



ANALYSIS

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1964, No. 129

An Act to amend the Counties Act 1956

[4 December 1964]

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 Counties Amendment Act 1964, and shall be read together with and deemed part of the Counties Act 1956 (hereinafter referred to as the principal Act).

2. Fresh elections of Councillors—(1) Section 43 of the principal Act is hereby amended—

- (a) By omitting the words “in like manner as if extraordinary vacancies had occurred in the offices of the Councillors by resignation in the respective cases mentioned”:
- (b) By omitting from paragraph (a) the words “all the Councillors in office in the original ridings affected by the redivision shall go out of office, and”:
- (c) By omitting from paragraph (b) the words “the Councillors in office for the riding shall go out of office, and”:
- (d) By omitting from paragraph (c) the words “all the Councillors in office for that riding shall go out of office, and”.

(2) Section 43 of the principal Act is hereby further amended by adding, as subsections (2) and (3), the following subsections:

“(2) Except where the event mentioned in paragraph (a) or paragraph (b) or paragraph (c) of subsection (1) of this section happens during the period commencing on the first day of January and ending with the thirty-first day of August in the year in which a triennial general election of the Council is to be held, the election of Councillors to be held pursuant to that paragraph shall be held in the same manner as if an extraordinary vacancy in the office of Councillor had occurred on the happening of that event, and the Councillors in office for the riding or ridings affected by that event, shall, unless they sooner vacate office for any other reason, continue to hold office until the Councillors elected at that election come into office.

“(3) Where any of the events mentioned in paragraph (a) or paragraph (b) or paragraph (c) of subsection (1) of this section happens during the period commencing on the first day of January and ending with the thirty-first day of August in the year in which a triennial general election of the Council is to be held, any election of Councillors to be held pursuant to that paragraph shall be held on the date and as part of the triennial general election, and the Councillors in office for the riding or ridings affected by that event shall, unless they sooner vacate office for any other reason, continue to hold office until the Councillors elected at the triennial general election come into office.”

3. Ouster of office of Councillor—Section 45 of the principal Act is hereby amended—

- (a) By inserting in subsection (1), after the words “this Act”, the words “or any other Act or was on the date on which he was declared to have been elected incapable under this Act or any other Act”:
- (b) By omitting from subsection (2) the words “is incapable under this Act”, and substituting the words “is or was incapable as aforesaid”.

4. Annual allowance to Chairman—(1) The principal Act is hereby further amended by repealing section 69, and substituting the following section:

“69. (1) The Chairman may be paid such annual allowance out of the County Fund as the Council from time to time fixes, not exceeding—

“(a) In the case of a county having a population of not more than ten thousand, five hundred pounds:

“(b) In the case of a county having a population of more than ten thousand but not more than twenty thousand, seven hundred and fifty pounds:

“(c) In the case of a county having a population of more than twenty thousand, one thousand pounds;—

but no alteration in the amount of that allowance shall take effect during the term of office of any Chairman.

“(2) For the purposes of this section—

“(a) The certificate of the Government Statistician as to the population of any county at any date shall be conclusive evidence thereof:

“(b) A person re-elected as Chairman shall be deemed to be a new Chairman.”

(2) Notwithstanding anything in section 69 of the principal Act (as substituted by subsection (1) of this section), the allowance of the Chairman of any county who is in office at the date of the passing of this Act may, by resolution of the Council passed within six months after that date, be increased once during his term of office.

5. How money to be withdrawn from bank—The principal Act is hereby further amended by repealing section 101, and substituting the following section:

“101. (1) All money shall be paid by the Corporation in cash, or by cheque signed by the Treasurer or the Deputy Treasurer or any other officer of the Council whom the

Council, by resolution, from time to time appoints for the purpose of signing cheques, and countersigned in each case by any Councillor whom the Council from time to time authorises to sign cheques:

“Provided that it shall be lawful, with the prior consent of the Audit Office, for any money to be paid by the Corporation by cheque signed as aforesaid and countersigned by any officer of the Council whom the Council, by resolution, from time to time appoints for that purpose.

“(2) Every payment of money by the Council shall be authorised by a prior resolution of the Council or shall be submitted to the Council for authorisation at its next ordinary meeting.

“(3) Notwithstanding anything in subsection (1) of this section, it shall be lawful, with the prior consent in writing of the Audit Office and subject to such conditions as the Audit Office prescribes, for any money to be paid by the Council by cheque bearing a facsimile of the signature of the Treasurer or of the signatures of the Treasurer or Deputy Treasurer and of any person authorised pursuant to the provisions of this section to countersign cheques, and every cheque bearing such a facsimile shall be deemed to have been duly signed and countersigned in accordance with the provisions of this section.”

6. Travelling allowances to members of committees—Section 136 of the principal Act is hereby amended by adding, as subsection (2), the following subsection:

“(2) Where any member of any committee of the Council who is not a member of the Council attends any meeting of that committee, or, with the authority of the committee, travels in the service of the committee, he shall be entitled to receive travelling allowances and expenses as if he were a member of the Council, and the provisions of the Fees and Travelling Allowances Act 1951 shall apply accordingly.”

7. Insurance of persons cutting grass on roads—The principal Act is hereby further amended by inserting, after section 141, the following section:

“141A. The Council may from time to time enter into contracts of insurance insuring persons who, otherwise than as employees of the Council or pursuant to a contract with the Council, voluntarily cut the grass on any road against claims for damages arising from personal injuries to or the

death of any person or damage to property caused by so doing, and may pay the premiums payable in respect of those contracts.”

8. Naturalisation ceremonies—The principal Act is hereby further amended by inserting, after section 143, the following section:

“143A. The Council may from time to time expend such sums as it thinks fit in holding public ceremonies in the county in connection with the granting of certificates of naturalisation or registration as British subjects and New Zealand citizens.”

9. Change of name of road—Section 192 of the principal Act is hereby amended by adding to subsection (3) the words “A copy of the special order shall also be sent to the Chief Surveyor of the land district within which the land is situated.”

10. Maximum drainage rate—Section 226 of the principal Act is hereby amended by omitting from subsection (2) the word “twopence”, and substituting the word “threepence”.

11. Levying of drainage rates on graduated scale—(1) Section 232 of the principal Act is hereby amended by inserting, after subsection (1), the following subsection:

“(1A) All lands in the rating area that are liable to be rated under this Part of this Act for the purpose for which the rate is to be levied shall be so classified as to provide a basis of rating that is equitable as between ratepayers and as between groups of ratepayers.”

(2) Section 232 of the principal Act is hereby further amended by inserting in subsection (6), after the words “land to which the list relates”, the words “and shall have attached thereto a map showing by distinctive colouring the outer boundaries of each class of land”.

(3) Section 232 of the principal Act is hereby further amended by inserting, after subsection (10), the following subsection:

“(10A) The fees payable in respect of proceedings in the Magistrate’s Court shall be payable on any such appeal, and such costs as the Court deems just may be awarded either in favour of or against the appellant.”

12. Land drainage rating on acreage system—The principal Act is hereby further amended by inserting, after section 232, the following section:

“232A. (1) In addition to any other powers conferred on it by this Act for making and levying rates, and notwithstanding anything in section 4 of the Rating Act 1925, the Council may make and levy any rate for land drainage purposes on a graduated scale on the basis of an amount for each acre of each class of land liable to be rated according to the classification made under section 232 of this Act of the rateable property upon which the rate is to be levied.

“(2) The power to make and levy rates on the acreage system shall be exercised by the Council only by special order.

“(3) Where any person considers that the acreage system will operate unfairly in the area where it is to apply, he may, within fourteen days after the date on which the special order is confirmed, appeal on that ground against the special order to the Magistrate’s Court nearest to the public office of the Council. On hearing the appeal the Magistrate’s Court may cancel or vary the special order, or may confirm it either absolutely or subject to such conditions and modifications as the Court deems just, and the decision of that Court shall be final.

“(4) In classifying for the purpose of an acreage rate a holding of land which falls into two or more classes, the acreage of that land that is in each class shall be specified:

“Provided that in any such case, for the purpose of recovering the rate, the whole of the holding of land shall be charged with the total amount of all rates made and levied on all the classes of land that comprise the holding.

“(5) For the purposes of acreage rating, section 51 of the Rating Act 1925 shall be read as if paragraphs (d) and (f) were repealed, and the following paragraphs were substituted therefor:

“(d) In the case of every acreage rate, that it be of a stated amount for each acre of land in each class of land classified as rateable which is comprised in the property as appearing in the valuation roll:

“(f) Where the total amount of rates due by any one ratepayer would on the basis prescribed by this section be less than five shillings, he shall be rated at five shillings.’

“(6) In the case of every acreage rate the particulars to be transcribed in the rate book shall include the total areas

of the properties, and the areas of the several classes of land in each property as appearing in the valuation roll, and the amount per acre payable as a rate with respect to each part or the whole of the property, as the case may be; and it shall not be necessary for the rate book to contain particulars of rateable values.

“(7) Section 52 of the Rating Act 1925 and form number 7 in the First Schedule to that Act shall apply to any acreage rate with such modifications as are required in consequence of this section.

“(8) In connection with appeals against any rate book prepared with respect to any acreage rate, section 56 of the Rating Act 1925 shall be read as if paragraph (a) was repealed and the following paragraph was substituted therefor:

“(a) That any person is rated in the rate book on property not appearing in the valuation roll, or that the area of any property or of any class of land in any property is different from the area thereof set out in the valuation roll:’.”

13. Classification of land by agreement—The principal Act is hereby further amended by inserting, after section 232A (as inserted by section 12 of this Act), the following section:

“232B. (1) Notwithstanding any provision of this Act or any other Act or any rule of law, any classification of land for the purposes of any rate that may be levied under this Part of this Act may be made by written agreement between the Council and all of the persons whose names appear on the district valuation roll as the owners and occupiers of the land which is thereby classified. Every such agreement shall define the portion of the rating area to which it applies, the classification of the lands therein, and the proportions in which the rate is to be imposed on the several classes of lands therein.

“(2) An agreement under this section shall be effective as between all parties who execute it and their successors in title, whether or not it names the individual parties, if it purports to be an agreement between the Council and the owners and occupiers of the land which is thereby classified; and it may be in the form of a number of copies of the agreement, each signed by one or more of those persons and sealed by the Council, if the copies are bound together after execution by all of the parties.

“(3) Any classification of land made by agreement under this section shall, for the purpose of rating the defined area for the purpose for which the rate is levied, be deemed to have been made under section 232 of this Act.”

14. Annual charge for fire protection—The principal Act is hereby further amended by inserting, after section 284, the following section:

“284A. (1) Instead of making and levying a rate under section 284 of this Act, the Council may, subject to the provisions of subsection (3) of this section, by special order make and levy an annual charge on all rateable property situated within the area in respect of which any payment is made by the Council under section 284 of this Act, and that annual charge shall for all purposes be deemed to be a separate rate.

“(2) The Council may classify the rateable property according to the use to which it is put, and any such annual charge may be of a different amount in respect of each class of rateable property.

“(3) The power conferred by this section to make and levy an annual charge may be exercised by the Council upon a petition signed by a majority of the ratepayers in the area of the county in which the annual charge is to be levied, or, in the discretion of the Council, may be exercised without any such petition:

“Provided that, where the Council proposes to exercise that power without any petition, a poll of the ratepayers of the area of the county in which the annual charge is to be levied shall be taken on the proposal to make and levy the annual charge, where—

“(a) Not less than five per cent of the ratepayers within the area in which the annual charge is to be levied, by writing under their hands delivered or sent by post to the Council and received at the offices of the Council not later than the day before the date fixed for the confirmation of the resolution to make and levy the annual charge, demand that a poll of ratepayers of the area be taken on the proposal; or

“(b) The Council so resolves,—
and the annual charge shall not be made and levied unless a majority of the valid votes recorded at the poll are in favour of the proposal. Every such poll shall be held and taken by the Council in the manner provided by the Local

Elections and Polls Act 1953, and the provisions of that Act shall, as far as they are applicable, apply with respect to every such poll.”

15. Council may purchase and develop land for commercial or industrial purposes—The principal Act is hereby further amended by inserting in Part XXVI, after section 380, the following heading and section:

“Land for Commercial or Industrial Purposes

“380A. (1) In this section—

“‘Commercial or industrial purpose’ means any purpose of commerce, trade, or industry; but does not include the purposes of a farm, being a dairy farm, cattle farm, pig farm, sheep farm, market garden, orchard, apiary, nursery, poultry farm, or land used for the production for sale of crops of any kind; and ‘commercial or industrial allotment’ and ‘commercial or industrial building’ have meanings corresponding to the meaning of the term ‘commercial or industrial purpose’:

“‘Services’ includes water supply, sewerage, drainage, electricity, and gas.

“(2) The Council may from time to time by agreement with the owner of any land within the county, purchase the land for commercial or industrial purposes, whether or not there are buildings on the land:

“Provided that the Council shall not purchase any land pursuant to the powers conferred by this subsection, unless it first gives notice in writing to the owner of the purpose or purposes for which the land is to be purchased.

“(3) The Council may subdivide or resubdivide any land purchased as aforesaid for commercial or industrial purposes into suitable allotments for commercial or industrial purposes, and may construct thereon roads, service lanes, and access ways, and such works as may be deemed necessary for the use, convenience, and enjoyment of the land for commercial or industrial purposes, and may provide services and develop the land as allotments for such purposes.

“(4) The Council may—

“(a) Sell any such commercial or industrial allotment upon such terms as in its absolute discretion it thinks proper to any person desiring to erect thereon one or more buildings to be used for commercial or industrial purposes:

“(b) Sell any such commercial or industrial allotment on which any building is erected upon such terms as in its absolute discretion it thinks proper to any person desiring to occupy that building for commercial or industrial purposes:

“(c) Lease any such commercial or industrial allotment upon such terms as in its absolute discretion it thinks proper to any person desiring to erect thereon one or more buildings to be used for commercial or industrial purposes:

“(d) Lease any such commercial or industrial allotment on which any building is erected upon such terms as in its absolute discretion it thinks proper to any person desiring to occupy that building for commercial or industrial purposes.

“(5) The provisions of sections 353 and 354 of this Act (which relate to land acquired under Part XXV of this Act for housing purposes) shall apply with respect to land purchased under this section as if it had been acquired under the said Part XXV.

“(6) All money received by the Council on the sale or lease of any land purchased under this section shall be paid by the Council into a separate account to be known as the Commercial and Industrial Development Account. Money in that account may be applied solely for the following purposes:

“(a) In the reimbursement of the General Account of an amount to cover administrative charges in respect of the purchase and development of any land purchased under this section for commercial or industrial purposes and the sale or lease thereof, not exceeding five per cent of the actual cost of the land to the Council and the development thereof (including survey fees and the cost of the provision of services):

“(b) In repayment of any money borrowed to meet any expenditure incurred under subsection (2) or subsection (3) of this section in respect of any land purchased under this section for commercial or industrial purposes, and any interest and sinking-fund payments in respect of any money so borrowed:

“(c) In reimbursement of the General Account or any other account of any money expended out of that account under either of the said subsections (2) and (3)

in respect of any land purchased under this section for commercial or industrial purposes,—
and, after making the payments specified in paragraphs (a) to (c) of this subsection, may be applied for the purposes of any public work in the county.

“(7) The Council may from time to time raise a special loan under the Local Authorities Loans Act 1956 for any of the purposes mentioned in subsection (2) or subsection (3) of this section.”

16. Council may contract with owner to subdivide and develop land for housing—Section 386 of the principal Act is hereby amended by inserting, after subsection (1), the following subsection:

“(1A) It shall be lawful for the Council, by agreement with and at the expense of the owner of any land in the county of an area of less than two acres, being the whole of the land comprised in a separate certificate of title, to execute on or in connection with the land any works in respect of the subdivision and development of the land for housing purposes and the provision of services for such purposes. Money payable to the Council under any such agreement shall be a charge on the land.”

17. Bylaws as to mobile or travelling shops—Section 401 of the principal Act is hereby amended by adding, as subsection (2), the following subsection:

“(2) For the purposes of paragraphs (27A), (28), and (29) of subsection (1) of this section,—

“‘Mobile or travelling shop’ means a vehicle, whether self-propelled or not, from which goods, wares, or merchandise are offered or exposed for sale in the road, or from which goods, wares, or merchandise may be ordered in the road (whether or not in pursuance of any invitation to call with the goods, wares, or merchandise); but does not include any vehicle on or from which food is sold for consumption in or at the vehicle, or any vehicle used for the purpose of transporting and delivering goods, wares, or merchandise pursuant to a prior order placed for the delivery of the goods, wares, or merchandise:

“‘Keeper’, in relation to any mobile or travelling shop, means the person by whom or on whose behalf any business is carried on by means of that mobile or travelling shop.”

18. Contract bonds—The Second Schedule to the principal Act is hereby amended by omitting from clause 6 the words “and that penalty shall, in the case of default”, and substituting the words “and in the event of default the damages sustained by the Council up to the amount of the penalty shall”.

19. Subdivision of land fronting existing narrow road—(1) The Counties Amendment Act 1961 is hereby amended by inserting, after section 24, the following section:

“24A. (1) The provisions of section 128 of the Public Works Act 1928 shall not apply to a subdivision to which this Part of this Act applies of any land which has a frontage to an existing road of a width less than sixty-six feet.

“(2) In any case where any allotment on a scheme plan of subdivision submitted to the Council for its approval under this Part of this Act has a frontage to an existing road of a width less than sixty-six feet which—

“(a) Was not laid off or dedicated pursuant to a plan of subdivision previously approved by the Council or by the Governor-General or the Governor-General in Council or the Minister of Lands under the Land Act 1924 or the Land Subdivision in Counties Act 1946 or any other enactment; or

“(b) Is not a road to which the provisions of subsection (10) of section 125 of the Public Works Act 1928 apply; or

“(c) Is not already subject to a memorandum of acceptance or an Order in Council pursuant to section 128 of the last-mentioned Act,—

then, in any case where the Council is of the opinion that if that road were a new road to be provided by the owner to give access to that allotment it would require a road of a greater width, the Council may, as a condition of its consent to its approval of that scheme plan, require the owner to set back the frontage of that allotment to a distance sufficient to enable that road to be widened to the width that would be required by the Council for a new or proposed road of a like nature under section 24 of this Act:

“Provided that the Council shall not require the owner to set back the frontage of that allotment to a distance from the middle line of the road as it originally existed greater than half the width of the road when widened to the width that would be required by the Council as aforesaid.

“(3) In every such case, the owner shall dedicate as a public road the strip of land between the frontage line as so

set back and the frontage line as previously existing, and thereupon the land so dedicated shall form part of the existing road.

“(4) The owner of the land so dedicated shall be entitled to compensation by the Council, to be claimed and ascertained under the Public Works Act 1928; and in assessing such compensation the Land Valuation Court shall take into consideration the necessity for or advantage of affording greater road space and the betterment deriving to the whole property affected, and any such betterment shall be a set-off against the compensation claimed.

“(5) In addition to the powers conferred on it by subsection (2) of this section, the Council may, in the case of any road to which this section applies and which is not already subject to a building-line restriction, make it a condition of its approval of the plan of subdivision that when new buildings are erected or any buildings are rebuilt or re-erected or are substantially rebuilt or re-erected on land having a frontage to any part of that road no part of any such building shall stand within such distance of the middle line of the road as the Council specifies, being not less than thirty-three feet.

“(6) In this section the term ‘road’ does not include an access way or a service lane.”

(2) The Counties Amendment Act 1961 is hereby further amended—

(a) By omitting from subsection (3) of section 24 the words “sections 125, 126, and 128”, and substituting the words “sections 125 and 126”:

(b) By inserting in subsection (1) of section 33, after the words “section 24”, the words “or section 24A”.

20. Minimum frontage and area requirements—The Counties Amendment Act 1961 is hereby further amended—

(a) By inserting in subsection (1) of section 26, after the word “operative”, the words “or a proposed”:

(b) By inserting in paragraph (c) of subclause (3) of clause 8 of the First Schedule, after the word “operative”, the words “or a proposed”.

21. Contribution by subdivider towards water supply—Section 27 of the Counties Amendment Act 1961 is hereby amended by omitting from subsection (3) the words “water supply connection”, and substituting the words “water supply system”.

22. Reserves along seashore and banks of lakes, rivers, etc.—Section 29 of the Counties Amendment Act 1961 is hereby amended by inserting, after subsection (1), the following subsection:

“(1A) The strip of land required to be reserved pursuant to subsection (1) of this section shall be so reserved only in respect of so much of the land in the scheme plan as abuts on the sea, lake, river, or stream as aforesaid and adjoins any allotment having an area of less than ten acres.”

23. Building lines—(1) Section 31 of the Counties Amendment Act 1961 is hereby amended by omitting from subsection (6) the words “subsection (3)”, and substituting the words “subsection (5)”.

(2) Section 31 of the Counties Amendment Act 1961 is hereby further amended by inserting, after subsection (8), the following subsection:

“(8A) Where a building-line restriction affecting any land has been imposed under this Part of this Act, and the Council subsequently determines that the building-line restriction is no longer required, it may declare the building-line restriction to be cancelled. The Council shall send notice of the cancellation to the District Land Registrar or Registrar of Deeds, as the case may require, who shall amend his records accordingly.”

24. Variation or revocation of scheme plan—Section 32 of the Counties Amendment Act 1961 is hereby amended by omitting from subsection (2) the words “subsection (3)”, and substituting the words “subsection (5)”.

25. Appeal against refusal to approve scheme plan—Section 33 of the Counties Amendment Act 1961 is hereby further amended by adding the following subsection:

“(5) Where an appeal by the owner against the refusal of the Council under subsection (1) of section 23 of this Act to approve a scheme plan of subdivision has been allowed by the Town and Country Planning Appeal Board, then, notwithstanding the decision of the Board, the scheme plan shall not be deemed to have been approved for the purposes of this Part of this Act, but all the provisions of this Part of this Act shall apply thereto as if the Council had not refused under that subsection to approve the scheme plan.”

26. Deposit of survey plan—Section 35 of the Counties Amendment Act 1961 is hereby amended by repealing subsection (1), and substituting the following subsection:

“(1) In no case shall—

“(a) The survey plan of any land in the county which it is proposed to subdivide, being a subdivision to which the provisions of this Part of this Act apply, be deposited under the Land Transfer Act 1952, or in the Deeds Register Office; or

“(b) The transfer or conveyance or lease of any allotment or subdivision of any such land be registered under the Land Transfer Act 1952, or the Deeds Registration Act 1908; or

“(c) Any certificate of title be issued in respect of any such allotment or subdivision,—

unless—

“(d) The plan has been duly approved under section 34 of this Act; and

“(e) Where any land shown on the survey plan of subdivision will on the deposit of the plan vest in Her Majesty or in the Corporation pursuant to the provisions of this section, consent to the subdivision has, in the case of land subject to the Land Transfer Act 1952, been given in writing by the registered proprietor of every interest in the land that will vest as aforesaid, and, in the case of land not subject to that Act, by every person having an interest in the land that will vest as aforesaid if that interest is evidenced by an instrument registered under the Deeds Registration Act 1908.”

27. Previous approvals of Minister of Lands—Section 43 of the Counties Amendment Act 1961 is hereby amended by omitting from subsection (4) the words “those enactments shall continue to apply with respect to that scheme plan and that subdivision as if this Part of this Act had not been enacted”, and substituting the words “that enactment shall continue to apply with respect to that scheme plan and that subdivision, as if this Part of this Act had not been enacted, until the deposit of the survey plan under the Land Transfer Act 1952 or in the Deeds Register Office, as the case may be, and thereafter this Part of this Act shall apply as if the scheme plan and the survey plan had been approved by the Council under this Part of this Act”.

28. Reserves created under Land Subdivision in Counties Act 1946—Section 44 of the Counties Amendment Act 1961 is hereby amended as from the commencement of Part II of that Act by inserting, after subsection (1), the following subsection:

“(1A) For the purposes of subsection (5) of section 18 of the Reserves and Domains Act 1953, the title of the Corporation of a county or road district to any reserve that is vested in the Corporation pursuant to subsection (1) of this section shall be deemed to have been derived by the Corporation otherwise than from the Crown.”

29. Access strips to rear sections—Clause 8 of the First Schedule to the Counties Amendment Act 1961 is hereby amended by repealing the third and fourth provisos to subparagraph (ii) of paragraph (a) of subclause (1), and substituting the following provisos:

“Provided further that, subject to the provisions of section 25 of this Act, two adjoining rear sites may be served by adjoining strips each of which shall be not less than ten feet in width or, subject to the consent of the Council, and subject also to the condition that reciprocal rights of way shall be created over both strips, by strips each of which shall be not less than five feet in width:

“Provided further that, subject to the consent of the Council and to the provisions of section 25 of this Act, and subject also to the condition that reciprocal rights of way shall be created over all the strips, three adjoining rear sites may be served by strips each of which shall be not less than five feet in width, and four or more adjoining rear sites may be served by strips of an aggregate width of twenty feet.”

This Act is administered in the Department of Internal Affairs.
