

**ANALYSIS**

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1966, No. 52

An Act to amend the Municipal Corporations Act 1954
[19 October 1966]

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 Municipal Corporations Amendment Act 1966, and shall be read together with and deemed part of the Municipal Corporations Act 1954 (hereinafter referred to as the principal Act).

2. Annual allowance to Mayor—(1) Section 45 of the principal Act is hereby amended by repealing subsection (1) (as substituted by section 2 (1) of the Municipal Corporations Amendment Act 1962), and substituting the following subsection:

“(1) The Mayor may be paid such annual allowance out of the district fund as the Council from time to time fixes, not exceeding—

“(a) In the case of a borough having a population of not more than five thousand, five hundred pounds;

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

- “(c) In the case of a borough having a population of more than ten thousand but not exceeding twenty thousand, one thousand pounds:
- “(d) In the case of a borough having a population of more than twenty thousand but not exceeding fifty thousand, one thousand five hundred pounds:
- “(e) In the case of a borough having a population of more than fifty thousand (other than the cities of Auckland, Wellington, Christchurch, and Dunedin), two thousand pounds:
- “(f) In the case of the cities of Auckland, Wellington, Christchurch, and Dunedin, two thousand five hundred pounds,—

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

(2) Subsections (1) and (3) of section 2 of the Municipal Corporations Amendment Act 1962 are hereby repealed.

(3) Notwithstanding anything in subsection (1) of section 45 of the principal Act (as substituted by subsection (1) of this section), the allowance of the Mayor of any borough 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.

3. Maximum term of lease—Section 152 of the principal Act is hereby amended by omitting from paragraph (a) of subsection (1) the words “sixty-six years”, and substituting the words “ninety-nine years”.

4. Sale of flats—Section 330A of the principal Act (as inserted by section 19 (1) of the Municipal Corporations Amendment Act 1964) is hereby amended by repealing paragraph (g) of subsection (2), and substituting the following paragraphs:

“(g) Sell to any person desirous of personally occupying any flat in any such block of flats an undivided share in the land on which the block of flats is erected:

“(h) Lease any flat in any such block of flats to any person desirous of personally occupying that flat, or to some other person as trustee for a future lessee or intending lessee of that flat, and, notwithstanding any other provision of this Act, for such term of years, at such nominal rental, and subject to such other provisions as the Council thinks fit:

- “(i) Take all such other steps as may be necessary to enable a person desirous of owning and personally occupying a flat in any such block of flats to become the lessee of that flat and the owner as aforesaid of a proportionate undivided share in the land on which the block of flats is erected:
- “(j) Exercise such other incidental powers as may be necessary.”

5. Reserve contributions on subdivisions—Section 351c of the principal Act (as substituted by section 26 (1) of the Municipal Corporations Amendment Act 1964) is hereby amended by inserting, after subsection (5), the following subsection:

“(5A) Notwithstanding anything in subsection (4) or subsection (5) of this section, the Council may—

“(a) Apply any money to which subsection (4) of this section applies for the purpose of adding to, improving, or developing any land outside the district that is vested in or controlled by the Council for the purposes of public recreation:

“(b) With the consent of the Minister, and subject to such terms and conditions as the Minister thinks fit, pay any money to which subsection (4) of this section applies, or so much thereof as the Minister approves, to any local authority or public body for the purpose of adding to, improving, or developing any land outside the district that is vested in or controlled by that local authority or public body for the purposes of public recreation,—

if that addition, improvement, or development will be to the benefit of the inhabitants of the locality in which the land included in the plan of subdivision is situated.”

6. Cities and independent town districts—The principal Act is hereby further amended by repealing the First and Second Schedules, and substituting the First and Second Schedules set out in the Schedule to this Act.

Section 6

SCHEDULE

NEW FIRST AND SECOND SCHEDULES TO PRINCIPAL ACT

Section 4 (b)

“FIRST SCHEDULE

BOROUGHS DECLARED TO BE CITIES

Auckland.	Manukau.	Takapuna.
Christchurch.	Napier.	Tauranga.
Dunedin.	Nelson.	Timaru.
Gisborne.	New Plymouth.	Upper Hutt.
Hamilton.	Palmerston North.	Wanganui.
Hastings.	Papatoetoe.	Wellington.
Invercargill.	Porirua.	Whangarei.
Lower Hutt.	Rotorua.	

Section 8 (b)

“SECOND SCHEDULE

INDEPENDENT TOWN DISTRICTS

Hikurangi.	Manunui.	Warkworth.
Hunterville.	Nightcaps.	Waverley.
Kawakawa.	Ohura.	Wyndham".
Manaia.	Otautau.	

This Act is administered in the Department of Internal Affairs