



ANALYSIS

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1981, No. 52

An Act to confer certain powers on certain public bodies and to authorise and validate certain transactions and other matters
[20 October 1981]

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

1. Short Title—This Act may be cited as the Local Legislation Act 1981.

City and Borough Councils

2. Hokitika Borough Council: Authorising payments out of Reserves Endowment Fund—(1) Notwithstanding section 230 of the Local Government Act 1974, the Hokitika Borough Council may, out of its Reserves Endowment Fund,—

(a) Expend on—

(i) The purchase of audio-visual equipment for the West Coast Historical Museum; or

(ii) The reimbursement to its general funds of amounts expended for that purpose before the commencement of this Act,—

such sum or sums (not exceeding \$13,000 in the aggregate) as it thinks fit:

(b) Expend on—

(i) Making payments to the Hokitika Community Centre Committee for the purpose of the purchase of furnishings for the Regent Theatre, Hokitika; or

(ii) The reimbursement to its general funds of amounts expended for that purpose before the commencement of this Act,—

such sum or sums (not exceeding \$25,000 in the aggregate) as it thinks fit.

(2) The receipt of the treasurer of the Hokitika Community Centre Committee shall be a sufficient discharge to the said Council for any money paid under subsection (1)

(b) (i) of this section; and it shall not be required to look to the application of any money so paid.

3. Kapiti Borough Council: Excluding properties from special rating area—(1) The special rating area immediately before the commencement of this Act comprising the properties specified in the roll sealed by the Kapiti Borough Council (hereafter in this section referred to as the Council), and authenticated by the Mayor of the Council, on the 15th day of December 1975 shall, upon and after that commencement, be deemed not to include any land not situated in the Pararamu Ward.

(2) As soon as is practicable after that commencement, the Council shall refund to the person who paid it (or, where the person who paid it is dead, to his personal representatives), without interest, every amount paid to the Council

by way of special rate on land not situated in the Paraparamu Ward in relation to the repayment of the Paraparamu Sewerage (Stage I) Loan 1975, the Paraparamu Sewerage (Stage II) Loan 1979, or the Paraparamu Sewerage Loan 1980.

4. Lyttelton Borough Council: Amendments to Lyttelton Borough Empowering Act 1976—(1) This section shall be read together with and deemed part of the Lyttelton Borough Empowering Act 1976 (hereafter in this section referred to as the principal Act).

(2) Section 2 of the principal Act is hereby amended by repealing the definition of the term "Corporation".

(3) Section 4 of the principal Act is hereby amended by repealing subsection (1), and substituting the following subsection:

"(1) Where—

"(a) Any part of the said land has, before or after the commencement of this Act, been leased; and

"(b) There is erected on that part a residential building that, in the opinion of the Council, is designed as a self-contained home or residence, and occupied exclusively by the lessee and his family as a self-contained home or residence,—

the Council may, upon and subject to such terms and conditions as it thinks fit, sell that part to the lessee."

(4) The said section 4 is hereby further amended by adding the following subsection:

"(5) The provisions of section 575 of the Local Government Act 1974 shall apply to any agreement for sale and purchase made under this section as if that agreement had been made under section 554 of that Act."

(5) Section 4 (2) of the principal Act is hereby amended by omitting the word "Corporation", in both places where it appears, and substituting, in each case, the word "Council".

(6) Section 6 of the principal Act is hereby amended by omitting the word "Corporation" where it first appears, and substituting the word "Council".

5. Whangarei City Council: Authorising use towards building of cultural and recreational centre of proceeds from sale of abattoir—(1) Notwithstanding section 230 of the Local Government Act 1974, the Whangarei City Council is hereby authorised and empowered to expend all or any

part of the proceeds of the sale of the land described in subsection (2) of this section (after making provision for the repayment from those proceeds of the unpaid balance of all money borrowed by the said Council, the Dargaville Borough Council, the Hikurangi Town Council, the Hobson County Council, the Otamatea County Council, and the Whangarei County Council, or any of them, in respect of the Whangarei abattoir) towards the cost of constructing a cultural and recreational centre on land owned by the said Council.

(2) The said land comprises all that parcel of land containing approximately 7.2438 hectares, being Section No. 1A of Block XVI of the Purua Survey District, and being all the land comprised and described in certificate of title, Volume 182, folio 242 (North Auckland Registry).

County Councils

6. Bay of Islands County Council: Authorising grant towards gymnasium—(1) Notwithstanding that it is not otherwise authorised to do so, but subject to subsection (2) of this section, the Bay of Islands County Council is hereby authorised and empowered to pay to the Kerikeri High School Board of Governors out of its Land Subdivision Reserve Fund Account such sum or sums (not exceeding in the aggregate \$20,000) as the said Council thinks fit towards the cost of constructing a gymnasium at Kerikeri High School; and the said Board shall hold and apply all such sums for that purpose.

(2) The said Council shall not so pay any such sum until—

- (a) It has been granted by the said Board a licence under section 6A of the Education Lands Act 1949 to use the said gymnasium and its ancillary facilities; and
- (b) The Minister of Recreation and Sport has notified the said Council in writing that he is satisfied that the licence so granted provides for the reasonable use by members of the public of the said gymnasium and its ancillary facilities.

(3) Notwithstanding subsection (1) of this section, the receipt of the Secretary for the time being of the said Board shall be a full and sufficient discharge to the said Council for any such sum, and the said Council shall not be obliged to see to its application.

7. Rangitikei County Council: Authorising retail sale of compressed natural gas outside district—(1) Subject to subsection (2) of this section, section 520 (c) of the Local Government Act 1974 shall apply to the Rangitikei County Council (hereafter in this section referred to as the said Council) as if—

(a) The district of the Marton Borough Council were within the district of the said Council; and

(b) The Governor-General had, by Order in Council, consented to the said Council's supplying compressed natural gas within its district.

(2) Where any person has applied to him in that behalf, the Minister of Energy shall, if he is satisfied that there has been established in any place reasonably conveniently accessible to the inhabitants of the district of the said Council any installation that may lawfully and can provide a supply of compressed natural gas adequate for the immediately foreseeable requirements of those inhabitants, by notice in writing to the said Council, require the said Council to cease supplying compressed natural gas to the public.

(3) After the expiration of 6 months (or such lesser period as is specified in the notice) from the date of the receipt by the said Council of a notice under subsection (2) of this section, section 520 of the Local Government Act 1974 shall apply to the said Council as if subsection (1) of this section had never been passed.

8. Waimairi County Council: Authorising grant towards hall—(1) Notwithstanding that it is not otherwise authorised to do so, but subject to subsection (2) of this section, the Waimairi County Council is hereby authorised and empowered to pay to the Canterbury Education Board out of its Land Subdivision Reserve Account such sum or sums (not exceeding in the aggregate \$92,000) as it thinks fit towards the cost of constructing a hall at Windsor Primary School; and the said Board shall hold and apply all such sums for that purpose.

(2) The said Council shall not so pay any such sum until—

(a) It has been granted by the said Board a licence under section 6A of the Education Lands Act 1949 to use the said hall and its ancillary facilities; and

(b) The Minister of Recreation and Sport has notified the said Council in writing that he is satisfied that the

licence so granted provides for the reasonable use by members of the public of the said hall and its ancillary facilities.

(3) Notwithstanding subsection (1) of this section, the receipt of the Secretary for the time being of the said Board shall be a full and sufficient discharge to the said Council for any such sum, and the said Council shall not be obliged to see to its application.

Electric Power Board and Harbour Board

9. King Country Electric Power Board: Validating unlawful construction of buildings—Notwithstanding section 47 of the Electric Power Boards Act 1925, every action of the King Country Electric Power Board before the commencement of this Act relating to the building, adding to, or improvement of premises situated within the district of the Taumarunui Borough Council is hereby deemed to be as valid and effectual as if those premises were at all material times within the Board's district; and the Board may at any time add to or extend any premises so situated built before that commencement.

10. Otago Harbour Board: Validating unauthorised expenditure—The actions of the Otago Harbour Board in paying to the Port Chalmers Yacht Club, during the year that ended with the 30th day of September 1980, the sum of \$5,000 are hereby validated and deemed to have been lawful.

This Act is administered in the Department of Internal Affairs.
