

[AS REPORTED FROM THE LOCAL BILLS COMMITTEE]

House of Representatives, 4 December 1951

Words struck out by Local Bills Committee are shown in italics within bold brackets or in roman enclosed in panel; words inserted are shown in black or in roman with rule down side.

Right Hon. Mr. Nash

LOWER HUTT CITY EMPOWERING

[LOCAL BILL]

ANALYSIS

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A BILL INTITULED

AN ACT to confer certain powers on the Lower Hutt City Council in regard to civic development. Title.

WHEREAS by a certain memorandum of transfer, registered number 83097, certain land described as containing one acre one rood and thirty-seven perches, more or less, being the parts of Section 25 on the plan of the Hutt District shown as streets on Deposited Plan Number 89, and being all the land contained in certificate of title, Volume 193, folio 202, Wellington Registry, was transferred to the Mayor, Councillors, and Burgesses of the Borough of Lower Hutt: And whereas by section sixty-six of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1923 the Lower Hutt Borough Council was empowered to purchase all that piece or parcel of land consisting of three acres and twenty-one and seven-tenths perches, *[which,]* together with Lots 1 and 2 on Deposited Plan Number 3804, consisting of three roods and twenty-four and one-half perches, *[comprised]* **the said lands together comprising** all the land in certificate of title, Volume 298, Preamble.

folio 89, Wellington Registry, and such purchase was duly completed, and the said Lots 1 and 2 on Deposited Plan Number 3804 duly sold in pursuance of the power in that behalf in the said section sixty-six: And whereas certain other portions of the lands more particularly hereinbefore described have been from time to time alienated and the balance of such lands are now, in the name of the Mayor, Councillors, and Citizens of the City of Lower Hutt, comprised in certificate of title, Volume 517, folio 287, Wellington Registry, and are known as Riddiford Park, as the same are more particularly described in the *First* Schedule to this Act:

Struck out

And whereas it is expedient to empower the Lower Hutt City Council to proceed with the development of the commercial area of the city and with the provision of internal traffic routes and with the erection of civic and other buildings: And whereas for such purposes as aforesaid the Council desires to set apart portion of Riddiford Park as a street:

New

And whereas the Lower Hutt City Council desires to proceed with the development of the commercial area of the city and with the provision of internal traffic routes and with the erection of civic and other buildings: And whereas it is expedient to empower the Council to set apart portion of Riddiford Park for such municipal uses or purposes as the Council may from time to time determine:

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

Short Title.

1. This Act may be cited as the Lower Hutt City Empowering Act 1951.

Interpretation.

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

“ City ” means the City of Lower Hutt:

New

“ Corporation means the Corporation of the Mayor, Councillors, and Citizens of the City of Lower Hutt:

“ Council ” means the Lower Hutt City Council:
“ Riddiford Park ” or “ Park ” means all the land described in the *First* Schedule to this Act:

New

5 | “ The said section sixty-six ” means section sixty-six of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1923.

3. Those portions of the Park described originally in certificate of title, Volume 193, folio 202, Wellington Registry, and subsequently in certificate of title, Volume 517, folio 287, Wellington Registry, as the parts of section 25 on the plan of the Hutt District shown as streets on Deposited Plan Number 89, being part of the land described in the *First* Schedule to this Act, are hereby
15 | declared not to be streets within the meaning of the Municipal Corporations Act 1933 or of any other Act, and shall be deemed to be part of the Park

Certain areas declared part of Riddiford Park.

New

20 | and subject to the provisions of the said section sixty-six.

3A. All those pieces of land more particularly described in the *Second* Schedule to this Act and now vested in the Corporation for an estate in fee simple are hereby declared to be part of the Park and subject
25 | to the provisions of the said section sixty-six.

Certain other lands declared park of Park.

Struck out

4. Notwithstanding anything in section sixty-six of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1923 or in any other Act, the
30 | Council may by special order set apart that part of the Park described in the *Second* Schedule to this Act as a street, and thereupon the part so set apart as a street shall be deemed to be for all purposes a street subject to the provisions of the Municipal Corporations Act
35 | 1933.

Power to set apart part of the park as street.

New

4A. (1) Notwithstanding anything in the said section sixty-six, or in any other Act, the Council may by special order set apart that portion of the Park described in the
40 | *Third* Schedule to this Act, or any part or parts thereof, for such municipal uses or purposes, including that of a street, as the Council may from time to time determine.

Power to set apart portion of Park for municipal purposes.

(2) Any land set apart for the purposes of a street under subsection *one* of this section shall thereupon be
-45 | deemed for all purposes to be a street subject to the provisions of the Municipal Corporations Act 1933.

New

(3) Where any land is set apart under this section for any municipal use or purpose other than that of a street, the Council may at any time by special order alter or amend the use or purpose for which it is so set aside. 5

Erection of buildings for certain purposes.

5. (1) The Council may erect upon the [*Park*] lands described in the *First and Second Schedules to this Act* such buildings as it may deem necessary for cultural, educational, or recreational purposes or for the purposes 10 of a town hall and administrative offices.

(2) All buildings at any time heretofore erected on the Park shall be deemed to have been lawfully erected and every alienation heretofore made by the Council 15 of any part of the lands originally acquired by the Council in connection with the Park shall be deemed to have been lawfully made.

Schedules.

SCHEDULES

FIRST SCHEDULE

RIDDIFORD PARK

ALL that piece of land, situate in the City of Lower Hutt, containing 4 acres 1 rood $21\frac{9}{10}$ perches, more or less, being part of Section 25 of the Hutt District, parts of the said piece of land being also lots 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 41, 42, 43, 44, and 45 and parts of Lots 12, 13, 14, 15, 16, 39, 40, 46, 47, 48, 49, 50, 51, and 52 and parts of the streets on Deposited Plan No. 89; also Lots 6, 7 and part of Lot 9 on Deposited Plan No. 6494 and part of Lot 2 on Deposited Plan No. 3804; and being the whole of the land contained and described in certificate of title, Vol. 517, folio 287, Wellington Registry.

Struck out

SECOND SCHEDULE

PART OF PARK FOR STREET

ALL that piece of land, situate in the City of Lower Hutt, containing 3 roods $30\frac{84}{100}$ perches, more or less, being part of Section 25 of the Hutt District, and being also part of Lots 30, 31, 32, 33, 34, 35, 36, 37, 39, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, and 52 and part of the land shown as streets on Deposited Plan Number 89, and being part of the land contained in certificate of title, Volume 517, folio 287, Wellington Registry, as the same is more particularly shown coloured orange on a plan deposited at the office of the Chief Surveyor at Wellington as Number 22507.

New
SECOND SCHEDULE

FURTHER LANDS ADDED TO PARK

Particulars of Land (All Being Part of Section 25 of the Hutt District).	Area.		Certificate of Title Reference (Wellington Registry).
	R.	P.	
1. Part of Lot 4 on Deposited Plan No. 664	1	29	Vol. 222, folio 28.
2. Part of Lot 4 on Deposited Plan No. 664	1	4.1	Vol. 204, folio 34.
3. Lot 17 on Deposited Plan No. 89	0	9.9	Vol. 15, folio 278.
4. Lots 4 and 22 on Deposited Plan No. 89	0	20	Vol. 18, folio 103.
5. Lot 3 on Deposited Plan No. 89	0	12	Vol. 24, folio 267.
6. Lots 5 and 6 on Deposited Plan No. 89	0	24	Vol. 36, folio 89.
7. Lots 20 and 21 on Deposited Plan No. 89	0	14	Vol. 38, folio 63.
8. Lot 9 on Deposited Plan No. 89	0	12	Vol. 39, folio 71.
9. Lots 2, 23, and 24, on Deposited Plan No. 89	0	35.8	Vol. 44, folio 215.
10. Part of Lots 8 and 18 on Deposited Plan No. 89	0	4	Vol. 65, folio 199.
11. Lots 7 and 19 and Part of Lots 8 and 18 on Deposited Plan No. 89	0	38	Vol. 71, folio 214.

Total area: 1 acre 3 roods 2.8 perches.

THIRD SCHEDULE

PARTS OF PARK FOR MUNICIPAL PURPOSES

ALL those areas containing together by admeasurement 1 acre and six perches, more or less, being Lots 6, 7, and Part 9 on Deposited Plan 6494, Part Lot 2 on Deposited Plan 3804, Part Lots 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, and 52 and part Fraser Street and Martin Street on Deposited Plan 89, being part Section 25, Hutt District, and being part of the land comprised and described in certificate of title, Vol. 517, folio 287, Wellington Registry; as the same are more particularly delineated on S.O. Plan 22540, deposited in the office of the Chief Surveyor at Wellington, and thereon coloured orange.