

**Reprint
as at 29 November 1994**



Local Legislation Act 1986

Public Act 1986 No 26
Date of assent 19 June 1986
Commencement 19 June 1986

Contents

	Page
Title	1
1 Short Title	2
2 Auckland Metropolitan Drainage District: validating invalid rates	2
3 Cambridge Borough Council: centennial recreation centre	2
4 Manukau City Council: authorising granting of licence to develop foreshore, etc	3
5 Ohakune Borough Council: validating refuse removal charge	4
6 Wellington Harbour Board: authorising sale of land	4

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

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.

1 Short Title

This Act may be cited as the Local Legislation Act 1986.

2 Auckland Metropolitan Drainage District: validating invalid rates

All actions of—

- (a) the Auckland Regional Authority in calculating and arriving at, levying, and collecting annual assessments, and any interest payable in respect of annual assessments; and
- (b) the Manukau City Council and the Waitemata City Council, in relation to the resolving to make and levy, making, levying, and collecting rates,—

are hereby deemed to be as valid and effectual as if the Auckland Metropolitan Drainage District Order (No 3) 1985 had come into force on 1 April 1985; and the legality of the payment and receipt of assessments, interest, and rates before the commencement of this Act, and of actions taken in respect of the collection of assessments, interest, and rates after that commencement, shall be determined accordingly.

3 Cambridge Borough Council: centennial recreation centre

- (1) Notwithstanding anything in the Public Bodies Leases Act 1969, but subject to subsection (2), the Cambridge Borough Council is hereby authorised and empowered to lease to the Cambridge Recreational Trust Inc., at such rent, and upon and subject to such terms and conditions as the said Council thinks fit, the land described in subsection (5).
- (2) The said Council shall not grant any such lease unless satisfied that it provides for the reasonable use by members of the public of any facilities erected or proposed to be erected on the said land.
- (3) The said Council is hereby authorised and empowered to pay out of its Land Sales (Endowment) Account to its Reserves Purchase and Development Account the sum of \$49,702.25 (being the amount paid by the said Council in acquiring the said land).

- (4) Notwithstanding that the said Council is not otherwise authorised to do so, the said Council is hereby authorised and empowered to pay at any time before 1 April 1989 to the said Trust out of either of those accounts, or partly out of one and partly out of the other of them, any sum or sums (not exceeding \$600,000 in the aggregate) the said Council thinks fit towards the cost of erecting a recreational centre on the said land; and the said Trust shall hold and apply all such sums for that purpose.
- (5) The said land comprises all that parcel of land situated in Block IX, Cambridge Survey District, containing 1.21 hectares, more or less, being Allotment 5, Town of Cambridge East and Lots 8 to 14 (inclusive) DP 16133, and being the land shown marked "A" on SO Plan 55920.

4 Manukau City Council: authorising granting of licence to develop foreshore, etc

- (1) Notwithstanding anything in sections 156 and 158 of the Harbours Act 1950, but subject to subsections (2) and (3), the Manukau City Council is hereby authorised and empowered to grant to any person a licence to develop, use, and occupy, for boat harbour purposes, all or any part of the land described in subsection (5).
- (2) The said Council shall not grant any such licence without the written approval of the Minister of Transport, who may give that approval unconditionally, or subject to any terms and conditions the Minister thinks fit.
- (3) The said Council shall not grant any such licence for any term (including any periods for which the grantee may have a right of renewal) exceeding 50 years; but, subject to subsection (2), may otherwise grant such a licence for any term or terms, and upon and subject to any terms and conditions, it thinks fit.
- (4) Nothing in subsection (1) authorises any person to reclaim any land from the sea or from the waters of any harbour, or to construct any graving dock or dock in any harbour or in the sea.
- (5) The said land comprises all that foreshore and seabed, having an area of 6.900 hectares, more or less, being part bed of

Tamaki Strait, situated in Block IV, Otahuhu Survey District, and being the land shown marked “A” on SO Plan 67375.

Section 4(1): amended (with effect on 19 June 1986), on 29 November 1994, by section 4(1)(a) of the Manukau City Council (Pine Harbour Marina Seabed Licence Validation) Act 1994 (1994 No 5 (L)).

Section 4(1): amended (with effect on 19 June 1986), on 29 November 1994, by section 4(1)(b) of the Manukau City Council (Pine Harbour Marina Seabed Licence Validation) Act 1994 (1994 No 5 (L)).

Section 4(5): substituted (with effect on 19 June 1986), on 29 November 1994, by section 4(2) of the Manukau City Council (Pine Harbour Marina Seabed Licence Validation) Act 1994 (1994 No 5 (L)).

5 Ohakune Borough Council: validating refuse removal charge

Notwithstanding that the refuse removal charge of \$9 per dwelling, and \$50 per other occupied property, serviced by the Ohakune Borough Council refuse collection resolved to be made and levied in respect of the year that ended with 31 March 1984 by the Ohakune Borough Council at a duly notified meeting held on 19 May 1983 was invalid by virtue of its not being uniform as required by section 163 of the Local Government Act 1974,—

- (a) the said charge is hereby validated and deemed to have been lawfully made:
- (b) all actions of the said Council in levying and collecting the said charge are hereby validated and deemed to have been lawful:
- (c) all money received by the said Council in payment of the said charge is hereby deemed to have been lawfully paid to and received by it:
- (d) such part of the said charge as has not yet been paid to the said Council is hereby deemed to have been lawfully payable, and capable of being collected as if it had always been lawfully payable.

6 Wellington Harbour Board: authorising sale of land

- (1) Notwithstanding anything in section 5 of the Wellington Harbour Board and Corporation Land Act 1880 or in sections 143A to 143C of the Harbours Act 1950, the Wellington Harbour Board is hereby authorised and empowered to sell by pri-

- vate treaty, without the consent of the Minister of Transport, any part of the land described in subsection (5) to any person who is a lessee from the said Board of that part of that land.
- (2) Notwithstanding the said section 5, but subject to the said sections 143A to 143C, the said Board is hereby authorised and empowered to sell any part of the said land to any other person.
 - (3) The registration of any person other than the said Board as proprietor of an estate in fee simple of any part of the said land shall free that part of the said land from all trusts, reservations, and restrictions imposed on it by the said section 5.
 - (4) Upon the registration of any person other than the said Board as proprietor of an estate in fee simple of any part of the said land, the District Land Registrar of the Wellington Land Registry shall take all such steps, and make all such entries in the registers, as are necessary to give effect to subsection (3) in relation to that part.
 - (5) The said land comprises all those parcels of land situated in the City of Wellington, being part of Section 8, Watts Peninsula District, containing—
 - (a) first, 2 435 m², more or less, being Lots 1, 2, 3, 4, and 5, DP 2851, and being all the land comprised and described in certificate of title No D2/392 (Wellington Registry); and
 - (b) secondly, 2 107 m², more or less, being Lots 6, 7, 8, 9, and 10, DP 2851, and being all the land comprised and described in certificate of title D2/393 (Wellington Registry); and
 - (c) thirdly, 2 701 m², more or less, being Lots 11, 14, and 15, DP 2851, and being all the land comprised and described in certificate of title D1/614 (Wellington Registry); and
 - (d) fourthly, 6 095 m², more or less, comprising—
 - (i) first, 2 200 m², more or less, being Lots 12 and 13, DP 2851; and
 - (ii) secondly, 2 254 m², more or less, being Lots 16 and 18, DP 5112; and
 - (iii) thirdly, 1 591 m², more or less, being part Lot 17, DP 5112; and

- (iv) fourthly, 50 m², more or less, being Sections 101 and 102, Watts Peninsula District,—
being parts of the land comprised and described in certificate of title No C2/322 (Wellington Registry).
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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)
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Notes

1 *General*

This is a reprint of the Local Legislation Act 1986. The reprint incorporates all the amendments to the Act as at 29 November 1994, 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)*

Manukau City Council (Pine Harbour Marina Seabed Licence Validation) Act 1994 (1994 No 5 (L)): section 4(1), (2)
