

[AS REPORTED FROM THE LOCAL BILLS COMMITTEE]

House of Representatives, 14 November 1951

Words struck out by Local Bills Committee are shown in italics within bold brackets or in roman enclosed in panel; words inserted are shown in black or in roman with rule down side.

Mr. Tennent

PALMERSTON NORTH TOWN PLANNING
EMPOWERING

[LOCAL BILL]

ANALYSIS

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A BILL INTITULED

AN ACT to empower the Palmerston North City Council to purchase and develop lands for industrial and commercial purposes before the final approval of its town planning scheme, 1951. Title.

5 WHEREAS the Palmerston North City Council is a local authority as defined by the Town Planning Act 1926, and is desirous, prior to its town planning scheme (hereinafter referred to as the said scheme) being finally approved by the Town Planning Board, of acquiring certain lands which in its opinion it is necessary and expedient to acquire for the proper development and use of such lands for industrial or commercial purposes in accordance with the said scheme: Preamble.

2 *Palmerston North Town Planning Empowering*

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 Palmerston North Town Planning Empowering Act 1951. 5

Interpretation.

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

“ City ” means the City of Palmerston North:

“ Council ” means the Palmerston North City Council. 10

Council may acquire lands for industrial and commercial purposes.

3. The Council may [*with the prior approval in every instance of the Minister of Works, but not otherwise,*] purchase, or take or acquire under the Public Works Act 1928, in the name of the Mayor, Councillors, and Citizens of the City, the whole or any portion or portions of the lands described in the Schedule to this Act. 15

Struck out

Provided that any approval given by the Minister as aforesaid may be reviewed by him on any application being made by the Council for the issue of a Proclamation, under the Public Works Act 1928, declaring any land to be taken pursuant to this Act. 20

Power to develop and deal with lands.

4. For the purposes of the said scheme the Council may carry out the subdivision or regrouping of all or any lands acquired as aforesaid, or of any portion or portions thereof, and improve and develop all or any of such lands for industrial or commercial purposes, and erect on any portion or portions thereof any buildings for letting or leasing for industrial or commercial purposes: 25 30

New

Provided that, except with the consent of the Minister of Works, no building, pole, mast, or other structure of any kind shall be erected, placed, or extended by the Council on any portion or portions of any such lands as aforesaid beyond the height specified in any notice that may hereafter be gazetted and publicly notified pursuant to section four of the Public Works Amendment Act 1935, and the provisions of that section shall, as far as they are applicable and with the necessary modifications, apply accordingly. 35 40

Power to sell lands.

5. (1) The Council may sell any portion or portions of any lands acquired as aforesaid with or without buildings.

(2) The net proceeds of any such sale, and of any other sale referred to in this section, shall be devoted—

5 (a) Firstly, **in or** towards repayment of any loans previously raised in respect of the lands sold **or in making provision for repayment of any balance outstanding under any such loan:**

10 (b) Secondly, towards repayment of any advances made by the Council from its other funds for the purchase or development of the lands sold or for the erection of buildings thereon:

15 (c) Thirdly, towards the purchase, improvement, or development of, or the erection of buildings on, any other portion or portions of the lands mentioned in the Schedule to this Act,—

20 and any surplus then remaining shall be held by the Council for the purpose of acquiring [*and developing, leasing, and selling other lands in the City for the purposes and in the manner set forth in this Act*], **developing, and disposing of other lands in the city pursuant to section eight of the Town Planning Amendment Act 1948.**

25 6. For any purpose permitted by the said scheme the Council may let or lease any land so acquired, or any building or part of a building thereon, in any manner and on terms and conditions authorized by any enactment conferring leasing powers on the Council:

Power to let land for purposes of scheme.

30 Provided that the Council may let or lease any such land, building, or part of a building as aforesaid by private contract without public auction, public tender, or public application, but only on such terms and otherwise subject in all respects to such conditions as are prescribed by any such enactment as aforesaid.

35 7. For the purpose of acquiring any such lands or carrying out any works hereinbefore referred to the Council may from time to time raise a special loan under the provisions of the Local Bodies' Loans Act 1926, by special order, and without taking the steps prescribed by sections nine to thirteen of that Act.

Power to borrow for purposes of Act.

Struck out

40 **8. Nothing in this Act shall derogate from the provisions of the Servicemen's Settlement Act 1950.**

Servicemen's Settlement Act 1950 to apply.

Schedule.

SCHEDULE

Struck out

1. That parcel of land containing 25 acres 1 rood 34·7 perches, more or less, being parts of Lots 12 and 13 on Deposited Plan 1781, being part of Section 527, Town of Palmerston North, and being the balance of the land comprised in certificate of title, Vol. 165, folio 73 (Wellington Registry).
2. That parcel of land containing 17 acres 24 perches, more or less, situate in Block VII of the Kairanga Survey District, being parts of rural Sections 527 and 528 of the Township of Palmerston North, as defined on Plan A/815, and being the balance of the land comprised in certificate of title, Vol. 453, folio 17 (Wellington Registry).
3. That parcel of land containing 16 acres 1 rood 35·9 perches, more or less, being parts of Lots 9 and 10 on Deposited Plan 1781, and being the balance of the land comprised in certificate of title, Vol. 169, folio 285 (Wellington Registry).
4. That parcel of land containing 7 acres 2 roods 11·9 perches, more or less, being part Lot 8 on Deposited Plan 1781, being part Section 527, Township of Palmerston North, and being the balance of the land comprised in certificate of title, Vol. 171, folio 260 (Wellington Registry).
5. That parcel of land containing 7 acres 2 roods 3·5 perches, more or less, being part of Lot 7 on Deposited Plan 1781, being part Section 527, Town of Palmerston North, and being the balance of the land comprised in certificate of title, Vol. 172, folio 255 (Wellington Registry).
6. That parcel of land containing 7 acres 1 rood 33·4 perches, more or less, being part of Lot 6 on Deposited Plan 1781, being part Section 527, Town of Palmerston North, and being the balance of the land comprised in certificate of title, Vol. 173, folio 169 (Wellington Registry).
7. That parcel of land containing 1 rood 15·8 perches, more or less, being part of Lot 5 on Deposited Plan 1781, being part of Section 527, Town of Palmerston North, and being the whole of the land comprised in certificate of title, Vol. 174, folio 218 (Wellington Registry).
8. That parcel of land containing 1 acre 2 roods 24·2 perches, more or less, being part of rural Section 527, Town of Palmerston North, being Lot 2 on Deposited Plan 2863, and being the whole of the land comprised in certificate of title, Vol. 222, folio 130 (Wellington Registry).
9. That parcel of land containing 7 acres 3 roods 13·8 perches, more or less, being part of Rural Section 527, Town of Palmerston North, being part of Lot 3 on Deposited Plan 2863, and being the balance of the land comprised in certificate of title, Vol. 222, folio 128 (Wellington Registry).
10. That parcel of land containing 4 acres 3 roods 18·2 perches, more or less, being part of Rural Section 527, Town of Palmerston North, being Lot 4 on Deposited Plan 2863, and being the balance of the land comprised in certificate of title, Vol. 222, folio 129 (Wellington Registry).

Struck out

11. That parcel of land containing 11 acres 27 perches, more or less, situate in Block VII of the Kairanga Survey District, being part of Rural Section 527, Town of Palmerston North, being parts of Lots 1 and 3 on Deposited Plan 1781, and being the whole of the land comprised in certificate of title, Vol. 445, folio 117 (Wellington Registry).

12. That parcel of land containing 3 acres 3 roods 10.44 perches, more or less, being part of Lot 2 on Deposited Plan 1781, Part Section 527, Town of Palmerston North, and being part of the land in certificate of title, Vol. 159, folio 191 (Wellington Registry), and being the balance of the said Lot 2 after excluding therefrom the whole of the lands comprised in Deposited Plan 9271.

New

All that parcel of land situated in Block VII, Kairanga Survey District, containing 25 acres 1 rood 34.7 perches, more or less, being parts Lots 12 and 13 on Deposited Plan 1781, being part Section 527, Town of Palmerston North, and being the balance of the land comprised and described in certificate of title, Vol. 165, folio 73 (Wellington Registry).

Also all that parcel of land situated in Block VII, Kairanga Survey District, containing 17 acres 24 perches, more or less, being part Rural Section 527, Township of Palmerston North, as defined on Plan A/815, and being the balance of the land comprised and described in certificate of title, Vol. 453, folio 17 (Wellington Registry).

Also all that parcel of land situated in Block VII, Kairanga Survey District, containing 16 acres 1 rood 35.9 perches, more or less, being part Lots 9 and 10 on Deposited Plan 1781, being part Section 527, Town of Palmerston North, and being the balance of the land comprised and described in certificate of title, Vol. 169, folio 285 (Wellington Registry).

Also all that parcel of land situated in Block VII, Kairanga Survey District, containing 7 acres 2 roods 11.9 perches, more or less, being part Lot 8 on Deposited Plan 1781, being part Section 527, Town of Palmerston North, and being the balance of the land comprised and described in certificate of title, Vol. 171, folio 260 (Wellington Registry).

Also all that parcel of land situated in Block VII, Kairanga Survey District, containing 7 acres 2 roods 3.5 perches, more or less, being part Lot 7 on Deposited Plan 1781, being part Section 527, Town of Palmerston North, and being the balance of the land comprised and described in certificate of title, Vol. 172, folio 255 (Wellington Registry).

Also all that parcel of land situated in Block VII, Kairanga Survey District, containing 7 acres 1 rood 33.4 perches, more or less, being part Lot 6 on Deposited Plan 1781, being part Section 527, Town of Palmerston North, and being the balance of the land comprised and described in certificate of title, Vol. 173, folio 169 (Wellington Registry).

Also all that parcel of land situated in Block VII, Kairanga Survey District, containing 1 rood 15·8 perches, more or less, being part Lot 5 on Deposited Plan 1781, being part Section 527, Town of Palmerston North, and being the whole of the land comprised and described in certificate of title, Vol. 174, folio 218 (Wellington Registry).

Also all that parcel of land situated in Block VII, Kairanga Survey District, containing 1 acre 2 roods 24·2 perches, more or less, being Lot 2 on Deposited Plan 2863, being part Rural Section 527, Town of Palmerston North, and being the whole of the land comprised and described in certificate of title, Vol. 222, folio 130 (Wellington Registry).

Also all that parcel of land situated in Block VII, Kairanga Survey District, containing 7 acres 2 roods 13·8 perches, more or less, being part Lot 3 on Deposited Plan 2863, being part Rural Section 527, Town of Palmerston North, and being the balance of the land comprised and described in certificate of title, Vol. 222, folio 128 (Wellington Registry).

Also all that parcel of land situated in Block VII, Kairanga Survey District, containing 4 acres 3 roods 18·2 perches, more or less, being part Lot 4 on Deposited Plan 2863, being part Rural Section 527, Town of Palmerston North, and being the balance of the land comprised and described in certificate of title, Vol. 222, folio 129 (Wellington Registry).

Also all that parcel of land situated in Block VII, Kairanga Survey District, containing 11 acres 27 perches, more or less, being parts Lots 1 and 3 on Deposited Plan 1781, being part Rural Section 527, Town of Palmerston North, and being the whole of the land comprised and described in certificate of title, Vol. 445, folio 117 (Wellington Registry).

Also all that parcel of land situated in Block VII, Kairanga Survey District, containing 3 acres 3 roods 10·44 perches, more or less, being part Lot 2 on Deposited Plan 1781, being part Section 527, Town of Palmerston North, and being the balance of the land comprised and described in certificate of title, Vol. 159, folio 191 (Wellington Registry), after excluding therefrom the whole of the lands comprised in Deposited Plan 9271.