

*Mrs McMillan*

**DUNEDIN CITY (LAND DEVELOPMENT)  
EMPOWERING**

[LOCAL]

ANALYSIS

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**A BILL INTITULED**

**An Act to authorise the Dunedin City Council to purchase land and interests in land for development for housing, commerce, or industry, and to raise money for such purchase and development, and to sell or lease the lands so developed.**

WHEREAS it is desirable that the Dunedin City Council (in this Act referred to as the Council) be empowered to purchase land and interest in land for development for housing, commerce, or industry and to develop such lands and to raise money for such purchase and development and to sell or lease the lands so developed:

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

No. 24—1

*Price 6d.*

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1. **Short Title**—This Act may be cited as the Dunedin City (Land Development) Empowering Act 1966.

2. **Authority to acquire land**—The Council is hereby empowered to purchase, take under the Public Works Act 1928, or otherwise acquire any area or areas of land within or outside the district of the Dunedin City Corporation (in this Act referred to as the Corporation) for development, or redevelopment for housing, commerce, or industry. 5

3. **Authority to acquire leasehold interests**—The Council is hereby empowered to purchase, take under the Public Works Act 1928, or otherwise acquire the lessee's improvements on and the lessee's interest in any land vested in the Corporation for any purpose other than public recreation and leased by it and to set apart such land for development, or redevelopment for housing, commerce, or industry. 10 15

4. **Power to develop land**—(1) The Council is hereby empowered in respect of any land purchased, taken, or acquired, or set apart as aforesaid, or any other land vested in the Corporation for any purpose other than public recreation— 20

- (a) To subdivide and resubdivide any such land or any part or parts thereof into suitable allotments for housing, commerce, or industry: 20
- (b) To erect houses, flats, and buildings for housing purposes and shops, offices, and buildings for commercial or industrial purposes and to alter, enlarge, repair, and improve the same respectively, and fit up, furnish, and supply the same or any of them respectively with all requisite furniture, fittings, conveniences, equipment, and plant: 25 30
- (c) To construct and provide streets, service lanes, access ways, railway sidings, services for water supply, drainage, sewerage, gas, electric lighting, and power and such other public works as may be deemed necessary for the use, convenience, and enjoyment of the land for residential, commercial, or industrial purposes. 35

(2) The erection of buildings for the purposes of this section shall be deemed to be a public work within the meaning of the Public Works Act 1928. 40

**5. Authority to borrow money**—The Council may from time to time raise special loans under the Local Authorities Loans Act 1956 for any of the purposes mentioned in sections 2, 3, and 4 of this Act.

5 **6. Authority to sell land**—Notwithstanding anything contained in the Municipal Corporations Act 1954 or any other Act or rule of law, the Council may raise money for any of the purposes mentioned in sections 2, 3, and 4 of this Act by  
10 selling such land vested in the Corporation for any purpose other than public recreation, including land acquired pursuant to this Act, as the Council shall in its absolute discretion think fit.

15 **7. Proceeds of sale**—All money received by the Council on the sale of any land pursuant to section 6 of this Act shall be paid by the Council into a separate account to be known as the Land Development Account.

**8. Power to sell or lease land for residential, commercial, or industrial purposes**—(1) Without limiting the powers of the Council under Part XIII of the Municipal Corporations Act  
20 1954 (which relates to the sale or leasing of land) it is hereby declared that the Council may in respect of any land developed or redeveloped pursuant to this Act:

(a) Sell any allotment for such price, upon such terms  
25 (including payment of purchase money by instalments), and to such person or persons desirous of using the land for residential, commercial, or industrial purposes as in its absolute discretion it thinks fit:

30 (b) Subject to the provisions of subsection (2) of this section, lease any allotment to such person or persons desirous of using the same for residential, commercial, or industrial purposes at such rental and upon such terms as in its absolute discretion it thinks fit.

35 (2) Every lease granted under subsection (1) of this section shall, at the option of the Council, be granted either in accordance with the provisions of sections 151, 152, and 155 of the Municipal Corporations Act 1954 or on any of the tenancies authorised by section 5 of the Public Bodies' Leases Act 1908 and may contain such covenants conditions and  
40 provisions not inconsistent with the provisions of the said sections as the Council thinks fit:

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Provided that nothing herein contained or implied shall be construed as making section 153 of the Municipal Corporations Act 1954 or section 8 of the Public Bodies' Leases Act 1908 apply to leases granted pursuant to this Act.

(3) All money received by the Council on the sale of any land pursuant to this section shall be paid by the Council into the Land Development Account. 5

(4) All money received by the Council on the lease of any land pursuant to this section shall be paid by the Council into its General Account. 10

**9. Land Development Account**—Money in the Land Development Account shall be applied solely for all or any of the following purposes:

(a) In payment of any annual charges required to service any loan raised by the Council pursuant to section 5 of this Act: 15

(b) In payment for any land, or the lessee's improvements on and the lessee's interest in any land, purchased taken or otherwise acquired pursuant to this Act:

(c) In payment for developing or redeveloping for housing, commerce, or industry any land pursuant to this Act, including any expenditure incurred pursuant to section 4 of this Act: 20

(d) In reimbursement of any other expenditure incurred by the Council under the provisions of this Act. 25

**10. Termination of development schemes**—After completion of its development schemes and after satisfaction of all payments under section 9 of this Act, money from time to time accruing to the Land Development Account may be applied by the Council in the undertaking, development, and maintenance of any public work which the Council is empowered to perform under the Municipal Corporations Act 1954 or any other Act. 30

**11. Section 104 of Local Authorities Loans Act 1956 not to apply**—Nothing in section 104 of the Local Authorities Loans Act 1956 shall apply in respect of any money to which section 7 and subsection (3) of section 8 of this Act apply. 35

**12. Powers additional**—The powers conferred on the Council by this Act shall be in addition to and not in substitution for any powers vested in the Council by any other Act for the time being in force, whether passed before or after the passing of this Act. 40