

**House of Representatives**

**Supplementary Order Paper**

**Tuesday, 16 October 2012**

**Reserves and Other Lands Disposal Bill**

*Proposed amendments*

Hon Maurice Williamson, in Committee, to move the following amendments:

*Clause 7*

Replace *clause 7* (lines 5 to 14 on page 5) with:

**7 Background**

- (1) The Auckland Art Gallery is sited on land vested in Regional Facilities Auckland Limited (in its capacity as trustee of Regional Facilities Auckland). Regional Facilities Auckland is a council-controlled organisation of the Auckland Council.
- (2) The Auckland Art Gallery is also sited over part of the reserve known as Albert Park. Albert Park is vested in fee simple in the Auckland Council (as the current local authority for Auckland) under the Auckland Improvement Trust Act 1971.
- (3) For ease of administration, Auckland Council wishes to amalgamate into one land title the land on which the Auckland Art Gallery is sited. However, the Auckland Improvement Trust Act 1971 prohibits the alienation of the whole or any part of Albert Park.

*Clause 9*

Replace *clause 9(1)* (lines 23 and 24 on page 5) with:

- (1) The excluded land is vested in Regional Facilities Auckland Limited (in its capacity as trustee of Regional Facilities Auckland) to be held in trust for the purposes of encouraging, fostering, and promoting the practice and appreciation of, and public interest in, the arts and culture.

- (1A) The excluded land is then amalgamated with the Auckland Art Gallery land.
- (1B) The Registrar-General of Land must—
- (a) create a single computer register for the amalgamated land in the name of Regional Facilities Auckland Limited; and
  - (b) record on the register that the land is held in trust for the purposes of encouraging, fostering, and promoting the practice and appreciation of, and public interest in, the arts and culture.

#### *Clause 23*

In *clause 23(2)*, replace “4048622” (line 27 on page 9) with “404862”.

#### *Clauses 34A to 34C*

Delete *clauses 34A to 34C* (line 4 on page 14 to line 27 on page 15).

#### *Clause 48*

In *clause 48(2)*, replace “Waitakere City” (line 20 on page 20) with “Auckland”.

### **Explanatory note**

This Supplementary Order Paper (SOP) amends the provisions of the Reserves and Other Lands Disposal Bill that relate to the Auckland Art Gallery land, the Mahinepua Bay reserve land, the Opuia esplanade reserve land, and the Waikumete Cemetery land.

*Clauses 6 to 9* of the Bill relate to the development of Auckland Art Gallery by the Auckland City Council. Since the Bill was introduced and reported back from the Primary Production Select Committee, the reorganisation of local government in Auckland has taken effect, including the dissolution of the Auckland City Council. In addition, the extensions to the gallery have been completed. This SOP substitutes a *new clause 7*, amends *clause 9(1)*, and inserts a new *clause 9(1A)* to account for these changes in circumstances.

*Clauses 21 to 23* of the Bill relate to Mahinepua Bay reserve land. In *clause 23(2)* there is an incorrect SO Plan reference. This SOP rectifies that error.

*Clauses 34A to 34C* were included in the Bill at the select committee stage to enable the Far North District Council to grant easements over certain esplanade reserve land at Opuia to the current owner of land adjoining the esplanade reserve.

This SOP deletes those provisions.

*Clauses 47 to 49* of the Bill relate to land that is part of Waikumete Cemetery in West Auckland. As noted above, since the Bill was introduced and reported back from the select committee, the reorganisation of local government in Auckland has taken effect. This means that the reference in *clause 48(2)* is now out of date, because the Waitakere City Council has been dissolved. Accordingly, this SOP amends the refer-

ence in *clause 48(2)* to that council by substituting a reference to the Auckland Council. Auckland Council is the local authority for Auckland, including the district that the Waitakere City Council previously held jurisdiction over, and, by operation of law, has vested in it all the assets, including reserves, liabilities, etc, of the Waitakere City Council.