

**Reprint  
as at 12 November 1931**



**Wellington City Empowering Act  
1931**

Local Act    1931 No 9  
Date of assent    11 November 1931  
Commencement    11 November 1931

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**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.

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**An Act to confer further powers on the City of Wellington and to authorise the Wellington City Corporation to close certain portions of Lindum Terrace and vest same in Henrietta Vida East in exchange for certain of her land which has been proclaimed street, to vest in the said Corporation certain lands vested in the Crown, to vest in the Education Board of the District of Wellington a portion of the Town Belt reserves of the City of Wellington, and to make provision for the said Corporation and the said Board to hold certain land as tenants in common**

**1 Short Title**

This Act may be cited as the Wellington City Empowering Act 1931.

**2 Interpretation**

In this Act—

**Board** means the Education Board of the District of Wellington

**city** means the City of Wellington

**Corporation** means the Corporation of the Mayor, Councilors, and Citizens of the City of Wellington.

**3 Closing of portion of Lindum Terrace, and vesting same in Henrietta Vida East**

In consideration of the consent of Henrietta Vida East, of Wellington, married woman, to the proclamation as street of portion of her land fronting Lindum Terrace and Oriental Parade in the city, which piece of land has already been proclaimed street under the provisions of section 12 of the

Land Act 1924, the portion of Lindum Terrace hereinafter described is hereby closed and vested for an estate of freehold in fee simple in the said Henrietta Vida East, namely: All that parcel of land containing by admeasurement one and thirty-three hundredths perches, be the same a little more or less, and bounded as follows: Commencing at a point distant 39.51 links, on a bearing of  $147^{\circ}30'00''$ , from the westernmost point of Lot 3 on Deposited Plan Number 6086; thence on a bearing of  $176^{\circ}00'45''$ , for a distance of 40.12 links; thence on a bearing of  $127^{\circ}14'15''$ , for a distance of 55.28 links; and finally on a bearing of  $327^{\circ}30'00''$ , for a distance of 87.11 links, to the point of commencement; the whole being a portion of Lindum Terrace situated in the city, as shown on the plan deposited in the office of the Chief Surveyor at Wellington, marked SO 331/65, and thereon coloured red.

**4 Vesting in the Corporation certain lands the property of the Crown and vesting in the Board portion of Wellington Town Belt**

- (1) The lands of the Crown described in Schedule 1 (being all the land described in certificate of title, Volume 96, folio 155, Wellington Registry) and in Schedule 2 (being land taken by the Crown for the use of a public work by Proclamation dated 24 September 1890 and published in the *Gazette* of 2 October 1890) are hereby vested in the Corporation as part of the Town Belt reserves of the city, and the said lands shall be held by the Corporation subject to the trusts set forth in the deed dated 20 March 1873 made between the Superintendent of the Province of Wellington and the Mayor, Councillors, and Citizens of the City of Wellington as then constituted.
- (2) The land described in Schedule 3 (being land taken by the Crown for the use of a public work by the Proclamation mentioned in the last preceding subsection) is hereby vested in the Corporation as a street.
- (3) The land described in Schedule 4 (being portion of the Town Belt reserves of the city) is hereby vested in the Board freed and discharged from the trust heretofore affecting that land.

**5 Authorising the Corporation and the Board to hold certain land as tenants in common**

Whereas the Corporation and the Board agreed to contribute in equal shares towards the purchase of the land described in Schedule 5 (hereinafter referred to as the **said land**) and to hold the said land when so purchased as tenants in common:

And whereas the said land was purchased by, and a certificate of title in respect thereof was issued in the name of, the Board:

And whereas it is desirable to make provision with respect to such land as hereinafter appears to give effect to the agreement aforesaid:

Be it therefore enacted as follows:

- (1) The Corporation is hereby authorised to pay to the Board an amount equal to half the purchase price paid by the Board for the said land, and on payment of such amount by the Corporation the said land shall vest in the Board and the Corporation as tenants in common in equal shares.
  - (2) The District Land Registrar for the Land Registration District of Wellington is hereby authorised on application by the Board in that behalf to cancel the existing certificate of title in respect of the said land and to issue a new certificate of title naming therein the Board and the Corporation as registered proprietors of the said land as tenants in common in equal shares.
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### **Schedule 1**

All that piece or parcel of land, containing by admeasurement 1 acre 2 roods 12.05 perches, situated in the City of Wellington, and being part of Subdivision 1 of Block XVB of the Polhill Gully Native Reserve, bounded as follows: Commencing at a point distant 4 304.07 links north and 3 894.78 links west of Mount Cook Trigonometrical Station, thence by lines bearing  $112^{\circ}15'30''$ , 419.02 links;  $204^{\circ}36'$ , 481.90 links;  $282^{\circ}25'30''$ , 208.80 links; and  $1^{\circ}44'$ , 552.22 links, to the point of commencement. As shown on a plan deposited in the office of the Chief Surveyor at Wellington marked 53/42, and thereon coloured red.

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### **Schedule 2**

All that piece or parcel of land, containing by admeasurement 9.26 perches, situated in the City of Wellington, and being part of Section 435, Town of Wellington, bounded as follows: From Survey Standard CLXXI by lines bearing  $24^{\circ}40'36''$ , 137.19 links, and  $289^{\circ}32'$ , 60.68 links, to the point of commencement; thence by lines bearing  $19^{\circ}09'30''$ , 12.15 links;  $292^{\circ}59'$ , 206.47 links;  $292^{\circ}56'$ , 265.96 links;  $292^{\circ}59'$ , 2.92 links;  $202^{\circ}56'40''$ , 12.12 links; and  $112^{\circ}57'20''$ , 476.16 links, to the point of commencement. As shown on a plan deposited in the office of the Chief Surveyor at Wellington marked SO, 331/64, and thereon coloured neutral.

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### Schedule 3

All that piece or parcel of land, situated in the City of Wellington, and being part of Section 435, Town of Wellington, containing by admeasurement 5.99 perches, bounded as follows: From Survey Standard CLXXI by lines bearing  $24^{\circ}40'36''$ , 137.19 links, and  $306^{\circ}02'$ , 37.58 links, to the point of commencement; thence by lines bearing  $292^{\circ}59'$ , 25.02 links;  $199^{\circ}09'30''$ , 201.93 links;  $112^{\circ}59'$ , 12.12 links; and  $22^{\circ}49'10''$ , 201.48 links, to the point of commencement. As shown on a plan deposited in the Office of the Chief Surveyor at Wellington marked SO, 331/64, and thereon coloured violet.

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### Schedule 4

All that piece or parcel of land, containing by admeasurement 2 acres and 12 perches, situated in the City of Wellington, and being part of the Town Belt, Town of Wellington, bounded as follows: From Survey Standard CLXIXA by lines bearing  $292^{\circ}59'$ , 354.27 links, and  $144^{\circ}57'30''$ , 108.09 links, to the point of commencement; thence by lines bearing  $274^{\circ}25'40''$ , 328.21 links;  $274^{\circ}39'$ , 131.54 links;  $274^{\circ}27'$ , 58.78 links;  $24^{\circ}36'20''$ , 720.65 links;  $24^{\circ}36'$ , 100.00 links;  $84^{\circ}42'30''$ , 255.20 links;  $202^{\circ}56'40''$ , 500.70 links;  $202^{\circ}59'$ , 275.00 links; and  $113^{\circ}13'20''$ , 243.43 links, back to the point of commencement. As shown on a plan deposited in the Office of the Chief Surveyor at Wellington marked 53/42, and thereon coloured blue.

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### **Schedule 5**

All that piece or parcel of land, containing an area of 35.9 perches, being Lot 3, DP 5759, situated in the City of Wellington, and bounded as follows: Commencing at a point 3 634.39 links north and 4 068.82 links west of Mount Cook Trigonometrical Station, thence by lines bearing 97°24', 117.66 links; 47°27'40", 169.16 links; 102°25'30", 122.80 links; 204°36', 142.99 links; 307°02', 29.72 links; 279°07'30", 137.20 links; 230°25', 21.02 links; 277°24', 124.66 links; and 349°41'30", 15.15 links, to the point of commencement. As shown on a plan deposited in the Office of the Chief Surveyor at Wellington marked 53/42, and thereon edged red.

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**Notes****1 General**

This is a reprint of the Wellington City Empowering Act 1931. The reprint incorporates all the amendments to the Act as at 12 November 1931, 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)*

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