

Hon. Mr Coleman

LOWER HUTT CITY COUNCIL (HUTT PARK)

[LOCAL]

ANALYSIS

Title	4. Vesting of land
Preamble	5. Existing lease preserved
1. Short Title	6. Administration
2. Interpretation	7. Repeal
3. Transfer of assets and liabilities	Schedule

A BILL INTITULED

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

5 WHEREAS the land known as the Hutt Park and described in the Schedule hereto 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
10 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
15 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:

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows: 5

1. Short Title—This Act may be cited as the Lower Hutt City (Hutt Park) Act 1981.

2. Interpretation—In this Act, unless the context otherwise requires,— 10

“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: 15

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

3. Transfer of assets and liabilities—The assets and liabilities of the Hutt Park Committee as at the date of the enactment of this Act are hereby transferred to the Council without further authority than this section. 20

4. Vesting of land—The land previously vested in the Hutt Park Committee which is described in the Schedule to this Act is hereby vested in the Council as a reserve for recreation purposes subject to the Reserves Act 1977 and the District Land Registrar shall without calling for any instrument to be executed take all necessary steps to give effect to this section. 25

5. Existing lease preserved—The lease dated the 1st day of July 1981 granted by the Hutt Park Committee to the club over the land described in the said lease 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 construed as references to the Council and 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 35

Lands Disposal Act 1955 shall be deemed to have been given and the lease shall be valid notwithstanding the requirements of subsection (2) of the said section 54.

5 **6. Administration**—The Council shall be the administering body of the said recreation reserve and shall have the functions specified in section 40 of the Reserves Act 1977 and all the duties and powers of an administering body within the meaning of that Act.

7. Repeal—The Hutt Park Act 1907 is hereby repealed.

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, D.P. 24038, Lot 1, D.P. 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.)