

Patea Borough Council Empowering Act 1930

Local Act 1930 No 14
Date of assent 25 October 1930

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An Act to confer Additional Powers on the Patea Borough Council by way of leasing and selling certain Lands, and to validate certain Leases already granted.

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

1 Short Title

This Act may be cited as the Patea Borough Council Empowering Act 1930.

2 Interpretation

In this Act, if not inconsistent with the context,—

Corporation means the Corporation of the Mayor, Councillors, and Burgesses of the Borough of Patea

Council means the Patea Borough Council.

3 Leasing

Notwithstanding anything to the contrary in the Reserves Act 1977, the Council may exercise in respect of the lands comprised in Schedule 1 hereto all the powers of leasing conferred on it by the Local Government Act 1974, with respect to lands held by it for municipal purposes under that Act and all the powers of leasing conferred on it as a leasing authority under the Public Bodies Leases Act 1969.

A reference to the Reserves and Domains Act 1953 was substituted, as from 1 April 1954, for a reference to the Public Reserves, Domains, and National Parks Act 1928 pursuant to section 107(1) Reserves and Domains Act 1953 (1953 No 69). That reference was in turn substituted, as from 1 April 1978, by a reference to the Reserves Act 1977 (1977 No 66) pursuant to section 125(1) Reserves Act 1977 (1977 No 66).

A reference to the Municipal Corporations Act 1933 was substituted, as from 20 December 1933, for a reference to the Municipal Corporations Act 1920 pursuant to section 393(1) Municipal Corporations Act 1933 (1933 No 30). That reference was in turn substituted, as from 1 October 1954, by a reference to the Municipal Corporations Act 1954 pursuant to section 413 Municipal Corporations Act 1954 (1954 No 76). That reference was in turn substituted, as from 1 April 1980, by a reference to the Local Government Act 1974 pursuant to section 9(1) Local Government Amendment Act 1979 (1979 No 59).

The reference to the Public Bodies Leases Act 1969 was substituted, as from 1 January 1970, for a reference to the Public Bodies Leases Act 1908 pursuant to section 28 Public Bodies Leases Act 1969 (1969 No 141).

4 Selling-powers

- (1) Notwithstanding anything to the contrary in any Act, the Council may sell any of the lands comprised in Schedule 2 hereto or any part or parts thereof at such time or times and at such prices and upon such terms and with such rights of way over adjoining lands vested in the Corporation as it may think fit, and on the sale of any such land any trust or reservation theretofore affecting the same shall be deemed to be cancelled.

- (2) The net amount received from the sale of any parcel of land as hereby authorized shall be paid into a capital fund, to be called the Reserves Realization Fund, and the moneys belonging to such fund shall be invested in the same manner as moneys belonging to reserve funds established by Borough Councils in respect of trading undertakings may be invested, and the income arising therefrom shall be applied towards relief of rates.

5 Leases validated

- (1) The leases more particularly referred to in Schedule 3 hereto and the respective registrations thereof in the Land Registry Office at New Plymouth are hereby declared to be valid and effectual.
- (2) Notwithstanding anything to the contrary in the Reserves Act 1977, the Council, with respect to the several leases mentioned in Schedule 3 hereto, may exercise any of the powers conferred on it by sections one hundred and fifty-eight, one hundred and fifty-nine, and one hundred and sixty of the Municipal Corporations Act 1920, with respect to lands held by it for municipal purposes under that Act or conferred on it as a leasing authority by section twelve of the Public Bodies' Leases Act 1908.

A reference to the Reserves and Domains Act 1953 in subsection (2) was substituted, as from 1 April 1954, for a reference to the Public Reserves, Domains, and National Parks Act 1928 pursuant to section 107(1) Reserves and Domains Act 1953 (1953 No 69). That reference was in turn substituted, as from 1 April 1978, by a reference to the Reserves Act 1977 (1977 No 66) pursuant to section 125(1) Reserves Act 1977 (1977 No 66).

6 Defining leasing-powers

The powers of leasing and of dealing with lands hereby conferred shall be in addition to, and not in substitution for, the powers of leasing conferred by the Reserves Act 1977.

A reference to the Reserves and Domains Act 1953 was substituted, as from 1 April 1954, for a reference to the Public Reserves, Domains, and National Parks Act 1928 pursuant to section 107(1) Reserves and Domains Act 1953 (1953 No 69). That reference was in turn substituted, as from 1 April 1978, by a reference to the Reserves Act 1977 (1977 No 66) pursuant to section 125(1) Reserves Act 1977 (1977 No 66).

7 Authorizing lease to Royal New Zealand Society for Health of Women and Children

Notwithstanding anything to the contrary in the Reserves Act 1977, the Council is hereby authorized to grant to the Patea Branch of the Royal New Zealand Society for the Health of Women and Children (Incorporated) a lease of all that parcel of land comprised in Schedule 4 hereto, or such part thereof as the Council may determine, for a term of nine hundred and ninety-nine years at a peppercorn rent, and upon such terms and conditions as the Council may determine, but including a provision that the Council shall have the right to determine the lease and take full control and possession of the premises thereon should such premises at any time cease to be used for the purpose for which they have been erected—namely, as Plunket rooms—or should the Patea Branch of the Royal New Zealand Society for the Health of Women and Children (Incorporated) become defunct.

A reference to the Reserves and Domains Act 1953 was substituted, as from 1 April 1954, for a reference to the Public Reserves, Domains, and National Parks Act 1928 pursuant to section 107(1) Reserves and Domains Act 1953 (1953 No 69). That reference was in turn substituted, as from 1 April 1978, by a reference to the Reserves Act 1977 (1977 No 66) pursuant to section 125(1) Reserves Act 1977 (1977 No 66).

Schedule 1

Particulars of Sections.	Area.			Title Reference.
	A.	R.	P.	
Town of Patea.	3	0	0	Crown grant, Vol 1— Folio 230.

Particulars of Sections.	Area.			Title Reference.
Sections 1-5 inclusive and 7-9 inclusive, Block II	2	0	21	" 231.
Sections 1-12 inclusive, Block IV	3	0	0	" 232.
Sections 1-6 inclusive and 9-12 inclusive, Block V	2	1	26	" 233.
Sections 5, 10, and 11, Block VIII	0	3	0	" 234.
Sections 2-5 inclusive and 7-11 inclusive, Block IX	2	1	0	" 235.
Sections 1-9 inclusive, Block X	2	0	11	" 236.

Particulars of Sections.	Area.			Title Reference.
Sections 2, 8, and 11, Block XIV	0	2	10	" 237.
Section 3, Block XV	0	0	30	" 238.
Lots 1 and 2 of Section 2 (DP 55); Lots 1 and 2 of Section 3 (DP 55); Lots 1 and 2 of Section 4 (DP 55)	0	3	0	" 239.
Sections 8, 10, and 11, Block XXIII	0	3	0	" 240.
Sections 7-12 inclusive, Block XXIV	1	2	0	" 241.
Section 14, Block XXV	0	1	0	" 242.

Particulars of Sections.	Area.			Title Reference.
Sections 1-3 inclusive and 8-12 inclusive, Block XXVIII	2	0	0	" 243.
Sections 10-13 inclusive, Block XXIX	1	0	0	" 244.
Section 5, Block XXXI	0	1	6	" 245.
Sections 1-6 inclusive and 8-16 inclusive, Block XXXIII	3	3	0	" 247.
Sections 6-9 inclusive, Block XXXV	1	0	0	" 256.

Particulars of Sections.	Area.			Title Reference.
Sections 11 and 12, and Lots 1, 2, 3, and 4 (DP 1117), being Section 2, Block XXXVI	0	3	2	" 257.
Sections 4, 7, 8, and 9, Block XXXVIII	1	0	0	Certificate of title, Vol 80— Folio 146.
Sections 8-25 inclusive and part Sections 4, 6, and 7, Block XXXIX	6	1	7.6	Crown grant, Vol 1— Folio 248.

Particulars of Sections.	Area.			Title Reference.
Lots 4 and 7 (DP 3361), being part of Sections 2, 3, 4, and 7, Block XXXIX	0	2	3.3	" 248. Certificate of title, Vol 68—
Sections 15, 16, 17, 19, and 20 (DP 1337), Block XL	1	1	12	Folio 116. Certificate of title, Vol 132—
Section 5, Block XL; and Lots 13, 14, 15, 16, and 18 (DP 1337), and Lots 1 and 2 (DP 2659), being Sections 6, 7, 8, and 9, Block XL	1	0	32.7	Folio 197. Certificate of title. Vol 68—

Particulars of Sections.	Area.			Title Reference.
Block XLVIII	11	2	0	Crown grant, Vol 1— Folio 255.

Schedule 2

Particulars of Sections.	Area.				Title Reference.
Town of Patea. Sec- tions 1-12 inclu- sive, Block I		A		R P	Taranaki Regis- try. Crown grant, Vol 1— Folio 230.
		3		0 0	

Particulars of Sections.	Area.		Title Reference.
Sections 1-12 inclusive, Block IV	3	0 0	" 232.
Sections 10 and 11, Block VIII	0	2 0	" 234.
Sections 2-5 inclusive and 7-11 inclusive, Block IX	2	1 0	" 235.

Particulars of Sections.	Area.			Title Reference.
Sections 2, 8, and 11, Block XIV	0	2	10	" 237.
Sections 8, 10, and 11, Block XXIII	0	3	0	" 240.
Sections 7-12 inclusive, Block XXIV	1	2	0	" 241.
Section 14, Block XXV	0	1	0	" 242.

Particulars of Sections.	Area.			Title Reference.
Sections 10-13 inclusive, Block XXIX	1	0	0	" 244.
Section 5, Block XXXI	0	1	6	" 245.
Sections 1 and 9, Block XXXIII	0	2	0	" 247.
Sections 6-9 inclusive, Block XXXV	1	0	0	" 256.

Particulars of Sections.	Area.		Title Reference.
Sections 7-9 inclusive, Block XXXVIII	0	3 0	Certificate of title, Vol 80— Folio 146.
Lot 4 (DP 3361), part Sections 2-4 inclusive, Block XXXIX	0	1 0	Crown grant, Vol 1— Folio 248.

Particulars of Sections.	Area.	Title Reference.
Lot 7 (DP 3361), part Sections 2, 3, 4, and 7, Block XXXIX	0	1 3.3 "
		Certificate of title, Vol 68—
Allotment 3 (DP 1117), part Section 2, Block XL	0	0 12.3 Folio 114.

Particulars of Sections.	Area.	Title Reference.
Allotment 4 (DP 1117), part Section 2, Block XL	0	0 10.5 "
Allotment 7 (DP 1117), part Section 3, Block XL	0	0 10.8 "

Particulars of Sections.	Area.	Title Reference.
Allotment 8 (DP 1117), part Section 4, Block XL	0 0 9.9	" 114.
Allotment 11 (DP 1117), part Sections 1-3, inclusive, Block XL	0 0 24.2	" 114.

Particulars of Sections.	Area.	Title Reference.
Section 5, Block XL	0	Certificate of title, Vol 132— Folio 197.
Lot 13 (DP 1337) of Section 6, Block XL	0	" 197.

Particulars of Sections.	Area.	Title Reference.
Lot 14 (DP 1337), being part Sections 6 and 7, Block XL	0 0 23.5	" 197.
Lot 15 (DP 1337), being part Section 7, Block XL	0 0 37.6	" 197.

Particulars of Sections.	Area.	Title Reference.
Lot 1 (DP 2659), being part Section 9, Block XL	0 0 5.97	" 197.
Lot 2 (DP 2659), being part Section 9, Block XL	0 0 16.73	" 197.
		Certificate of title, Vol 68—

Particulars of Sections.	Area.	Title Reference.
Sections 17, 19, and 20 (DP 1337), Block XL	0 2 29	Folio 116.
Part Section 2, Block XLII	2 0 0	Certificate of title, Vol 108— Folio 52.

Particulars of Sections.	Area.	Title Reference.
Block XLVIII	11 2 0	Crown grant, Vol 1— Folio 255.

Schedule 3

Lease.	Lessee.	Land.	Title Reference.
		Town of Patea.	Taranaki Registry. Crown grant, Vol 1—
13262	Rasmus Rasmussen	Section 4, Block II	Folio 231.
13326	Percy Ward Locker	Sections 1-9 inclusive, Block X	" 236.
12222	Alfred Carmen	Section 4, Block XIX	" 239.
12392	John Baldock	Section 3, Block XIX	" 239.

Lease.	Lessee.	Land.	Title Reference.
11466	Annie Jane McKenna	Sections 1, 2, 3, 8, 9, 10, 11, and 12, Block XXVIII	" 243.
11641	Charles Albert Larcombe	Lot 1 (DP 1117) of Section 2, Block XXXVI	" 257.
11642	John Gilman Sharp Dunn	Lot 2 (DP 1117) of Section 2, Block XXXVI (with right of way over Lot 3 (DP 1117) of Section 2)	" 257.
11650	Laura Larcombe	Sections 11 and 12, Block XXXVI	" 257.
11740	Frederick Beetham	Lot 4 (DP 1117) of Section 2, Block XXXVI (with right of way over Lot 3 (DP 1117) of Section 2)	" 257.
11548	Francis Walter Godfrey	Lot 6 (DP 1117), being part Section 3, Block XL, with right of way over Lot 12 (DP 1117)	Certificate of title, Vol 68 Folio 114.

Lease.	Lessee.	Land.	Title Reference.
11597	Benjamin Cleggett	Lot 5 (DP 1117), being part Sections 2 and 3, Block XL	" 114.
11639	The Patea Butchery Company, Limited	Lot 1 (DP 1117), being part Section 1, Block XL, with right of way over Lot 12 (DP 1117)	" 114.
11823	Harry John Wong	Lot 3 (DP 1117), being part Section 2, Block XL, with right of way over Lot 12 (DP 1117)	" 114.
12328	Ernest Thomas Horne	Lots 9 and 10 (DP 1117), being part Section 4, Block XL	" 114.
12398	George Jones	Lot 18 (DP 1337), part Sections 8 and 9, Block XL	" 115.
13647	Joseph Henry Cronin and Henry Daniel Cronin	Lot 16 (DP 1337), part Section 8, Block XL	" 115.
11681	Robert Garden	Section 15 (DP 1337), Block XL	" 116.
			Certificate of title, Vol 68—

Lease.	Lessee.	Land.	Title Reference.
11682	John Patrick Egan	Section 16 (DP 1337), Block XL	Folio 116. Crown grant, Vol 1—
13393	Walter George Jones	Sections 1-12 inclusive, Block XLI	Folio 258.
13327	Douglas Roots	Block XLVIII	" 255.

Schedule 4

All that parcel of land containing 1 rood and 8 perches, more or less, being that part of Block XXXVII, Town of Patea, bounded towards the north-east by public reserve, 200 links; towards the south-east by other part of the said Block XXXVII, 150 links; towards the south-west by Egmont Street, 200 links; and towards the north-west by Victoria Street, 150 links; and being part of the land comprised in certificate of title, Register-book, Volume 56, folio 166, Taranaki Registry.