

This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and, having this day passed as now printed, is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

House of Representatives,

5th September, 1946.

[AS AMENDED BY THE LEGISLATIVE COUNCIL]

19th September, 1946.

Miss Howard

CHRISTCHURCH CITY EMPOWERING (No. 2)

[LOCAL BILL]

ANALYSIS

Title.	5. Council may sell building allotments.
Preamble.	6. Price of allotments.
1. Short Title.	7. Council may sell surplus land.
2. Interpretation.	8. Borrowing powers.
3. Council may acquire land for subdivision.	9. Moneys to be paid into separate fund.
4. Council may subdivide and road lands.	10. Council may apply General Fund.
	11. Extending authority for use of land for Plunket purposes.

A BILL INTITULED

AN ACT to enable the Christchurch City Council to acquire, subdivide, and develop Lands suitable for Housing; to provide Amenities for the Same; to sell *or lease* Building Allotments for the Purpose of Housing Construction; and to extend authority to grant temporary use of Land for Plunket Society Purposes.

WHEREAS there are in the City of Christchurch areas of land which it is desirable should be made available for subdivision into building allotments in view of the prevailing acute shortage of dwellinghouses, but which for divers reasons are unlikely to be made available otherwise than in pursuance of the exercise of the powers by this Act conferred upon the Christchurch City Council: And whereas it is desirable for the

development of the City of Christchurch and for the benefit of the citizens thereof that the said Council should have power to acquire for subdivision such land as in the opinion of the said Council may be conveniently acquired and developed, and afterwards to sell or lease the same for the purpose of housing construction: And whereas it is desirable to extend the authority of the Christchurch City Council to grant the temporary use of certain land for Plunket Society purposes: 5 10

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

Short Title.

1. This Act may be cited as the Christchurch City Empowering Act (No. 2), 1946. 15

Interpretation.

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

- “ City ” means the City of Christchurch:
- “ Council ” means the Christchurch City Council:
- “ Principal Act ” means the Municipal Corporations Act, 1933. 20

Council may acquire land for subdivision.

3. (1) Notwithstanding anything in the principal Act or in any other Act, the Council may from time to time purchase, or take under the Public Works Act, 1928, any area or areas of land within the city which in the opinion of the Council may be conveniently acquired for the purpose of subdivision into building allotments and development. 25

(2) The acquisition of land for the purpose of this Act shall be deemed a public work within the meaning of the Public Works Act, 1928. 30

Council may subdivide and road lands.

4. In respect of any such land acquired as aforesaid the Council may subdivide or re-subdivide the same into suitable building allotments and construct streets thereon, and may, for the purpose of developing the land as building allotments, exercise all the powers conferred upon local authorities by virtue of the principal Act or any other enactment conferring powers upon local authorities. 35

Council may sell building allotments.

5. The Council is hereby authorized to sell or lease the said building allotments upon such terms as the Council shall in its absolute discretion think proper to persons desirous of building thereon for the personal occupation of themselves and their families. The 40

Council may in its discretion refuse to sell or lease to any person without giving reasons for its refusal.

5 6. The price to be charged by the Council for any building allotment sold as aforesaid shall be calculated so as to return to the Council the actual cost of the land to the Council and the development thereof (including survey fees), plus the further sum of five pounds per centum to cover administrative charges:

Price of allotments.

10 Provided that it shall not be competent for any person to question the price put upon any building allotment by the Council:

Provided however that nothing in this section shall derogate from the provisions of the Servicemen's Settlement and Land Sales Act, 1943.

15 7. The Council may sell or lease any land which in the opinion of the Council is surplus to any scheme of subdivision or unsuitable for the purposes of this Act to such persons and upon such terms as the Council may think fit.

Council may sell surplus land.

20 8. The Council may, by special order and without taking the steps prescribed by sections nine to thirteen of the Local Bodies' Loans Act, 1926, raise a special loan for any of the purposes hereinbefore mentioned:

Borrowing powers.

25 Provided however that the Council shall not be empowered to borrow a greater sum than fifty thousand pounds pursuant to the authority hereby granted.

30 9. (1) All moneys raised pursuant to the authority granted by section eight hereof shall be paid into a separate fund to be known as the District Development Fund (hereinafter referred to as the said Fund), and shall not form part of the general revenues of the Council.

Moneys to be paid into separate fund.

35 (2) The cost of acquisition of any land and the development thereof for the purposes of this Act shall be paid out of the said Fund, and all moneys received from the sale of land so acquired shall be paid into the said Fund.

40 (3) Surplus moneys from time to time standing to the credit of the said Fund shall be applied by the Council only for the purpose of supplementing any sinking fund established in connection with the loan hereinbefore authorized or, alternatively, in and towards the purchase and development of other lands for the purposes authorized by this Act.

(4) Moneys belonging to the District Development Fund shall be kept in a separate account at the bank.

Council may
apply General
Fund.

10. It shall be lawful for the Council in furtherance of the purposes of this Act, from time to time, to apply moneys out of the General Account of the Council, either by way of transfer to the said fund or by way of temporary advance, as the Council may in its discretion determine.

5

Extending
authority for
use of land
for Plunket
purposes.

11. Subsection one of section three of the Christchurch City Reserves Amendment Act, 1929, is hereby amended by omitting the words "for a period not exceeding fifteen years from the passing of this Act" and substituting therefor the words "for such period or periods as the Council may determine".

10