Mr Douglas

AUCKLAND CITY (VULCAN LANE MALL) EMPOWERING

[LOCAL]

ANALYSIS

A BILL INTITULED

An Act to enable the Auckland City Council to set aside part of Vulcan Lane, Auckland, as a pedestrian mall

WHEREAS it is expedient to enable the Auckland City
5 Council to set aside part of Vulcan Lane, Auckland, as a
pedestrian mall and to exclude vehicles therefrom so far as
necessary for that purpose:

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

1. Short Title—This Act may be cited as the Auckland
City (Vulcan Lane Mall) Empowering Act 1967.

2. Interpretation—In this Act, unless the context otherwise
requires,—

No. 57—1

"Vehicle" shall have the meaning given to it by section 2
of the Transport Act 1962:

"Parking" means the standing of a vehicle for any period
exceeding five minutes; and "park" has a correspond-
ing meaning.   5

**3. Council may exclude vehicles from part of Vulcan
Lane**—(1) Notwithstanding the provisions of any other
enactment, the Auckland City Council may by special order
prohibit or restrict either generally or during particular hours
and subject to such exceptions and conditions as to occasional 10
user or otherwise as may be specified in the order the driving
or parking of any vehicle on all of Vulcan Lane lying between
Queen Street and O'Connell Street except for the part thereof
forming the intersection with High Street.

(2) The first public notice of any resolution under sub- 15
section (1) of this section shall, in addition to any other
particulars required to be given therein, contain a statement
to the effect that any person likely to be affected by the
proposal contained in the resolution may, by writing under
his hand delivered to the Town Clerk and received at the 20
office of the Council not later than fourteen days after
publication of the notice, object to the proposal and that any
such person will be given the opportunity of being heard by
the Council.

(3) Where any person objects to the proposal in accord- 25
ance with subsection (2) of this section, the Council shall
appoint a day for considering the objection and shall give
notice to the objector of the time when and place where the
objection is to be heard. Any such time shall be not earlier
than seven days after the date on which the notice of objection 30
was received by the Clerk.

(4) The Council, at the time and place stated in the notice
referred to in subsection (3) of this section, shall consider the
objection and, after hearing any submissions made by or on 35
behalf of the objector, may either dismiss the objection or
make such modifications to the proposal to which the objec-
tion relates as it thinks fit. The hearing of any such objection
may be adjourned from time to time and from place to place.

(5) Where any proposal is modified under subsection (4) 40
of this section, the modified proposal shall, for the purposes
of the special order, be deemed to be contained in the original
resolution and may be confirmed at a subsequent meeting of
the Council in accordance with the Municipal Corporations
Act 1954 without any further notification of the original 45
resolution as modified:

Provided that where there are more objectors than one, the Council shall, as far as practicable, hear all objections together and give each objector an opportunity of considering and being heard in respect of all other objections.

5   (6) No resolution under this section shall be confirmed until the Council has considered all objections of which notice has been given in accordance with this section.

4. Offences—Any person who drives or parks any vehicle or causes or permits any vehicle to be driven or parked in
10 contravention of an order made under section 3 of this Act commits an offence and shall be liable on summary conviction to a fine not exceeding twenty dollars.