

[AS REPORTED FROM THE INTERNAL AFFAIRS AND LOCAL
GOVERNMENT COMMITTEE]

House of Representatives, 21 June 1995.

Words struck out are shown with black rule at beginning and after last line; words inserted are shown in roman underlined with a single rule, or with single rule before first line and after last line.

Steve Maharey

**PALMERSTON NORTH CITY COUNCIL
EMPOWERING**

[LOCAL]

ANALYSIS

Title	4. Land vested in Council for a public right of way
1. Short Title	5. Repeals and savings
2. Interpretation	6. Powers of District Land Registrar Schedules
3. Land vested in Council as an endow- ment, etc.	

A BILL INTITULED

Struck Out

5 **An Act to provide that certain land is to be held by the
Palmerston North City Council as an endowment and
not for any particular purpose, and that certain other
land is to be held by the Palmerston North City
Council for a public right of way**

No. 25—2

Price Code: J

New

An Act to—

- (a) Provide that certain land is vested in the Palmerston North City Council as an endowment for the general purposes of that Council; and 5
- (b) Authorise the sale of that land and the application of the proceeds of sale towards the construction of a new public library; and
- (c) Provide that certain other land is vested in that Council for a public right of way 10

BE IT ENACTED by the Parliament of New Zealand as follows:

1. Short Title—This Act may be cited as the Palmerston North City Council Empowering Act 1994.

2. Interpretation—In this Act, “Council” means the Palmerston North City Council. 15

Struck Out

3. Land vested in Council as an endowment—The land described in the First Schedule to this Act is hereby vested in the Council as an endowment for the general purposes of the Council. 20

New

3. Land vested in Council as an endowment, etc.—
(1) The land described in the First Schedule to this Act is hereby vested in the Council as an endowment for the general purposes of the Council. 25

(2) Notwithstanding anything in any other enactment, the Council is hereby authorised to sell the land described in the First Schedule to this Act, by private contract, on such terms and conditions as it thinks fit, and to apply the net proceeds of that sale towards the construction of a new public library in the city of Palmerston North. 30

4. Land vested in Council for a public right of way—
The land described in the **Second** Schedule to this Act is hereby vested in the Council for an estate in fee simple to be used as a public right of way for the general public.

5 **5. Repeals and savings—**(1) The following enactments are hereby repealed:

(a) Section 3 of the Public Reserves Vesting and Sale Act 1892:

10 (b) Section 4 of the Palmerston North Reserves Act Amendment Act 1901:

(c) Section 27 of the Local Legislation Act 1939.

15 (2) The repeal of the enactments referred to in **subsection (1)** of this section shall not affect any deed or instrument made, signed, or acknowledged or anything done or suffered or any estate, interest, right, or benefit created or conferred under or by virtue of any such enactment.

20 (3) Nothing in this Act shall affect the validity of any contract, agreement, conveyance, deed, lease, licence, or other instrument, undertaking or notice (whether or not in writing) in respect of or relating to the land described in the **First** and **Second** Schedules to this Act and subsisting immediately before the commencement of this Act.

25 (4) Nothing in this Act shall affect the validity of any previous use of the land described in the **First** and **Second** Schedules to this Act.

6. Powers of District Land Registrar—The District Land Registrar for the Wellington Land Registration District is hereby authorised and directed to make such entries in the Registrar's registers and do all such other things as may be
30 necessary to give effect to the provisions of this Act.

*Palmerston North City Council
Empowering*

SCHEDULES

Sections 3, 5 (3), (4)

FIRST SCHEDULE

1. All that piece of land situated in the City of Palmerston North, containing firstly 12 square metres, more or less, being Parts Section 662, Town of Palmerston North, and secondly 73 square metres, more or less, being Parts Section 662, Town of Palmerston North below a reduced level of 31.21 metres and above a reduced level of 35.11 metres in terms of the Moturiki Datum, and being also all the land comprised and described in certificate of title 14D/1467 (Wellington Registry), subject to a grant of electricity rights (in gross) created by Transfer B.400840.1.

2. All that piece of land situated in the City of Palmerston North, containing 926 square metres, more or less, being part of Section 662, Town of Palmerston North, and being also all the land comprised and described in certificate of title 474/109 (Wellington Registry), subject to a grant of electricity rights (in gross) created by Transfer B.400840.1.

Sections 4, 5 (3), (4)

SECOND SCHEDULE

All that piece of land situated in the City of Palmerston North, containing 73 square metres, more or less, being Lot 1, Deposited Plan 41988, below a reduced level of 35.11 metres and above a reduced level of 31.21 metres in terms of the Moturiki Datum and being also all the land comprised and described in certificate of title 14D/1458 (Wellington Registry).