

[AS REPORTED FROM THE LOCAL BILLS COMMITTEE]

*House of Representatives, 13 October 1982.*

**Words struck out are shown with black rule at beginning and after last line; words inserted are shown with double rule before first line and after last line.**

*Mr N. P. H. Jones*

**INVERCARGILL CORPORATION EMPOWERING  
AMENDMENT**

[LOCAL]

ANALYSIS

Title		3. New sections inserted
Preamble		2A. Land to be used only for purposes authorised by a district planning scheme or by the Town and Country Planning Act 1977.
1. Short Title		2B. Special provisions as to Council's district scheme.
2. Land to be held for public car park or commercial purposes		4. New First Schedule substituted

A BILL INTITULED

*Struck Out*

**An Act to amend the Invercargill Corporation Empowering Act 1922**

5

*New*

**An Act to remove statutory restrictions on the use of certain land vested in the Invercargill City Council**

No. 36—2

*Struck Out*

WHEREAS section 2 of the Invercargill Corporation Empowering Act 1922 appropriated and set apart the land described in the First Schedule to that Act and in the Schedule to this Act to be held by the Invercargill City Council as a site for tepid or other baths and for yards and buildings and railway sidings for the public works of the said city, including the extension of tramway and electric light and power works: And whereas that land is no longer required for those purposes: And whereas it is expedient and desirable that the Council use or permit the use of that part of the land marked "A" on the plan referred to in the said Schedules for a public car park or for any commercial use as authorised by the provisions of its district planning scheme, establish and operate that part of the land marked "B" on the plan referred to in the said Schedules for a public car park, and legalise that part of the land marked "C" on the plan referred to in the said Schedules as street:

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the Authority of the same, as follows:

*Struck Out*

**1. Short Title**—This Act may be cited as the Invercargill Corporation Empowering Amendment Act 1982, and shall be read together with and deemed part of the Invercargill Corporation Empowering Act 1922 (hereinafter referred to as the principal Act).

**2. Land to be held for public car park or commercial purposes**—The principal Act is hereby amended by repealing section 2, and substituting the following section:

"2. The land described in the First Schedule to this Act, subject to the provisions of the Town and Country Planning Act 1977,—

"(a) In the case of the land marked "A" on the plan referred to in the said Schedule, shall be used as a public car park or for commercial purposes;

"(b) In the case of the land marked "B" on the plan referred to in the said Schedule, shall be used as a public car park; and

*Struck Out*

“(c) In the case of the land marked “C” on the plan referred to in the said Schedule, shall become a part of the road known as Leven Street.”

5 **3. New sections inserted**—The principal Act is hereby further amended by inserting, after section 2, the following sections:

“2A. **Land to be used only for purposes authorised by a district planning scheme or by the Town and Country Planning Act 1977**—The Council shall not use or permit the land described in the First Schedule to this Act or any part of it to be used for any purpose that would be contrary to the provisions of its district planning scheme and of this Act unless such use has been authorised by an appropriate  
15 application for planning consent made and granted in terms of the Town and Country Planning Act 1977.

“2B. **Special provisions as to Council’s district scheme**—The Council shall as soon as practicable introduce an appropriate amendment by way of change or review to its  
20 district scheme that will provide for the land described in the First Schedule to this Act an appropriate zoning or designation, as the case may be.”

**4. New First Schedule substituted**—The principal Act is hereby further amended by repealing the First Schedule, and  
25 substituting the First Schedule set out in the Schedule to this Act.

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SCHEDULE

NEW FIRST SCHEDULE TO PRINCIPAL ACT

Section 4

“FIRST SCHEDULE

ALL that piece of land containing 1.2517 hectares, more or less, being Block XCI, Town of Invercargill, and described as Lots A, B, and C, on the plan numbered S.O. 10131 lodged in the office of the Chief Surveyor at Invercargill.”

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**1. Short Title**—This Act may be cited as the Invercargill City Council Vesting and Empowering Act 1982.

**2. Vesting of land and removal of restrictions**—(1) The land described in the First Schedule to this Act is hereby vested in the Invercargill City Council for an estate in fee simple and is hereby freed and discharged from all express or implied trusts, reservations, and restrictions imposed by the Invercargill Tramway Buildings and Works Site Act 1910.

(2) The land described in the Second Schedule to this Act is hereby vested in the Invercargill City Council for an estate in fee simple and is hereby freed and discharged from all express or implied trusts, reservations, and restrictions imposed by the Invercargill Corporation Empowering Act 1922.

**3. Powers of District Land Registrar**—The District Land Registrar for the Southland Land Registration District is hereby authorised and directed to make such entries in his registers and to do all such other things as may be necessary to give effect to the provisions of this Act.

**4. Repeals**—The following enactments are hereby repealed:

- (a) The Invercargill Tramway Buildings and Works Site Act 1910;
- (b) Section 2 of, and the First Schedule to, the Invercargill Corporation Empowering Act 1922.

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## SCHEDULES

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Section 2 (1)

### FIRST SCHEDULE

1. All that piece of land containing 1.5475 hectares, more or less, being part Block XCI, Town of Invercargill, and shown marked A on Survey Office Plan 10037 lodged in the office of the Chief Surveyor at Invercargill.

2. All that piece of land containing 984 square metres, more or less, being part Block XCI, Town of Invercargill, and shown marked B on Survey Office Plan 10037 lodged in the office of the Chief Surveyor at Invercargill.

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*Invercargill Corporation Empowering  
Amendment*

5

*New*

**SECOND SCHEDULE**

**Section 2 (2)**

ALL that piece of land containing 1.2517 hectares, more or less, being part Block XCI, Town of Invercargill, and shown marked A, B, and C on Survey Office Plan 10131 lodged in the office of the Chief Surveyor at Invercargill.