

**Reprint
as at 8 October 1983**



**Wanganui City Council Vesting
and Empowering Act 1983**

Local Act 1983 No 6
Date of assent 7 October 1983
Commencement 7 October 1983

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**An Act to vest certain land held in trust in the Wanganui City
Council for the purposes of public recreation and instruction**

Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

Preamble

Whereas by deed of trust dated 8 February 1911 (hereinafter referred to as the David Peat Trust), a copy of which is deposited in the Land Registry Office at Wellington as No 222, made between David Peat of Wanganui, farmer, of the one part, and the Mayor, Councillors, and Burgesses of the Borough of Wanganui, of the other part, certain land was declared to be vested in the Mayor, Councillors, and Burgesses of the Borough of Wanganui as from the said date upon trust as a place for the recreation and enjoyment of the children attending the primary schools of the said borough of Wanganui in the way of affording them recreation, enjoyment, pleasure, and instruction, and other similar benefits and advantages of that nature, as the Mayor, Councillors, and Burgesses of the Borough of Wanganui should from time to time consider best: And whereas by section 3 of the Wanganui City Council Vesting and Empowering Act 1924 part of that land, namely the land described in Schedule 1, was vested in the Corporation of the City of Wanganui for an estate in fee simple for the purposes of public recreation and instruction freed and forever discharged from all or any trusts created or intended to be created by the David Peat Trust: And whereas by section 5 of that Act the residue of the Peat Park land, namely the land described in Schedule 2, was vested in the Corporation of the City of Wanganui as a place for the recreation, enjoyment, pleasure, and instruction of the children of the inhabitants for the time being of the City of Wanganui: And whereas by section 2 of the Wanganui City Council Vesting and Empowering Amendment Act 1942 the Peat Park land was revested in the Corporation subject to all the terms of the David Peat Trust: And whereas the use of the Peat Park land by primary school children has steadily decreased in recent years: And whereas it is now desirable that a portion of the said Peat Park land should again be freed and discharged from the David Peat Trust and be vested in the Wanganui City Council for the purposes of public recreation and instruction: And whereas it is desirable that the balance of the Peat Park land should continue to be held by the Council

in trust for the recreation and instruction of the children of the inhabitants for the time being of the City of Wanganui.

1 Short Title

This Act may be cited as the Wanganui City Council Vesting and Empowering Act 1983.

2 Interpretation

In this Act, unless the context otherwise requires,—

Council means the Wanganui City Council

David Peat Trust means the deed of trust dated 8 February 1911, a copy of which is deposited in the Land Registry Office at Wellington as No 222, made between David Peat of Wanganui, farmer, of the one part, and the Mayor, Councillors, and Burgesses of the Borough of Wanganui, of the other part.

3 Vesting of part of Peat Park

- (1) The land described in Schedule 1 is hereby vested in the Council for an estate in fee simple for the purposes of public recreation and instruction, freed and discharged from all or any trusts created or intended to be created by the David Peat Trust.
- (2) In its administration of the said land the Council shall so far as is practicable give priority to the recreation and instruction of the children of the inhabitants for the time being of the City of Wanganui.

4 Vesting of remainder of Peat Park

The land described in Schedule 2 is hereby vested in the Council upon trust for the recreation and instruction of the children of the inhabitants for the time being of the City of Wanganui, freed and discharged from all or any trusts created or intended to be created by the David Peat Trust.

5 Powers of District Land Registrar

The District Land Registrar for the Wellington Land Registration District is hereby authorised to deposit all such plans, issue all such certificates of title, accept all such documents for registration, make all such entries in the register, and do

all such other things as may be necessary to give effect to the provisions of this Act.

6 Consequential repeals

The following enactments are hereby consequentially repealed:

- (a) the Wanganui City Council Vesting and Empowering Act 1924:
 - (b) section 2 of the Wanganui City Council Vesting and Empowering Amendment Act 1942.
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Schedule 1

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All that piece of land containing 2.7740 hectares, more or less, being Section 405 (formerly Lots 43 to 52, 83 to 93, and parts of Lots 82 and 107 on Deposited Plan 260; and part Lot 2, A/2881) Right Bank Wanganui River, situated in Block VI, Westmere Survey District, and being part of the land comprised and described in certificate of title, Volume 202, folio 174 (Wellington Registry). SO Plan 33597.

Schedule 2

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- 1 All that piece of land containing 1.5310 hectares, more or less, being Section 404 (formerly Lots 101 to 104 and part Lot 105 on Deposited Plan 260) Right Bank Wanganui River, situated in Block VI, Westmere Survey District, and being part of the land comprised and described in certificate of title, Volume 202, folio 174 (Wellington Registry). SO Plan 33597.
 - 2 All that piece of land containing 1.2400 hectares, more or less, being Section 406 (formerly Lots 19 to 28 and 108 on Deposited Plan 260; and part Lot 2, A/2881) Right Bank Wanganui River, situated in Block VI, Westmere Survey District, and being part of the land comprised and described in certificate of title, Volume 202, folio 174 (Wellington Registry). SO Plan 33597.
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Notes

1 *General*

This is a reprint of the Wanganui City Council Vesting and Empowering Act 1983. The reprint incorporates all the amendments to the Act as at 8 October 1983, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, *see* <http://www.pco.parliament.govt.nz/reprints/>.

2 *Status of reprints*

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 *How reprints are prepared*

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and

provisions that are repealed or revoked are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 Changes made under section 17C of the Acts and Regulations Publication Act 1989

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint
(most recent first)*
