

Right Hon. Sir Walter Nash

**LOWER HUTT CITY (LAND DEVELOPMENT)
EMPOWERING**

[LOCAL]

ANALYSIS

Title	5. Sections 334 and 335 of Municipal Corporations Act 1954 to apply
Preamble	6. Land development account
1. Short Title	7. Power to raise special loans
2. Interpretation	8. Section 104 of the Local Authorities Loans Act 1956 not to apply
3. Power to acquire land for development	9. Powers to be in addition to other powers
4. Power to develop land	

A BILL INTITULED

An Act to empower the Lower Hutt City Council to acquire land within the city for commercial and industrial purposes

WHEREAS on the district planning map forming part of
5 the operative district scheme of the city certain areas are
zoned for deferred commercial and deferred industrial uses
and the Council may under the provisions of the Town and
Country Planning Act 1953 create further such zones: And
10 whereas it is expedient that the Council should be empowered
to acquire lands within such zones to ensure their coordinated
development for commercial or industrial purposes:

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

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

No. 87—1

Price 6d.

2 *Lower Hutt City (Land Development) Empowering*

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

“City” means the City of Lower Hutt:

“Council” means the Lower Hutt City Council:

“Commercial or industrial purpose” has the meaning 5
assigned to those words by subsection (1) of section
365A of the Municipal Corporations Act 1954 (as
inserted by section 31 of the Municipal Corporations
Amendment Act 1964):

“Services” includes water supply, sewerage, drainage, 10
electricity, and gas.

3. Power to acquire land for development—The Council
is hereby empowered to purchase, take under the provisions
of the Public Works Act 1928, or otherwise acquire for 15
commercial or industrial purposes any land within the city
for the time being zoned under the provisions of the Town and
Country Planning Act 1953 for deferred commercial or for
deferred industrial uses on the district planning map forming
part of the operative district scheme of the city.

4. Power to develop land—The Council may, in the pur- 20
chase or development of any land acquired by it under this
Act, exercise any of the powers conferred upon it by sub-
section (3) and subsection (4) of section 365A of the Muni-
cipal Corporations Act 1954 (as inserted by section 31 of the
Municipal Corporations Amendment Act 1964.) 25

**5. Sections 334 and 335 of Municipal Corporations Act
1954 to apply**—The provisions of sections 334 and 335 of the
Municipal Corporations Act 1954 (which relate to land
acquired under Part XXIV of that Act) shall apply with 30
respect to land acquired under this Act as if it had been
acquired under the said Part XXIV.

6. Land development account—All money received by the
Council on the sale or lease of any land purchased under
this Act shall be paid by the Council into a separate account 35
to be known as the Commercial and Industrial Development
Account. Money in that account may be applied as follows:

- (a) In the reimbursement of the General Account of the
city of an amount to cover administrative charges
in respect of the purchase and development of any 40
land purchased under this Act for commercial or
industrial purposes and the sale or lease thereof,
not exceeding five percent of the actual cost of the

land to the Council and the cost of the development thereof including survey fees and the costs of the provision of services:

- 5 (b) In repayment of any money borrowed to meet any expenditure incurred under section 4 of this Act in respect of any land purchased under this Act for any commercial or industrial purpose and any interest and sinking-fund payments in respect of any money so borrowed:
- 10 (c) In reimbursement of the General Account or any other account of any money expended out of that account under section 4 of this Act in respect of any land purchased under this Act for any commercial or industrial purpose—
- 15 and, after meeting all liabilities incurred under section 3 and section 4 of this Act, may be applied by the Council in the undertaking, development, and maintenance of any public work which the Council is empowered to carry out under the Municipal Corporations Act 1954 or any other Act.

20 **7. Power to raise special loans**—The Council may from time to time raise special loans under the Local Authorities Loans Act 1956 for any of the purposes mentioned in section 3 and section 4 of this Act.

25 **8. Section 104 of the 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 6 of this Act applies.

30 **9. Powers to be in addition to other powers**—The powers conferred on the Council by this Act shall be in addition to the powers conferred by section 365A of the Municipal Corporations Act 1954 (as inserted by section 31 of the Municipal Corporations Amendment Act 1964).