

Steve Maharey

**PALMERSTON NORTH RESERVES EMPOWERING
AMENDMENT**

[LOCAL]

ANALYSIS

Title	4. Application of purchase money from sale of horticultural nursery
1. Short Title	5. Third Schedule added
2. Power of sale	Schedule
3. Application of purchase money	

A BILL INTITULED

An Act to amend the Palmerston North Reserves Empowering Act 1966

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

5 **1. Short Title**—This Act may be cited as the Palmerston North Reserves Empowering Amendment Act 1993, and shall be read together with and deemed part of the Palmerston North Reserves Empowering Act 1966 (hereinafter referred to as the principal Act).

10 **2. Power of sale**—The principal Act is hereby amended by inserting, after section 4, the following section:

15 “4A. The Council may sell any of the land vested in the Corporation by section 3 of this Act and which is not for the time being leased, for such price and on such terms and conditions as the Council thinks fit; and the provisions of section 230 of the Local Government Act 1974 shall not apply in respect of any such sale.”

20 **3. Application of purchase money**—Section 8 of the principal Act is hereby amended—

(a) By omitting the word “Where”, and substituting the words “Subject to section 8A of this Act, where”:

No. 245—1

Price Code: J

(b) By omitting the words “to the lessee”.

4. Application of purchase money from sale of horticultural nursery—The principal Act is hereby amended by inserting, after section 8, the following section:

“8A. Notwithstanding the provisions of section 8 of this Act, 5
on the sale of all or any of the land described in the Third
Schedule to this Act, the Council, from the proceeds of the sale,
after the deduction and payment of all costs and expenses
relating to and incidental to the sale,—

“(a) Shall pay to the Palmerston North Reserves Sales 10
Account established under section 8 of this Act a sum
equal to the amount of a valuation of the land sold as
at the date of commencement of this section made by
an independent valuer registered under the Valuers
Act 1948: 15

“(b) May apply the balance of such net proceeds of sale in 20
the acquisition, establishment, and maintenance of a
horticultural nursery for use in relation to reserves,
parks, domains, and gardens administered by the
Council.”

5. Third Schedule added—The principal Act is hereby amended by adding the Third Schedule set out in the Schedule to this Act.

SCHEDULE

Section 5

NEW THIRD SCHEDULE TO PRINCIPAL ACT

“THIRD SCHEDULE

Section 8A

Description	Area	Register Book Volume and Folio (Wellington Registry)
Lot 5, D.P. 17455	5913 square metres	10D/535 (all).
Lot 1, D.P. 18271	1716 square metres	10/D541 (all).
Lots 39, 40, 41, 46, 47, and 48		
D.P. 2494	9743 square metres	10D/543 (all).
Lot 47, D.P. 13263	692 square metres	619/70 (part).”