

*Mr Marshall*

**WANGANUI CITY COUNCIL VESTING AND  
EMPOWERING**

[LOCAL]

ANALYSIS

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A BILL INTITULED

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

5 WHEREAS by deed of trust dated the 8th day of 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  
10 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  
15 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  
20 and Empowering Act 1924 part of that land, namely the land  
described in the **First** Schedule to this Act, 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 the **Second** Schedule to this Act, was vested in the Corporation of the City of Wanganui as a place for the recreation, enjoyment, pleasure, and instruction of the children 5 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 re-vested in the Corporation subject to all the terms of the David Peat Trust: And whereas the use of the Peat Park land 10 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: 15 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:

BE IT THEREFORE ENACTED by the General Assembly of New 20 Zealand in Parliament assembled, and by the authority of the same, as follows:

**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 25 requires,—

“Council” means the Wanganui City Council:

“David Peat Trust” means the deed of trust dated the 8th day of February 1911, a copy of which is deposited in the Land Registry Office at Wellington as No. 222, 30 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 the **First** Schedule to this Act is hereby vested in the Council 35 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 40 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 the **Second** Schedule to this Act 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,  
5 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  
10 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:  
15 (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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## SCHEDULES

### Section 3

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### FIRST SCHEDULE

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). S.O. Plan 33597.

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### SECOND SCHEDULE

### Section 4

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). S.O. 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). S.O. Plan 33597.