tenths perches, more or less, being Lot 10 on Deposited Plan 6878, being part of Section 1178, City of Nelson, and being also part of the land comprised and described in certificates of title, Volume 118, folio 156 and Volume 141, folio 26, Nelson Land Registry.

21 Authorising Dunedin City Council to make *ex gratia* payment in respect of a contract

Whereas by an agreement dated 23 June 1965, made between A. M. Tait Limited, a duly incorporated company having its registered office at Christchurch (in this section referred to as the **contractor**), of the one part, and the Mayor, Councillors, and Citizens of the City of Dunedin (in this section referred to as the **Corporation**), of the other part, the contractor agreed to supply data-logging and communications equipment in connection with the Corporation's electrical undertaking:

And whereas the contractor was subsequently advised that certain line and cable protective equipment agreed to be supplied was no longer being manufactured and that alternative equipment would have to be used:

And whereas the increased cost of the alternative equipment was \$8,735.92:

And whereas the Corporation, having regard to this fact and to the hardship that the contractor would otherwise suffer, wishes to make a payment of \$8,735.92 to the contractor:

Be it therefore enacted as follows:

The Corporation is hereby authorised and empowered to pay the sum of \$8,735.92 to the contractor in respect of the increased costs incurred by the contractor.

22 Provision with respect to certain land vested in Auckland City Corporation

[Repealed]

Section 22: repealed, on 12 November 1971, by section 12(1) of the Auckland Improvement Trust Act 1971 (1971 No 9 (L)).

23 Validating a loan raised by the Levin Borough Council

Whereas on 7 August 1965, the Minister of Finance, pursuant to the powers vested in him under section 13 of the Gas Industry Act 1958, approved a recommendation by the New Zealand Gas Council that an interest-free loan of 7,000 pounds be granted to the Levin Borough Council (in this section referred to as the **Council**):

And whereas the Council raised the loan without complying with the provisions of Part 1 of the Local Authorities Loans Act 1956 and it is desirable that the actions of the Council be validated:

Be it therefore enacted as follows:

Notwithstanding anything to the contrary in the Local Authorities Loans Act 1956, the actions of the Council in raising the loan without complying with the provisions of Part 1 of that Act are hereby validated and declared to have been lawful.

24 Authorising *ex gratia* payment by Bluff Borough Council in respect of a contract

Whereas by an agreement dated 22 August 1963 made between Downer and Company Limited, a duly incorporated company having its registered office in Wellington (in this section referred to as the **contractor**), of the one part, and the Mayor, Councillors, and Citizens of the Borough of Bluff (in this section referred to as the **Corporation**), of the other part, the contractor agreed to supply and lay sewerage reticulation within the Borough of Bluff:

And whereas owing to an oversight no provision was made, in the special conditions of contract included in the agreement, for the payment of increased costs of wages or materials:

And whereas physical conditions associated with the construction of the pipeline not envisaged by either party to the contract at the time tenders were called were encountered:

And whereas by mutual agreement there were substantial amendments and alterations to the original agreement:

And whereas the contractor suffered loss in the performance of the contract:

And whereas the Corporation agreed to meet the increased costs of labour and materials incurred by the contractor:

And whereas the Corporation wishes to make a payment of the sum of \$7,209.28 in respect of the increased costs of wages and materials:

Be it therefore enacted as follows:

The Corporation is hereby authorised and empowered to pay the sum of \$7,209.28 to the contractor in respect of the increased costs incurred by the contractor in the performance of the contract.

25 Validating variation of terms of raising certain loan money by Whakatane Borough Council

Whereas by Order in Council made on 8 April 1963, consent was given to the raising by the Whakatane Borough Council (in this section referred to as the **Council**) of a loan of 30,000 pounds to be known as the Municipal Building Loan 1963 (in this section referred to as the **loan**):

And whereas the Local Authorities Loans Board determined that the loan or any part of it should be repaid over a period of 30 years:

And whereas the Council raised parts of the loan, namely the sum of 6,200 pounds and the sum of 23,800 pounds, on conditions that required repayment over periods of 10 years and 20 years, respectively, and had no authority to do so:

And whereas it is desirable that the actions of the Council be validated:

Be it therefore enacted as follows:

The actions of the Council in raising the said sums of 6,200 pounds and 23,800 pounds as parts of the loan on the afore-said conditions are hereby validated and declared to have been lawful; and all debentures and stock that have been issued in respect thereof shall be deemed to have been lawfully issued and shall have full force and effect according to their tenor.

26 Validating expenditure and providing for further expenditure by Thames Borough Council in respect of Thames Goldfield centennial celebrations, etc

Whereas, in the financial year ending with 31 March 1968, the Thames Borough Council (in this section referred to as the **Council**) expended the sum of \$518.41 in respect of the celebration and commemoration of the centenary of the opening of the Thames Goldfield and the founding of the town of Thames:

And whereas the Council proposes to expend in that year further sums in respect of the centennial celebrations:

And whereas as part of the centennial celebrations the Council proposes to expend money in connection with granting the freedom of the Borough of Thames to the First Ranger Squadron of the New Zealand Special Air Service:

Be it therefore enacted as follows:

The action of the Council in expending the sum of \$518.41 as aforesaid is hereby validated and the Council is hereby authorised to expend during the financial year ending with 31 March 1968 for the purpose of celebrating and commemorating the centenary of the opening of the Thames Goldfield and the founding of the town of Thames and in granting the freedom of the Borough of Thames to the First Ranger Squadron of the New Zealand Special Air Service further sums of money not exceeding in the aggregate the sum of \$481.59.

27 Authorising Wellington City Council to raise special loan

Whereas, by Order in Council made on 8 July 1964, consent was given to the raising by the Wellington City Council (in this section referred to as the **Council**) of a loan of 47,500 pounds to be known as the Regent Street Pensioners' Flats Loan 1964 for the purpose of erecting flats for pensioners:

And whereas the amount of that loan is insufficient to enable completion of the work:

And whereas the Council has expended and proposes to expend out of its District Fund Account a sum not exceeding \$24,000 to complete the work:

And whereas it is desirable to authorise the Council to raise a special loan for the purpose of enabling it to refund to its

District Fund Account the sum expended and to be expended from that account 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 Authorities Loans Act 1956 an amount not exceeding \$24,000 for the purpose of re-funding to its District Fund Account the sum expended and to be expended from that account as aforesaid.

28 Authorising Wellington City Council to resubdivide and improve parts of reclamation area

Whereas by a Proclamation dated 30 January 1947, and published in the *Gazette* on 6 February 1947, at page 160, an area of land in the City of Wellington was proclaimed a reclamation area under Part 2 of the Urban Renewal and Housing Improvement Act 1945:

And whereas section 21 of that Act requires the district scheme under the Town and Country Planning Act 1953 to be operative before a local authority may exercise its powers to resubdivide and improve a reclamation area:

And whereas the district scheme for the City of Wellington is not yet operative:

And whereas it is desirable to authorise the Wellington City Council (in this section referred to as the **Council**) to resubdivide and improve 2 portions of the reclamation area:

Be it therefore enacted as follows:

- (1) Notwithstanding anything in section 21 of the Urban Renewal and Housing Improvement Act 1945 or in any other Act or in any rule of law, but subject to the result of any objection or appeal heard under subsection (4) of this section, the Council is hereby authorised and empowered to resubdivide and improve the 2 portions of the reclamation area described in subsection (5); and the provisions of Part 2 of the Urban Renewal and Housing Improvement Act 1945 shall apply accordingly as if the district scheme for the City of Wellington was operative.
- (2) Before exercising its powers under subsection (1), the Council shall publish twice in 1 or more newspapers circulating in the City of Wellington, with an interval of not less than 7 days,

notice of its proposals in respect of the resubdivision and improvement of the 2 portions of the reclamation area. The published notice shall state that any person affected by the proposals may, not later than a date to be specified in the notice, lodge an objection in writing to the proposals at the office of the Council.

- (3) The Council shall also send a copy of the notice by registered post to every person whose name for the time being appears in the "occupiers" column of the district valuation roll prepared under section 8 of the Valuation of Land Act 1951 in respect of any property within the 2 portions of the reclamation area and to every person who, in the opinion of the Council or any committee thereof, has a greater interest in the proposals than the community generally. The copy of the notice shall state that an objection in writing to the proposals may be lodged at the office of the Council not later than 21 days after the date of posting of the copy of the notice or not later than the date specified in the copy of the notice, whichever is later.
- (4) Sections 25, 26, 26A, 40, 42, and 49B of the Town and Country Planning Act 1953 and the relevant provisions of any regulations for the time being in force under that Act shall, with the necessary modifications, apply in respect of every objection received by the Council in accordance with subsection (2) or subsection (3).
- (5) The 2 portions of the reclamation area to which this section relates are described as follows:
First, the Arlington, Hopper, and Hankey Streets Area, being all that area in the Wellington Land District, situated in the City of Wellington, bounded by a line commencing at the intersection of the northern side of Hankey Street with the western side of Hopper Street and proceeding northerly along the western side of Hopper Street to the southern side of Arlington Street; thence generally westerly along the generally southern side of Arlington Street to the western boundary of Lot 12, DP 2112; thence generally southerly along the western and southern boundaries of Lot 12, DP 2112, and the eastern boundaries of Lots 10 and 9, DP 5176, to the northern side of Hankey Street; thence easterly along that side to the point of commencement.

Secondly, the Nairn Street Area, being all that area in the Wellington Land District, situated in the City of Wellington, bounded by a line commencing at the south-eastern corner of Lot 4, DP 6070, and proceeding northerly along the western side of Nairn Street to the southern boundary of Lot 7, DP 10630; thence westerly along the southern boundaries of Lots 7 and 8, DP 10630, to the eastern boundary of Lot 3, DP 10508; thence westerly and southerly along that boundary to the northern boundary of Lot 1, DP 9739; thence easterly, northerly, and again easterly, along the northern, eastern, and again northern boundaries of Lot 1, DP 9739, to the point of commencement.

Section 28: amended, on 24 October 1969, pursuant to section 2(3) of the Urban Renewal and Housing Improvement Amendment Act 1969 (1969 No 134).

Section 28(1): amended, on 24 October 1969, pursuant to section 2(3) of the Urban Renewal and Housing Improvement Amendment Act 1969 (1969 No 134).

29 Authorising Birkenhead Borough Council to raise a special loan

Whereas the Birkenhead Borough Council (in this section referred to as the **Council**) has expended out of its District Fund Account the sum of \$9,402 for sewer construction in its No 2 Special Rating Area:

And whereas the Local Authorities Loans Board has no authority to sanction the raising of a loan for the purpose of enabling the Council to refund the said sum to its District Fund Account:

And whereas it is desirable to authorise the Council to raise a special loan not exceeding \$9,402 for the purpose of recouping its District Fund Account in respect of the money expended from that account 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 Authorities Loans Act 1956 a sum not exceeding \$9,402 for the purpose of refunding to its District Fund Account the money expended from that account as aforesaid.

Miscellaneous provisions

30 Validating certain actions of the Southland Catchment Board in connection with a loan

Whereas by Order in Council made on 28 April 1964, and published in the *Gazette* on 14 May 1964, at page 806, consent was given to the raising by the Southland Catchment Board (in this section referred to as the **Board**) of a loan of 162,000 pounds to be known as the Makarewa River Works Loan 1964 (in this section referred to as the **loan**):

And whereas one of the conditions imposed by the Local Authorities Loans Board was that the loan be repaid by equal aggregate annual or half-yearly instalments extending over a period of 20 years:

And whereas the Board raised a portion of the loan, namely the sum of 30,000 pounds, on the condition that that sum be repaid over a period of 10 years by 19 half-yearly instalments of 1,220 pounds 7 shillings and 8 pence each with a 20th and final instalment of 20,022 pounds 7 shillings and 11 pence, and had no authority to do so:

And whereas it is expedient that the aforesaid action of the Board be validated:

Be it therefore enacted as follows:

The action of the Board in raising the said sum of 30,000 pounds in accordance with the aforesaid condition is hereby validated and declared to have been lawful; and all debentures and stock that have been issued in respect thereof shall be deemed to have been lawfully issued and shall have full force and effect according to their tenor.

31 Authorising distribution by Auckland Harbour Board of certain money

Whereas the Auckland Harbour Board (in this section referred to as the **Board**) collected certain money in public tolls during the visit of the Chilean Naval Training Ship *Esmeralda* to the Port of Auckland in the month of August 1966:

And whereas that money, less certain costs incurred in its collection, amounted to the sum of 418 pounds 10 shillings:

And whereas the Board desires to donate that sum to certain seamen's welfare organisations:

Be it therefore enacted as follows:

The Board is hereby authorised to expend that sum by donating to each of the following 5 organisations or funds a sum of \$167.40:

The Auckland Sailors' Home, the British Sailors' Society Auckland (Incorporated), the "Flying Angel" Missions to Seamen, the Apostleship of the Sea (Auckland) Incorporated, and the Royal New Zealand Navy Benevolent Fund.

32 Validating certain expenditure incurred by Auckland Harbour Board

Whereas the Auckland Harbour Board (in this section referred to as the **Board**) paid the expenses of certain persons associated with the operation of the Port of Auckland in connection with an overseas tour to study port operations and cargo handling:

And whereas the Board had no authority to pay those expenses:

And whereas it is desirable that the action of the Board in paying the expenses be validated:

Be it therefore enacted as follows:

The expenditure by the Board during the financial year ended with 30 September 1967 of the sum of 2,362 pounds 12 shillings and 6 pence in connection with an overseas study tour organised by the Board for the purpose of research into certain aspects of port operations and, in particular, the payment of the travelling, accommodation, and incidental expenses of certain representatives of various industries and organisations that comprised the group who went on the study tour, is hereby validated and declared to have been lawfully incurred.

33 Validating certain expenditure incurred by Otorohanga Urban Fire Authority

The expenditure by the Otorohanga Urban Fire Authority during the financial year ended with 31 March 1966 of the sum

of 43 pounds 6 shillings and 10 pence in connection with a function and presentation to mark the retirement from office of the 2 insurance representatives on the Authority and of the Secretary to the Otorohanga Fire Brigade is hereby validated and declared to have been lawfully incurred.

34 Authorising Northland Harbour Board to transfer certain land to Whangarei City Council

Whereas the land described in subsection (3) is vested in the Northland Harbour Board (in this section referred to as the **Board**):

And whereas the Board, at the request of the Mayor, Councillors, and Citizens of the City of Whangarei (in this section referred to as the **Corporation**) has agreed to transfer the land to the Corporation for a public reserve:

And whereas the Corporation has agreed to pay the Board the sum of \$34,000 for the land:

And whereas the Board has no authority to transfer the land:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in any Act or rule of law, the Board may, without further authority than this section, transfer the land described in subsection (3) to the Corporation for an estate in fee simple as a public reserve for recreation purposes within the meaning of the Reserves and Domains Act 1953 for a consideration of \$34,000; and on the transfer of the land it shall be deemed to be freed from all trusts, reservations, and restrictions affecting it as at the date of the transfer.
- (2) The proceeds of the sale shall be paid into the Board's Harbour Account and shall form part of the general funds of the Board.
- (3) The land to which this section relates is described as follows:
All that area in the North Auckland Land District containing 40 acres 1 rood 19 perches, more or less, being Lots 2 and 3, DP 50843, being part Allotment 118, Parahaki Parish and part Section 23, Block IX, Whangarei Survey District (City of Whangarei), and being also part of the land comprised and described in certificates of title, Volume 1034, folio 123 and Volume 1111, folio 139, North Auckland Registry.

Contents

- 1 General
 - 2 Status of reprints
 - 3 How reprints are prepared
 - 4 Changes made under section 17C of the Acts and Regulations Publication Act 1989
 - 5 List of amendments incorporated in this reprint (most recent first)
-

Notes**1 General**

This is a reprint of the Local Legislation Act 1967. The reprint incorporates all the amendments to the Act as at 31 December 1971, 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)*

Auckland Improvement Trust Act 1971 (1971 No 9 (L)): section 12(1)

Urban Renewal and Housing Improvement Amendment Act 1969 (1969 No 134): section 2(3)

Local Legislation Act 1967 (1967 No 148): section 4(2)
