

**Reprint
as at 1 June 2002**



**Lower Hutt City Council (Hutt
Park) Act 1982**

Local Act 1982 No 1
Date of assent 6 May 1982
Commencement 6 May 1982

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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.

An Act to transfer the assets and liabilities of the Hutt Park Committee to the Lower Hutt City Council and to repeal the Hutt Park Act 1907

Preamble

Whereas the land known as the Hutt Park and described in the Schedule is vested in trust as a reserve for recreation purposes under the provisions of the Hutt Park Act 1907 in a Joint Standing Committee appointed from time to time pursuant to section 105 of the Local Government Act 1974 by the councils of the city of Lower Hutt and the boroughs of Eastbourne and Petone:

And whereas for some time those councils have been considering ways to finance necessary capital works and development at the Hutt Park:

And whereas the Hutt Park Committee incorporated under the Hutt Park Act 1907 has no legal power to borrow money:

And whereas the Lower Hutt City Council, the Petone Borough Council, and the Eastbourne Borough Council have agreed that the Hutt Park Committee should be discharged and reconstituted as a committee of the Lower Hutt City Council:

And whereas this reconstitution will enable the necessary loan money to be borrowed for the said capital works and development.

1 Short Title

This Act may be cited as the Lower Hutt City Council (Hutt Park) Act 1982.

2 Interpretation

In this Act, unless the context otherwise requires,—

club means the Wellington Trotting Club (Incorporated), a society duly incorporated under the Incorporated Societies Act 1908 and having its registered office at Lower Hutt

Council means the Lower Hutt City Council

Hutt Park Committee means the body corporate constituted under that name by the Hutt Park Act 1907.

3 Land vested in Council

The land described in the Schedule is hereby vested in the Council as a reserve for recreation purposes under and subject to the Reserves Act 1977.

4 Existing lease preserved, etc

- (1) The lease dated 1 July 1981 granted by the Hutt Park Committee to the club over the land described in the said lease, being part of the land described in the Schedule, shall be deemed to have been granted to the club by the Council, and all references in the said lease to the lessor shall be read as references to the Council.
- (2) In all other respects the lease shall continue to have effect according to its tenor, and any consent of the Minister of Lands required by section 54 of the Reserves Act 1977 or by section 19 of the Reserves and Other Lands Disposal Act 1955 shall be deemed to have been given.
- (3) Notwithstanding anything to the contrary in the Reserves Act 1977 or in any other Act or rule of law, the perpetual right of renewal contained in the said lease is hereby declared to be valid, and any perpetual right of renewal contained in any new lease replacing the said lease shall also be valid.

5 Vesting of property in Council

On the commencement of this Act—

- (a) all real and personal property belonging to the Hutt Park Committee shall become vested in the Council:
- (b) all money payable to the Hutt Park Committee shall become payable to the Council:
- (c) all liabilities, contracts, and engagements, and all rights and authorities of any nature whatever, of the Hutt Park Committee shall become liabilities, contracts, engagements, rights, and authorities of the Council:
- (d) all proceedings pending by or against the Hutt Park Committee may be carried on, completed, and enforced by or against the Council:
- (e) every person who immediately before such commencement was an officer or employee of the Hutt Park Committee shall become, without further appointment than

this section, an officer or employee of the Council on and subject to the same terms and conditions of employment (including those applicable to salaries and allowances) as applied to him immediately before such commencement.

6 Provision for continued use of self-contained units

For the purposes of section 594(4) of the Local Government Act 1974, any motel or self-contained cabin or hut established by the Hutt Park Committee shall be deemed to have been established by the Council.

7 Powers of Registrar

The Registrar for the Land Registration District of Wellington shall make such entries in his registers and on any outstanding documents of title and generally do all such things as may be necessary to give effect to the provisions of this Act.

Section 7: amended, on 1 June 2002, pursuant to section 38(2) of the Land Transfer (Computer Registers and Electronic Lodgement) Amendment Act 2002 (2002 No 11).

8 Repeals

The following enactments are hereby repealed:

- (a) the Hutt Park Act 1907;
 - (b) the Hutt Park Amendment Act 1914;
 - (c) section 4 of the Reserves and Other Lands Disposal Act 1930;
 - (d) section 8 of the Reserves and Other Lands Disposal Act 1935;
 - (e) section 19 of the Reserves and Other Lands Disposal Act 1955.
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Schedule

- 1 All that parcel of land situated in the Wellington Land District, Lower Hutt City, containing 34.7991 hectares, more or less, being Part Sections 12 and 706, Hutt District, Lots 1, 2, 3, 4, 5, and 6, DP 24038, Lot 1, DP 24042, and Part Waiwhetu Stream Bed, situated in Block XIV, Belmont Survey District, being the balance of the land in certificate of title, Volume D1, folio 902, Wellington Registry. Subject to a water pipeline easement and together with water rights created by Transfer 297866.
 - 2 All that parcel of land situated in the Wellington Land District, Lower Hutt City, containing 280 square metres, more or less, being Section 29, Block L1, Hutt Valley Settlement, situated in Block XLV, Belmont Survey District. (Survey Office Plan 18339.)
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Notes**1 General**

This is a reprint of the Lower Hutt City Council (Hutt Park) Act 1982. The reprint incorporates all the amendments to the Act as at 1 June 2002, 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)*

Land Transfer (Computer Registers and Electronic Lodgement) Amendment Act 2002 (2002 No 11): section 38(2)
