

Mr Prebble

**AUCKLAND CITY COUNCIL (RESERVES
DISPOSAL) EMPOWERING**

[LOCAL]

ANALYSIS

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A BILL INTITULED

**An Act to empower the Auckland City Council to
dispose of certain reserves of which it is the owner and
administrator**

5 WHEREAS the Auckland City Council (hereinafter called
the Council) is the freehold owner and administrator of the
several reserves described in the Schedule hereto, all of which
lie outside its district: And whereas those reserves have been
acquired by the Council in some cases by way of gift or
10 bequest subject to certain trusts, in some cases by purchase
from the then owners, and in others by acquisition from the
Crown: And whereas the Council desires to divest itself of the
ownership and administration of those reserves, primarily on
the grounds that they either serve the regional community, or
15 are within the sphere of influence of another territorial
authority (as defined in the Local Government Act 1974):
And whereas some of the land comprised in those reserves
was acquired by the Council from the Crown and in
consequence the provisions of the Reserves Act 1977 and of
20 the Auckland Regional Authority Act 1963 would prohibit
their transfer by the Council direct either to the Auckland
Regional Authority or to another territorial authority: And
whereas, in the case of reserve land not acquired from the

Crown, the Council lacks the power to transfer it direct to another territorial authority except by following the guidelines in Part XIV of the Local Government Act 1974, which are inappropriate in the circumstances: And whereas it is expedient that each of those reserves should be confirmed as a reserve subject to the Reserves Act 1977 and that the Council should be empowered to transfer direct to the Auckland Regional Authority or to a territorial authority such of those reserves as the transferee might be agreeable to accept subject to such terms and conditions attaching to the transfer as were mutually agreed upon:

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

1. Short Title—This Act may be cited as the Auckland City Council (Reserves Disposal) Empowering Act 1982.

2. Power to dispose of certain reserves—(1) Notwithstanding anything to the contrary in the Reserves Act 1977, the Auckland Regional Authority Act 1963, the Local Government Act 1974, or in any other enactment, the Council may transfer its freehold interest in the whole or any part of all or any of the reserves described in the Schedule to this Act direct to the Auckland Regional Authority or to any territorial authority upon and subject to such terms, conditions, and considerations as the Council and the transferee may in each case agree upon. On such acquisition, the transferee shall hold and administer the land transferred upon the trusts and in accordance with the statutory obligations imposed upon the Council at the time of transfer.

(2) Each of the areas of land described in the Schedule to this Act is hereby declared to be a reserve to be held and administered in accordance with the provisions of the Reserves Act 1977.

3. Exemption from stamp duty—No stamp duty shall be payable on any transfer or agreement whereby any land is transferred, or agreed to be transferred, pursuant to the provisions of this Act.

4. Registration—The District Land Registrar for the Land Registration District of North Auckland is hereby authorised to make such entries in his registers, to issue such titles, to register such instruments, to deposit such plans, and to do all such other things as may be necessary to give effect to the provisions of this Act.

SCHEDULE

1. All that piece of land known as Cornwallis Park situated in the North Auckland Land Registration District, Waitemata City, containing 749.8838 hectares, more or less, being Allotment 185, Allotment 186, Allotment 184, Allotment 182, Allotment 181, and Allotment 183, Karangahape Parish (Part certificate of title 22D/1067); part land on D.P. 28567 (All certificate of title 715/230); Allotment 9, Karangahape Parish (All certificate of title 769/233); Lots 1 and 2, DP 15847 (All certificate of title 370/158); Allotment 301, Allotment 341, Allotment 291, Allotment 364, Allotment 362, Allotment 30, and Allotment 245, Karangahape Parish (All certificate of title 769/234); Lot 1, D.P. 30693 (All certificate of title 772/70); part Allotment 127, Allotment 126, and Allotment 128, Karangahape Parish (Balance certificate of title 700/109); Allotment 162, Allotment 163, Allotment 165, Allotment 167, Allotment 169, Allotment 171, Allotment 174, Allotment 173, Allotment 172, Allotment 170, Allotment 168, Allotment 166, Allotment 164, and Allotment 175, Karangahape Parish (All certificate of title 22D/1063); and part Allotment 1, Karangahape Parish and Lot 1, D.P. 31372 (Balance certificate of title 774/272). All situated in Blocks IX, X, and XIV, Titirangi Survey District, and bordered by a bold black line on Survey Office plan 56580.

2. All those pieces of land known as Kauri Park situated in the North Auckland Land Registration District, Waitemata City, containing firstly 246.8075 hectares, more or less, being Lot 1 of Section 8, Waitakere Parish (All certificate of title 430/159) and Allotment SW 48, Waitakere Parish (All certificate of title 596/176); both situated in Blocks I and II, Waitakere Survey District, and bordered by a bold black line on Survey Office plan 56579; and secondly 356.2658 hectares, more or less, being Lot 1, D.P. 43157 (All certificate of title 1176/90); part Allotment 9, Waitakere Parish (All certificate of title 18D/544); Allotment 86, Waitakere Parish (All certificate of title 35A/956); Allotments W85 and SE 85, Waitakere Parish (All certificate of title 769/116); parts Allotment 84, Waitakere Parish (All certificate of title 945/260); part Allotments 88 and W87, Waitakere Parish (All certificate of title 38A/376); part Allotment E87, Waitakere Parish (All certificate of title 38A/375); Allotments 627 and 628, Waipareira Parish (All certificate of title 33A/974); Allotments 443 and 446, Waipareira Parish (All certificate of title 38A/377). All situated in Block XII, Kumeu Survey District, Block II, Waitakere Survey District, and Block I, Titirangi Survey District, and bordered by a bold black line on Survey Office plan 56578.

3. All that piece of land known as Kaitarakihi Park situated in the North Auckland Land Registration District, Waitemata City, containing 306.7317 hectares, more or less, being part Land on D.P. 3191 (Balance certificate of title 134/29); Allotment 187, Allotment 188, Allotment 190, Allotment 176, Allotment 180, Allotment 179, Allotment 178, Allotment 177, Allotment 191, and Allotment 189, Karangahape Parish (Part certificate of title 22D/1067). All situated in Block IX, Titirangi Survey District, and bordered by a bold black line on Survey Office plan 56581.

4. All that piece of land known as Goldies Bush situated in the North Auckland Land Registration District, Rodney County, containing 192.2253 hectares, more or less, being Allotment 27, Allotment 26, Allotment 25, Allotment 521, Allotment NW20, and Allotment SW20,

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SCHEDULE—continued

Waitakere Parish (All certificate of title 769/170). All situated in Block XI, Kumeu Survey District, and bordered by a bold black line on Survey Office plan 56582.

5. All those pieces of land known severally as Titirangi Park and Atkinson Park, situated in the North Auckland Land Registration District, Waitemata City, containing 31.9292 hectares, more or less, being part Allotment 46, Waikomiti Parish (Balance certificate of title 778/154); Lot 1, D.P. 10282 (All certificate of title 409/190); part Allotment 28, Waikomiti Parish (All certificate of title 515/292); part Lot 2, D.P. 9262 (All certificate of title 241/195); part Allotment 28, Waikomiti Parish (All certificate of title 12A/658); part Lot 6, D.P. 10374 (All certificate of title 268/204); part Allotment 45, part Allotment 46, and part Allotment 242A, Waikomiti Parish (All certificate of title 411/235); part land on D.P. 6583 (Balance certificate of title 175/171); Lot 2, D.P. 28786 (All certificate of title 716/175); Lot 7, D.P. 40510 (All certificate of title 10971/221); Lot 10, D.P. 42858 (All certificate of title 1181/34); Lot 11, D.P. 42858 (All certificate of title 1169/94); part Lot 2, D.P. 11266 (All certificate of title 261/149); Lot 31 and part Lot 32, D.P. 21538 (Balance certificate of title 497/233). All situated in Blocks VI and VII, Titirangi Survey District, and bordered by a bold black line on Survey Office plan 56583.