

The New Zealand Gazette

OF THURSDAY, 27 MAY 1993

WELLINGTON: TUESDAY, 1 JUNE 1993 — ISSUE NO. 76

The Auckland Regional Services Trust Vesting Order 1993

CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 24th day of May 1993

Present:

HER EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

Pursuant to section 707R of the Local Government Act 1974, Her Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following order.

Analysis

1. Title and commencement
2. Definitions

Part I Specified Companies

3. Watercare Services Limited
4. Northern Disposal Systems Limited
5. Transportation Auckland Corporation Limited
6. Regional Forests Limited

Part II Maritime assets

7. Ports of Auckland Limited
8. Other former Auckland Harbour Board assets and liabilities

Part III Other property

9. Regional House
10. Constellation Drive
11. Assets not transferred to Northern Disposal Systems Limited
12. Assets not transferred to Transportation Auckland Corporation Limited
13. Assets not transferred to Watercare Services Limited

14. Sundry other specified assets and liabilities

Part IV Overall conditions

15. Caveats
16. Indemnity
17. Accrued Income

Part V Debt

18. Debt management

Part VI Implementation

19. Transitional Arrangements
20. Existing encumbrances
21. Title to property
22. Register

Order

1. Title and commencement—(1) This Order may be cited as the Auckland Regional Services Trust Vesting Order 1993.

(2) Subject to subclause (3) of this clause, this Order shall come into force on the 1st day of July 1993.

(3) The transitional arrangements in clause 19 of this Order, shall come into force on the making of this Order.

2. Definitions—In this Order, unless the context otherwise requires,—

“Minister” means the Minister of Local Government:

“Northern Disposal Systems Limited Sale and Purchase Agreement” means the Sale and Purchase Agreement between the Auckland Regional Council and Northern Disposal Systems Ltd dated 11 November 1991:

“Ports of Auckland Limited Sale and Purchase Agreement” means the Agreement for Sale and Purchase of Port Related Commercial Undertaking between the former Auckland Harbour Board (and vested in the Auckland Regional Council by the Local Government (Auckland

Region) Reorganisation Order 1989)* and the Ports of Auckland Limited dated 14 June 1989:

“Plan approved by the Minister” means the Plan for the Transfer of Assets and Liabilities from the Auckland Regional Council to the Auckland Regional Services Trust as approved by the Minister of Local Government on 30 March 1993 under section 707Q of the Local Government Act 1974:

“Transportation Auckland Corporation Limited Sale and Purchase Agreement” means the Transportation Auckland Corporation Limited Sale and Purchase Agreement between the Auckland Regional Council and Transportation Auckland Corporation Limited dated 28 June 1991:

“Vesting date”, except as otherwise provided for in this Order, means 1 July 1993:

“Watercare Services Limited Sale and Purchase Agreement” means the Sale and Purchase Agreement between the Auckland Regional Council and Watercare Services Limited dated 12 October 1992.

PART I SPECIFIED COMPANIES

3. Watercare Services Limited

(1) Subject to subclause (3) of this clause, the following assets and liabilities are hereby vested in the Auckland Regional Services Trust:

(a) All shares held by or on behalf of the Auckland Regional Council in Watercare Services Limited as at vesting date:

(b) The obligations, liabilities, and benefits of the Auckland Regional Council under:

(i) Clauses 20 and 13.6;

(ii) If not earlier satisfied or discharged, clauses 9, 12.4(a), and 13.7; and

(iii) To the extent the relevant assets are vested in the Auckland Regional Services Trust, clauses 11.4 and 22, of the Watercare Services Limited Sale and Purchase Agreement:

(c) Responsibilities of the Auckland Regional Council as Lessor of Watercare Services Limited in respect of Level 2 Regional House, under the Deed of Lease dated 12 October 1992.

(2) Any shares in Watercare Services Limited issued after 1 July 1993 to the Auckland Regional Council by Watercare Services Limited pursuant to the Watercare Services Limited Sale and Purchase Agreement shall, immediately they are issued, vest in the Auckland Regional Services Trust:

(3) It is a condition of the vesting of assets and liabilities in the Auckland Regional Services Trust under subclause (1) of this clause, that the Auckland Regional Council and the Auckland Regional Services Trust shall be jointly and severally responsible for the obligations, liabilities, and benefits under clauses 13.8, 28, 31 and 32 of the Watercare Services Limited Sale and Purchase Agreement.

4. Northern Disposal Systems Limited

(1) Subject to subclause (2) of this clause, the following assets and liabilities are hereby vested in the Auckland Regional Services Trust:

(a) All shares in Northern Disposal Systems Limited held by or on behalf of the Auckland Regional Council as at vesting date:

(b) If not earlier satisfied or discharged, the loan facility and the debenture issued by Northern Disposal Systems Limited to the Auckland Regional Council in accordance with clause 3.5 of the Northern Disposal Systems Limited Sale and Purchase Agreement:

(c) The obligations, liabilities, and benefits of the Auckland Regional Council under:

(i) Clauses 3.6, 14, 17 and 19;

(ii) In respect of costs, clause 9.3; and

(iii) To the extent that relevant assets are vested in the Auckland Regional Services Trust or to the extent that the relevant assets necessary to perform any obligations are vested in the Auckland Regional Services Trust, subclause 4.2(a), 4.2(b), 4.2(c), 4.2(d) and 4.2(e), and clauses 10 and 20,

of the Northern Disposal Systems Limited Sale and Purchase Agreement:

(d) Subject to the provisions of clause 19(1)(f) of this Order, all rights to receive any dividends, distributions or return of capital intended to be paid by Northern Disposal Systems Limited to the Auckland Regional Council on or at any time before 1 July 1993.

(2) It is a condition of the vesting of assets and liabilities in the Auckland Regional Services Trust under subclause (1) of this clause, that:

(a) Auckland Regional Council and Auckland Regional Services Trust shall jointly and severally be responsible for the obligations, liabilities, and benefits under clauses 3.4, 4.1, 24, 27 and 28 of the Northern Disposal Systems Limited Sale and Purchase Agreement:

(b) Subject to the Auckland Regional Council complying with its obligation to carry out aftercare in respect of landfill sites specified in section 707AA of the Local Government Act 1974, and subject to the Northern Disposal Systems Limited Sale and Purchase Agreement subsisting or being replaced beyond 30 June 1993, the Auckland Regional Services Trust shall—

(i) Enforce the provisions of clause 13.1 of this Agreement or the equivalent provisions of any replacement agreement:

(ii) Hold in trust for, and pay to the Auckland Regional Council, all money received by the Auckland Regional Services Trust under clause 13.1 of this Agreement or the equivalent provisions of any replacement agreement.

5. Transportation Auckland Corporation Limited

(1) Subject to subclause (2) of this clause, the following assets and liabilities are hereby vested in the Auckland Regional Services Trust:

(a) All shares in Transportation Auckland Corporation Limited held by or on behalf of the Auckland Regional Council as at vesting date:

(b) If not earlier satisfied or discharged, the loan facility and the debenture issued by Transportation Auckland Corporation Limited to the Auckland Regional Council in accordance with clause 3.3 of the Transportation Auckland Corporation Limited Sale and Purchase Agreement:

(c) The obligations, liabilities, and benefits of the Auckland Regional Council under—

(i) Clauses 11, 12, 15, 16 and 31; and

(ii) To the extent that the relevant assets are vested in the Auckland Regional Services Trust, clauses 2, 4, and 18, of the Transportation Auckland Corporation Limited Sale and Purchase Agreement:

(d) Subject to the provisions of clause 19(1)(f) of this Order, all rights to receive any dividends, distributions or return of capital intended to be paid to the Auckland Regional Council on or at any time before 1 July 1993.

(2) It is a condition of the vesting of assets and liabilities in the Auckland Regional Services Trust under subclause (1) of this clause, that:

(a) All obligations of the Auckland Regional Council under Part XXXIVB of the Local Government Act 1974 shall transfer to the Auckland Regional Services Trust:

(b) The Auckland Regional Council and the Auckland Regional Services Trust shall be jointly and severally responsible for the obligations, liabilities, and benefits of the Auckland Regional Council under clauses 28 and 29 of the Transportation Auckland Corporation Limited Sale and Purchase Agreement:

(c) In respect of clause 16 of the Transportation Auckland Corporation Limited Sale and Purchase Agreement—

(i) The Auckland Regional Council shall not, without prior consultation and approval of the Auckland Regional Services Trust permit any Initial Auckland Regional Council Contract or any trip comprised in any Auckland Regional Council Contract to expire or be cancelled without giving written notice to Transportation Auckland Corporation Limited of such cancellation or expiry in sufficient time to provide Transportation Auckland Corporation Limited with a reasonable opportunity to submit a bona fide tender for any replacement contract or trip, and inviting Transportation Auckland Corporation Limited to submit such a tender:

(ii) In respect of subparagraph (i) of this paragraph, the approval of the Auckland Regional Services Trust may only be withheld so long as the Auckland Regional Services Trust has made all reasonable efforts to encourage Transportation Auckland Corporation Limited to meet with the Auckland Regional Council in an effort to mitigate any damage which might flow from such cancellation:

(iii) The Auckland Regional Council shall not, without prior consultation with Auckland Regional Services Trust, cancel any Initial Auckland Regional Council Contract:

(iv) If as a result of any breach of subparagraph (i) of this paragraph or as a result of the cancellation by the Auckland Regional Council of any Initial Auckland Regional Council Contract:

(A) The Auckland Regional Services Trust is declared by a court of competent jurisdiction or by arbitration pursuant to the contract to have suffered any loss arising from any breach by Auckland Regional Council of the terms of clause 16 of the Transportation Auckland Corporation Limited Agreement; or

(B) The Auckland Regional Services Trust is called upon to subscribe for any capital in Transportation Auckland Corporation Limited in terms of clause 16 of the Transportation Auckland Corporation Limited Sale and Purchase Agreement,

the Auckland Regional Council shall indemnify the Auckland Regional Services Trust against such loss to the extent that the Auckland Regional Services Trust shall be required by a court of competent jurisdiction or arbitration to pay a corresponding amount to Transportation Auckland Corporation Limited and in the case of the Auckland Regional Services Trust having to subscribe for capital in Transportation Auckland Corporation Limited shall pay the Auckland Regional Services Trust the amount paid by it to Transportation Auckland Corporation Limited:

(v) The terms "Initial Auckland Regional Council Contract" and "Auckland Regional Council Contract" have the meaning given to them in the Transportation Auckland Corporation Limited Sale and Purchase Agreement:

(vi) The Auckland Regional Services Trust shall not be entitled to enforce the provisions of subparagraph (i) of this paragraph by way of specific performance:

(vii) The Auckland Regional Services Trust shall not be entitled to vary or extend the provisions of clause 16 of the Transportation Auckland Corporation Limited Sale and Purchase Agreement or the interpretation provisions

set out in clause 1 of that Agreement to the extent they apply to clause 16:

(viii) The Auckland Regional Services Trust shall use its reasonable endeavours to see that the Auckland Regional Council is given any information likely to give rise to a claim by the Auckland Regional Services Trust under this indemnity provision:

(ix) In the event of any claim being made by Transportation Auckland Corporation Limited against the Auckland Regional Services Trust under clause 16 of the Transportation Auckland Corporation Limited Sale and Purchase Agreement, no compromise of such claim shall be concluded by the Auckland Regional Services Trust without the Auckland Regional Council's approval, and if enforcement proceedings are commenced against the Auckland Regional Services Trust by Transportation Auckland Corporation Limited then the Auckland Regional Council shall be entitled at its own cost to defend such proceedings in the name of the Auckland Regional Services Trust on reasonable terms or otherwise to join in such proceedings to protect its position as indemnifier.

6. Regional Forests Limited

(1) Subject to subclause (3) of this clause, the following assets and liabilities are hereby vested in the Auckland Regional Services Trust:

(a) All shares in Regional Forests Limited held by or on behalf of the Auckland Regional Council as at the vesting date:

(b) Subject to the provisions of clause 19(1)(f) of this Order, all rights to receive any dividends, distributions or return of capital intended to be paid to the Auckland Regional Council on or at any time before 1 July 1993.

(2) Any shares in Regional Forests Limited issued to the Auckland Regional Council after 1 July 1993 in accordance with any determination of the Minister under subclause (3) of this clause shall, immediately they are issued, vest in the Auckland Regional Services Trust.

(3) It is a condition of the vesting of the transfer of assets and liabilities in the Auckland Regional Services Trust, under subclause (1) of this clause, that:

(a) The Auckland Regional Council shall consult with the Auckland Regional Services Trust on an ongoing basis regarding—

(i) The terms of an agreement which provides for the transfer of the remaining assets and liabilities which the Auckland Regional Council and the Auckland Regional Services Trust consider should be transferred to Regional Forests Limited or to the Auckland Regional Services Trust pursuant to section 707Q of the Local Government Act 1974, together with any conditions that should be imposed on such transfer; and

(ii) The management of the Hunua Regional Park Production Forest, including the costs of managing the trees after 1 July 1993.

(b) The Auckland Regional Council and the Auckland Regional Services Trust shall, after consultation with Regional Forests Limited, Watercare Services Limited, and any other party they consider to be affected, submit to the Minister by 30 November 1993, a statement of the remaining assets and liabilities that they consider should be transferred to Regional Forests Limited or to the Auckland Regional Services Trust:

(c) In preparing the statement under paragraph (b) of this subclause, the Auckland Regional Council and the Auckland Regional Services Trust shall consider—

(i) Whether any of the provisions of the establishment plan for Regional Forests Limited dated May 1991 have ceased to be relevant; and

(ii) Whether or not the Auckland Regional Council shall be reimbursed for any of the costs it incurs either by

managing the assets after 1 July 1993, or by meeting costs incurred by Regional Forests Limited in respect of the transfer process:

(d) In preparing the statement under paragraph (b) of this subclause, the Auckland Regional Council and the Auckland Regional Services Trust shall have regard to the obligations and responsibilities of the Auckland Regional Council under—

- (i) Section 45B of the Auckland Regional Authority Act 1963;
- (ii) Sections 575B and 619–619I of the Local Government Act 1974;
- (iii) The Watercare Services Limited Sale and Purchase Agreement; and
- (iv) The lease, licence, and agreement to license relating to certain lands in the Hunua Ranges and the Waitakere Ranges between the Auckland Regional Council and Watercare Services Limited dated 12 October 1992.

(e) The statement prepared under paragraph (b) of this subclause shall record the extent and nature of agreement and disagreement between the parties, and specify any conditions which the Auckland Regional Council and the Auckland Regional Services Trust consider should be imposed on the transfer:

(f) The Minister shall, after consultation with the Auckland Regional Council, the Auckland Regional Services Trust, Regional Forests Limited, Watercare Services Limited and any other parties he considers to be affected, determine the assets and liabilities—

- (i) To be transferred to Regional Forests Limited or to the Auckland Regional Services Trust; and
- (ii) To remain with the Auckland Regional Council,

together with any conditions the Minister considers should be imposed on the transfer of those assets and liabilities (as if they were conditions imposed under section 707Q (8) and (9) of the Local Government Act 1974):

(g) The determination of the Minister under paragraph (f) of this subclause shall be implemented by Order in Council, pursuant to section 707R (2) of the Act, made before 28 February 1994:

(h) The Minister may by notice in writing to the Auckland Regional Council and the Auckland Regional Services Trust approve an extension to the dates referred to in paragraphs (b) and (g) of this subclause.

PART II MARITIME ASSETS

7. Ports of Auckland Limited

(1) Subject to subclause (2) of this clause, the following assets and liabilities are hereby vested in the Auckland Regional Services Trust:

(a) All shares in Ports of Auckland Limited held by or on behalf of the Auckland Regional Council as at vesting date:

(b) 10,432,541 uncalled \$1 shares in Ports of Auckland Limited:

(c) The obligations, liabilities, and benefits of the Auckland Regional Council under the Ports of Auckland Sale and Purchase Agreement, except the obligations, liabilities, and benefits under clause 7 of that Agreement:

(d) Subject to the provisions of clause 19(1)(f) of this Order, all rights to receive any dividends, distributions or return on capital intended to be paid to the Auckland Regional Council on or at any time before 1 July 1993.

(2) It is a condition of the vesting of assets and liabilities in the Auckland Regional Services Trust under subclause (1) of this clause, that the Auckland Regional Council and the Auckland Regional Services Trust shall be jointly and severally responsible for the obligations, liabilities, and benefits of the

Auckland Regional Council under clause 7 of the Ports of Auckland Sale and Purchase Agreement.

8. Other former Auckland Harbour Board assets and liabilities

(1) Subject to subclause (2) of this clause, the following assets and liabilities are hereby vested in the Auckland Regional Services Trust:

(a) The 72.5% interest of the Auckland Regional Council in the Auckland Regional Council/Auckland City Council Downtown Joint Venture Heads of Agreement, dated 27 April 1989, as detailed in Part 1 of the First Schedule to this Order and Part 1 of the Second Schedule to this Order:

(b) All obligations, liabilities and benefits of the Auckland Regional Council under the Auckland Regional Council/Auckland City Council Downtown Joint Venture Heads of Agreement, dated 27 April 1989:

(c) The Auckland Regional Council's share in the Auckland Regional Council/Auckland City Council Mt Roskill properties (Lynfield) as detailed in Part 2 of the First Schedule to this Order:

(d) The Auckland Regional Council's share in the Auckland Regional Council/North Shore City Council properties as detailed in Part 3 of the First Schedule to this Order and Part 2 of the Second Schedule to this Order:

(e) Properties owned by the Auckland Regional Council in Auckland City as detailed in Part 4 of the First Schedule to this Order:

(f) The assets of the former Auckland Harbour Board Trust created by deed dated 23 December 1988 and the Auckland Harbour Board General Purposes Trust created by deed dated 22 December 1988, and vested in the Auckland Regional Council in accordance with the Local Government (Auckland Harbour Board Property) Reorganisation Order 1990**, as described in the Third Schedule to this Order.

(2) It is a condition of the vesting of assets and liabilities in the Auckland Regional Services Trust under subclause (1) of this clause that:

(a) On the sale or realisation of any or all of the 72.5% interest of the Auckland Regional Council in the asset specified in paragraph (a) of subclause (1) of this clause, the proceeds from any such sale shall be applied to the servicing and/or repayment of debt:

(b) Any proceeds from any such sale or realisation by the Auckland Regional Council of any or all of the 72.5% interest of the Auckland Regional Council in the asset specified in paragraph (a) of subclause (1) of this clause which occurs prior to 1 July 1993 and which are received by the Auckland Regional Council shall vest in the Auckland Regional Services Trust:

(c) The Auckland Regional Services Trust shall, on 1 July 1993, vest in the Auckland Maritime Museum Trust Board assets to the value of \$2 million vested in the Auckland Regional Services Trust pursuant to paragraph (f) of subclause (1) of this clause:

(d) The Auckland Regional Services Trust shall apply the assets specified in the Third Schedule to this Order but excluding the assets to be vested in the Auckland Maritime Museum Trust Board as specified in paragraph (c) of this subclause, for the servicing and/or repayment of debt.

PART III OTHER PROPERTY

9. Regional House

The following assets and liabilities are hereby vested in the Auckland Regional Services Trust:

(a) The land and buildings known as New Regional House and detailed in Part 5 of the First Schedule to this Order:

(b) All obligations, liabilities, and benefits under all leases,

licenses and other contracts which relate to the building known as New Regional House at 21 Pitt Street, Auckland.

10. Constellation Drive

The land and buildings known as Constellation Drive Transfer Station and Recycling Centre and detailed in Part 6 of the First Schedule to this Order are hereby vested in the Auckland Regional Services Trust.

11. Assets not transferred to Northern Disposal Systems Limited

(1) Subject to subclauses (2) and (3) of this clause, the following assets and liabilities are hereby vested in the Auckland Regional Services Trust:

(a) Pikes Point land (Onehunga) as detailed in Part 7 of the First Schedule to this Order, and including the land known as Pikes Point Walkway as detailed in Part 8 of the First Schedule to this Order:

(b) Weiti Landfill land as detailed in Part 9 of the First Schedule to this Order:

(c) Devonport landfill site office, recycling building and improvements:

(d) All liabilities of the Auckland Regional Council under section 6 (3) of the Auckland Harbour Board (Auckland Regional Authority Pikes Point East Reclamation) Empowering Act 1976.

(2) For the avoidance of doubt, it is declared that no liability of the Auckland Regional Council in respect of the aftercare of the Pikes Point land under section 707AA of the Local Government Act 1974 shall vest in the Auckland Regional Services Trust.

(3) It is a condition of the vesting of assets and liabilities under subclause (1) of this clause, that the Auckland Regional Services Trust shall negotiate with the Auckland City Council to vest the land known as Pikes Point Walkway in the Auckland City Council.

12. Assets not transferred to Transportation Auckland Corporation Limited

(1) The following assets and liabilities are hereby vested in the Auckland Regional Services Trust:

(a) Gaunt Street Depot ground leases, building and improvements as defined in Part 10 of the First Schedule to this Order:

(b) Orewa Depot (40 Doment Crescent) land as defined in Part 11 of the First Schedule to this Order:

(c) Silverdale land as defined in Part 12 of the First Schedule to this Order:

(d) Swanson Depot land and buildings as defined in Part 13 of the First Schedule to this Order:

(e) If not earlier satisfied or discharged, the loan facility and the debenture issued by Transportation Auckland Corporation Limited to the Auckland Regional Council in terms of clause 3.2.2 of the Sale and Purchase Agreement between the Auckland Regional Council and Transportation Auckland Corporation Limited, dated 28 June 1991.

(2) Subject to subclause (3) of this clause:

(a) The Auckland Regional Council shall take all steps necessary to procure the completion of the subdivision from the land and buildings known as Central Workshops (as detailed in Part 14 of the First Schedule to this Order) of the land and buildings of the Civil Defence Headquarters as identified on the map in the Fourth Schedule to this Order:

(b) The Auckland Regional Council shall advise the Minister of the legal description of the land and buildings detailed in Part 14 of the First Schedule to this Order but excluding the land and building of the Civil Defence Headquarters, within 30 days of the completion of the subdivision:

(c) The land and buildings described in paragraph (b) of this subclause shall vest in the Auckland Regional Services Trust by a separate Order in Council under section 707R (2) of the Local Government Act 1974:

(d) The Order in Council under paragraph (c) of this subclause shall be made within 60 days after the Minister receives advice of the legal description of the land and buildings described in paragraph (b) of this subclause.

(3) From 1 July 1993, the Auckland Regional Services Trust shall assume all obligations, liabilities, and benefits in respect of the land and buildings known as Central Workshops but excluding the Civil Defence Headquarters as identified in subclause (2) of this clause.

(4) It is a condition on the vesting of assets and liabilities in the Auckland Regional Services Trust under subclause (1) of this clause and paragraph (c) of subclause (2) of this clause, that all obligations of the Auckland Regional Council under Part XXXIVB of the Local Government Act 1974 in respect of these assets shall transfer to the Auckland Regional Services Trust.

13. Assets not transferred to Watercare Services Limited

The following assets and liabilities are hereby vested in the Auckland Regional Services Trust:

(a) The Sunset Road East land as defined in Part 15 of the First Schedule of this Order:

(b) The Hunua Headquarters land as defined in Part 16 of the First Schedule of this Order:

(c) The Outfall Chamber off Wharangi Street Onehunga:

(d) The Old New Lynn Sewer Outfall:

(e) The land occupied by Outfall Chamber of Seacliffe Road, Onehunga;

(f) The Easement over land on Saleyard Road, Otahuhu.

14. Sundry other specified assets and specified liabilities

(1) The following assets and liabilities are hereby vested in the Auckland Regional Services Trust:

(a) The benefits currently enjoyed by the Auckland Regional Council under the interest rate swap agreement between the Auckland Regional Council and the Westpac Banking Corporation, dated 16 December 1988, and associated with the sale to the Westpac Banking Corporation of ordinary registered stock of \$5 million which matures on 15 November 1993:

(b) The obligations under the interest rate swap agreement between the Auckland Regional Council and the Westpac Banking Corporation, dated 16 December 1988, including all obligations under the original loan:

(c) All obligations, liabilities, and benefits of the Auckland Regional Council pursuant to—

(i) The Watercare Services Limited Sale and Purchase Agreement; and

(ii) The Northern Disposal Systems Limited Sale and Purchase Agreement; and

(iii) The Transportation Auckland Corporation Limited Sale and Purchase Agreement; and

(iv) The Ports of Auckland Limited Sale and Purchase Agreement,

not already identified in this Order as vesting in the Auckland Regional Services Trust, nor identified in the plan approved by the Minister as remaining with the Auckland Regional Council.

(2) For the avoidance of doubt, it is declared that the assets, liabilities, benefits, and obligations identified in the plan approved by the Minister as remaining with the Auckland Regional Council shall not vest in the Auckland Regional Services Trust.

PART IV OVERALL CONDITIONS**15. Caveats**

It is a condition of the vesting of all assets and liabilities in the Auckland Regional Services Trust that where the Auckland Regional Council is required, under section 707ZA of the Local Government Act 1974, to lodge a caveat in respect of any land:

(a) The Auckland Regional Services Trust shall, whenever requested to do so, produce for the District Land Registrar any instrument required to facilitate the registration of the caveat; and

(b) The Auckland Regional Services Trust shall co-operate with Auckland Regional Council in arranging for the caveat to be lodged and registered against the title to the land at the earliest practicable date.

16. Indemnity

It is a condition of the vesting of all assets and liabilities in the Auckland Regional Services Trust by this Order that, the Auckland Regional Services Trust shall indemnify the Auckland Regional Council against all claims and demands whatsoever which may be made against the Auckland Regional Council in respect of those assets and liabilities.

17. Accrued income

It is a condition on the vesting of assets and liabilities in the Auckland Regional Services Trust by this Order, that all income accruing up to 30 June 1993 in respect of the following classes of specified assets to be transferred to the Auckland Regional Services Trust by this Order shall be payable to or retained by the Auckland Regional Council:

(a) All rented property and interests in rented property;

(b) Assets represented by investments by way of transferrable certificate of deposit, interest bearing deposit, stock, or like investment.

PART V DEBT**18. Debt management**

(1) Effect is hereby given to the provisions of Chapter 7 of the Divestment Plan submitted to the Minister by the Auckland Regional Council and the Auckland Regional Services Trust on 4 February 1993, as amended on 26 February 1993, and as reproduced as Appendix A of the plan approved by the Minister.

(2) The Auckland Regional Council and the Auckland Regional Services Trust shall prepare and execute all documents necessary to effect the implementation of the provisions described in subclause (1) of this clause by 7 July 1993, or such later date as may be approved by the Minister.

(3) To the extent that the terms and conditions of the documents prepared under subclause (2) of this clause differ from the provisions described in subclause (1) of this clause, but are agreed by the Auckland Regional Council and the Auckland Regional Services Trust, and approved by the Minister, the terms and conditions of the documents prepared under subclause (2) of this clause shall prevail.

(4) If the Auckland Regional Council and the Auckland Regional Services Trust do not agree on the documents (and their terms and conditions) to be prepared under subclause (2) of this clause, the Minister shall determine the disagreement, in this direction, as necessary to give effect to subclause (1) of this clause.

(5) Where the Minister makes a determination under subclause (4) of this clause, that determination shall be given effect to by Order in Council pursuant to section 707R (2) of the Local Government Act 1974.

PART VI IMPLEMENTATION**19. Transitional arrangements**

(1) The following transitional arrangements shall apply to all assets vested in the Auckland Regional Services Trust by this Order from 30 March 1993 until the vesting date specified in this Order:

(a) The Auckland Regional Council shall not act in its capacity as owner of the shares of any of its local authority trading enterprises and the Ports of Auckland Limited except in accordance with the lawful directions of and as trustee for the Auckland Regional Services Trust:

(b) Except in accordance with the lawful directions of the Auckland Regional Services Trust, the Auckland Regional Council shall not effect or cause or allow the sale, purchase, lease, or otherwise materially affect the value, of—

(i) Any significant asset; or

(ii) Any shares in any of the Auckland Regional Council's local authority trading enterprises or the Ports of Auckland Limited, nor any of their assets,

to be transferred to the Auckland Regional Service Trust pursuant to this Order:

(c) The Auckland Regional Council shall support the Auckland Regional Services Trust being given the opportunity to be represented at the board meetings of all the Auckland Regional Council's local authority trading enterprises and the Ports of Auckland Limited and at all meetings involving joint venture business activities:

(d) The Auckland Regional Council shall support the supply to the Auckland Regional Services Trust of all periodic reports of all information including monthly accounts and debt management activities for the Auckland Regional Council's local authority trading enterprises and the Ports of Auckland Limited and property management at the same time as they become available to the Auckland Regional Council.

(e) The Auckland Regional Council shall support the supply to the Auckland Regional Services Trust of any special information or other reports which may be relevant to the management of the Auckland Regional Council's local authority trading enterprises and the Ports of Auckland Limited or other assets at the same time as they become available to the Auckland Regional Council.

(f) Notwithstanding the provisions of clauses 4(1)(d), 5(1)(d), 6(1)(b) and 7(1)(d) of this Order and subject to paragraph (g) of this subclause, the Auckland Regional Council shall be entitled to receive and retain from the Auckland Regional Council's local authority trading enterprises and the Ports of Auckland Limited a dividend or dividends not exceeding in total \$5.4 million after tax:

(g) Before promoting any dividend under paragraph (f) of this subclause, the Auckland Regional Council shall consult with the Auckland Regional Services Trust.

(2) Notwithstanding the provisions of paragraphs (a) and (d) of subclause (1) of clause 8 of this Order, where settlement is effected on any property detailed in the Second Schedule to this Order on or before 30 June 1993, that property shall not vest in the Auckland Regional Services Trust but the proceeds of that sale shall vest in the Auckland Regional Services Trust.

20. Existing encumbrances

All property, real and personal, vested in the Auckland Regional Services Trust by this Order, shall be vested subject to all existing encumbrances.

21. Title to Property

Any reference, express or implied, to the "Auckland Regional Council" or to any of the former authorities of the Auckland Regional Council as defined in clause 10 of the Local Government (Auckland Region) Reorganisation Order 1989 in any instrument or other document whatsoever, or in any entry or record made in any register in relation to any property

whatsoever vested in the Auckland Regional Services Trust by this Order shall, unless the context otherwise requires, be read as a reference to the Auckland Regional Services Trust.

22. Register

The provisions of section 37ZZZR of the Local Government Act 1974 shall apply to all assets and liabilities vested in the Auckland Regional Services Trust by this Order, as if this Order was giving effect to a reorganisation scheme under Part IIBC of the Local Government Act 1974.

BOB MACFARLANE, Acting for Clerk of the Executive Council.

* *Gazette*, 1989, page 2247 Amendments: *Gazette*, 1989, page 4974

Gazette, 1990, page 2330

Gazette, 1990, page 2328

Gazette, 1990, page 3946

Gazette, 1992, page 967

Gazette, 1992, page 2593

** *Gazette*, 1990, page 2836

First Schedule

Address	Certificate of Title & Legal Description
PART 1: ARC/ACC DOWNTOWN PROPERTIES	
Airspace over Lower Albert Street	CT 32D/652, Lot, D.P. 76494
Shopping Centre 3	CT 25C/377, Lot 4 69547
Entertainment Centre	CT 34B/1461, Lots 1 & 2, D.P. 78340
2 Britomart Place	CT 429/224, Lot 114, D.P. 2770
6-8 Commerce Street	CT 1B/546, Lot 2, D.P. 50971 & Part Lot 1, D.P. 47785
10-12 Commerce Street	CT 761/1, Lot 1, D.P. 44923
Cnr 7 Commerce Street	CT 13A/396, Allotments 50 & 53 Part Allotment 52, Section 2, City of Auckland
11 Commerce Street	CT 35A/1107, Lot 3, D.P. 31049
9 Commerce Street	CT 35A/1108, Lot 2, D.P. 31049
10-12 Customs Street East	Part CT 1382/20, Part Lot 91 & Lot 92, D.P. 205
16 Customs Street East	CT 429/215, Lots 93-95, D.P. 205
20 Customs Street East	CT 429/216, Lot 96, D.P. 205
26-28 Customs Street East	CT 864/182, Lots 100 & 101, D.P. 2044
Cnr Customs Street West	CT 25C/376, Lot 2, D.P. 69547
Cnr Queen Street	CT 23B/564, Lot 1, D.P. 67723
Cnr Customs Street West	CT 33C/37, Lot 7, D.P. 77037
Cnr Customs Street West	CT 15A/424, Lot 9, D.P. 60151
22-24 Customs Street East	CT 429/217, Part Lot 98 & Lot 99, D.P. 2044
30-32 Customs Street East	CT 864/182, Lots 102 & 103, D.P. 22965
Cnr 34 Customs Street East	CT 429/219, Lot 104, D.P. 2044
Cnr 36-38 Customs Street East	CT 429/220, Lot 105 & 106, D.P. 2770
40-42 Customs Street East	CT 429/221, Lots 107-109, D.P. 2770
57 Customs Street East	CT 761/7, Lot 27, Section 2, City of Auckland
46-48 Customs Street East	CT 429/222, Lots 110-111, D.P. 2770
50-52 Customs Street East	CT 429/223, Lots 112-113, D.P. 2770

Address	Certificate of Title & Legal Description
54-56 Customs Street East	Part CT 1054/23, Lot 115, D.P. 2770
Cnr 54-56 Customs Street East	Part CT 429/225, Lot 116, D.P. 2770
Cnr 23 Customs Street East	CT 77A/584, Lot 1, D.P. 131611
55 Customs Street East	CT 761/54, Allotment 28 of Section 2, City of Auckland
Cnr 47 Commerce Street	CT 761/53, Allotments 8, 29 & 30, Section 2, City of Auckland
Cnr 69 Customs Street East	CT 761/82, Allotment 35, Section 2, City of Auckland
71 Customs Street East	CT 48C/278, Lot 1, D.P. 51212
79-83 Customs Street East	CT 48C/279, Lot 2, D.P. 51212
85 Customs Street East	CT 761/84, Allotment 39, Section 2, City of Auckland
87 Customs Street East	CT 761/85, Allotment 40, Section 2, City of Auckland
89-91 Customs Street East	CT 761/86, Allotment 41, Section 2, City of Auckland
Cnr 95 Customs Street East	CT 47C/455, Lot 1, D.P. 43134
Cnr Hobson Street	CT 878/113, Lot 1, D.P. 32203
18-20 Fort Street	CT 43B/1046, Lot 5, D.P. 31049
30-34 Fort Street	CT 69C/724, Lot 1, D.P. 120264
36 Fort Street	CT 761/57, Allotment 17 of Section 2, City of Auckland
Cnr 42-46 Fort Street	CT 761/66 Lots 31 & 32, Section 2, City of Auckland
48 Fort Street	CT 761/99, Allotment 49 of, Section 2, City of Auckland
52-54 Fort Street	CT 761/98, Allotments 47 & 48 of Section 2, City of Auckland
56-58 Fort Street	CT 761/95, Allotment 46 of, Section 2, City of Auckland
60-64 Fort Street	CT 761/94, Allotments 44 & 45 of Section 2, City of Auckland
Cnr 38-40 Gore Street	Part CT 761/57, Allotment 18, Section 2, City of Auckland
Gore Street (Accessway)	CT 761/3, Part Lots 20 & 22, Section 2, City of Auckland
13 Gore Street	CT 761/56, Allotment 19 of, Section 2, City of Auckland
9 Gore Street	CT 761/6, Part Allotments 20 & 21, Section 2, City of Auckland
6-10 Gore Street	CT 761/81, Allotments 33 & 34 of Section 2, City of Auckland
Cnr Quay Street	CT 51B/983, Lot 1, D.P. 94616
Cnr 30 Quay Street	CT 51B/984, Lot 2, D.P. 94616
Northern House	CT 429/208, Lots 135, 136 & 137, D.P. 626
16-18 Quay Street	CT 429/209, Lots 138 & 139, D.P. 626
Mission to Seamen Building	CT 429/210, Lots 140-142, D.P. 626
6-8 Quay Street, Quay Building	CT 429/211, Lot 143, D.P. 626 & Lot 144, D.P. 2770
4 Quay Street	CT 429/226, Lot 145, D.P. 2770
Cnr 2 Quay Street & Britomart Street	CT 429/227, Lot 146, D.P. 2770
AMP Society	CT 15A/423, Lot 8, D.P. 60151
Air Terminal Site	CT 21C/73 Lot 5, D.P. 63972
150 Beach Road	CTs 954/245 & 870/113, Part Lots 1, 2 & 4, D.P. 32693, Section 41 Block VIII Rangitoto SD
Cnr Beach Road & Gittos Street	CT 954/244, Lot 3, D.P. 32693
89-91 The Strand	CT 9B/1436, Lot 1, D.P. 10790

<i>Certificate of Title & Legal Description</i>		<i>Certificate of Title & Legal Description</i>	
<i>Address</i>	<i>Description</i>	<i>Address</i>	<i>Description</i>
73-75 The Strand	CT 9B/1438, Lots 5, D.P. 10790	88 The Avenue	CT 29B/920, Lot 40, D.P. 73304
65-71 The Strand	CT 9B/1439, Lots 6 & 7, D.P. 10790	96 The Avenue	CT 29B/916, Lot 36, D.P. 73304
59-63 The Strand	CT 9B/1440, Lots 8 & 9, D.P. 10790	7 Canberra Avenue	CT 26A/806, Lot 226, D.P. 53885
55-57 The Strand	CT 9B/1441, Lot 10, D.P. 10790	8 Canberra Avenue	CT 24A/462, Lot 231, D.P. 53885
51-53 The Strand	CT 9B/1442, Lot 11, D.P. 10790	9 Canberra Avenue	CT 26A/805, Lot 225, D.P. 53885
39-41 The Strand	CT 9B/1444, Lot 13, D.P. 10790	11 Canberra Avenue	CT 26A/804, Lot 224, D.P. 53885
39-41 The Strand	CT 9B/1445, Lot 14, D.P. 10790	13 Canberra Avenue	CT 26A/803, Lot 223, D.P. 53885
35-37 The Strand	CT 9B/1446, Lot 15, D.P. 10790	15 Canberra Avenue	CT 26A/802, Lot 222, D.P. 53885
147-153 The Strand	CT 66B/946, Lot 1, D.P. 116803	17 Canberra Avenue	CT 26A/801, Lot 221, D.P. 53885
155-165 The Strand	CT 796/183, Lot 6, D.P. 20395	23 Canberra Avenue	CT 31B/899, Lot 170, D.P. 53885
155-165 The Strand	Part CT 796/183, Lot 7, D.P. 20395	24 Canberra Avenue	CT 4D/396, Lot 244, D.P. 53885
155-165 The Strand	Part CT 796/183, Lot 8 D.P. 20395	28 Canberra Avenue	CT 4D/396, Lot 246, D.P. 53885
PART 2: ARC/ACC—MOUNT ROSKILL PROPERTIES (LYNFIELD)			
15 Alaunia Place	CT 32A/1094, Lot 25, D.P. 75587	29 Canberra Avenue	CT 31B/897, Lot 167, D.P. 53885
1 Athenic Avenue	CT 25C/1006, Lot 21, D.P. 71141	31 Canberra Avenue	CT 14D/189, Lot 166, D.P. 53885
2 Athenic Avenue	CT 25C/987, Lot 1, D.P. 71141	35 Canberra Avenue	CT 31B/895, Lot 164, D.P. 53885
6 Athenic Avenue	CT 25C/989, Lot 3, D.P. 71141	37 Canberra Avenue	CT 31B/894, Lot 163, D.P. 53885
7 Athenic Avenue	CT 25C/1026, Lot 66, D.P. 71141	39 Canberra Avenue	CT 31B/893, Lot 162, D.P. 53885
15 Athenic Avenue	CT 25C/1011, Lot 26, D.P. 71141	54 Canberra Avenue	CT 21A/480, Lot 259, D.P. 53885
19 Athenic Avenue	CT 25C/1013, Lot 28, D.P. 71141	55 Canberra Avenue	CT 13D/1038, Lot 154, D.P. 53885
24 Athenic Avenue	CT 25C/998, Lot 12, D.P. 71141	59 Canberra Avenue	CT 13D/1036, Lot 152, D.P. 53885
27 Athenic Avenue	CT 25C/1017, Lot 32, D.P. 71141	61 Canberra Avenue	CT 13D/1035, Lot 151, D.P. 53885
31 Athenic Avenue	CT 27A/83, Lot 34, D.P. 70251	63 Canberra Avenue	CT 13D/1034, Lot 91, D.P. 53885
34 Athenic Avenue	CT 25C/1003, Lot 17, D.P. 71141	5 Caronia Crescent	CT 56A/1300, Lot 89, D.P. 51703
35 Athenic Avenue	CT 27A/85, Lot 36, D.P. 70251	6 Caronia Crescent	CT 56B/392, Lot 148, D.P. 51703
41 Athenic Avenue	CT 25C/1020, Lot 39, D.P. 71141	9 Caronia Crescent	CT 56A/1298, Lot 87, D.P. 51703
43 Athenic Avenue	CT 25C/1021, Lot 40, D.P. 71141	12 Caronia Crescent	CT 56B/389, Lot 145, D.P. 51703
49 Athenic Avenue	CT 27A/89, Lot 43, D.P. 70251	18 Caronia Crescent	CT 1C/759 Lot 142, D.P. 51703
55 Athenic Avenue	CT 27A/90, Lot 46, D.P. 70251	19 Caronia Crescent	CT 54D/1112, Lot 82, D.P. 51703
57 Athenic Avenue	CT 27A/91, Lot 47, D.P. 70251	21 Caronia Crescent	CT 54D/1111, Lot 81, D.P. 51703
Cnr Hillsborough Road	CTs 27D/1114 & 27D/1115, Lot 3, D.P. 71720	22 Caronia Crescent	CT 1C/759, Lot 140, D.P. 51703
104 The Avenue	CT 29B/912, Lot 32, D.P. 73304	26 Caronia Crescent	CT 8A/1380, Lot 138, D.P. 51703
110 The Avenue	CT 29B/909, Lot 29, D.P. 73304	32 Caronia Crescent	CT 1C/759, Lot 135, D.P. 51703
The Avenue	CT 27D/1114, Lot 3, D.P. 71720	33 Caronia Crescent	CT 1C/755, Lot 75, D.P. 51703
15 The Avenue	CT 7C/555, Lot 1, D.P. 53855	35 Caronia Crescent	CT 1C/755, Lot 74, D.P. 51703
41 The Avenue	CT 8C/1468, Lot 31, D.P. 56611	36 Caronia Crescent	CT 54D/983, Lot 133, D.P. 51703
43 The Avenue	CT 19B/1149, Lot 1, D.P. 63678	37 Caronia Crescent	CT 1C/755, Lot 73, D.P. 51703
44 The Avenue	CT 54D/978, Lot 127, D.P. 51703	38 Caronia Crescent	CT 54D/982, Lot 132, D.P. 51703
45 The Avenue	CT 19B/1150, Lot 2, D.P. 63678	40 Caronia Crescent	CT 54D/981, Lot 131, D.P. 51703
Flat 1/45 The Avenue	Part CT 19B/1150, Part Lot 2, D.P. 63678	41 Caronia Crescent	CT 1C/755, Lot 71, D.P. 51703
Flat 2/45 The Avenue	Part CT 19B/1150, Part Lot 2, D.P. 63678	42 Caronia Crescent	CT 54D/980, Lot 130, D.P. 51703
Flat 3/45 The Avenue	Part CT 19B/1150, Part Lot 2, D.P. 63678	49 Caronia Crescent	CT 1C/754, Lot 67, D.P. 51703
47 The Avenue	CT 19B/1151, Lot 3, D.P. 63678	53 Caronia Crescent	CT 1C/754, Lot 65, D.P. 51702
Flat 1/47 The Avenue	Part CT 19B/1151, Part Lot 3, D.P. 63678	57 Caronia Crescent	CT 1C/754, Lot 63, D.P. 51702
Flat 2/47 The Avenue	Part CT 19B/1151, Part Lot 3, D.P. 63678	59 Caronia Crescent	CT 1C/753, Lot 62, D.P. 51702
50 The Avenue	CT 54D/977, Lot 124, D.P. 51703	61 Caronia Crescent	CT 1C/753, Lot 61, D.P. 51702
51 The Avenue	CT 19B/1153, Lot 5, D.P. 63678	71 Caronia Crescent	CT 39C/1175, Lot 5, D.P. 83272
53 The Avenue	CT 19B/1154, Lot 6, D.P. 63678	12 Commodore Drive	CT 14C/1193, Lot 15, D.P. 59083
54 The Avenue	CT 30B/1207, Lot 4, D.P. 74452	Flat 1/14 Commodore Drive	Part CT 14C/1194, Part Lot 16, D.P. 59083
65 The Avenue	CT 29B/887, Lot 4, D.P. 73304	Flat 2/14 Commodore Drive	Part CT 14C/1194, Part Lot 16, D.P. 59083
67 The Avenue	CT 29B/888, Lot 5, D.P. 73304	Flat 3/14 Commodore Drive	Part CT 14C/1194, Part Lot 16, D.P. 59083
70 The Avenue	CT 19B/1161, Lot 15, D.P. 63678	22 Commodore Drive	CT 14C/1198, Lot 20, D.P. 59083
71 The Avenue	CT 29B/890, Lot 7, D.P. 73304	24 Commodore Drive	CT 14C/1199, Lot 21, D.P. 59083
73 The Avenue	CT 29B/891, Lot 8, D.P. 73304	25 Commodore Drive	CT 12A/766, Lot 25, D.P. 58673
75 The Avenue	CT 29B/892, Lot 9, D.P. 73304	43 Commodore Drive	CT 8C/1464, Lot 27, D.P. 56611
77 The Avenue	CT 29B/893, Lot 10, D.P. 73304	47 Commodore Drive	CT 8C/1463, Lot 25, D.P. 56611
79 The Avenue	CT 29B/894, Lot 11, D.P. 73304	49 Commodore Drive	CT 8C/1462, Lot 24, D.P. 56611
83 The Avenue	CT 29B/895, Lot 12, D.P. 73304	50 Commodore Drive	CT 67A/41, Lot 35, D.P. 53755
84 The Avenue	CT 29B/922, Lot 42, D.P. 73304	54 Commodore Drive	CT 67A/39, Lot 33, D.P. 53755
87 The Avenue	CT 29B/897, Lot 14, D.P. 73304	58 Commodore Drive	CT 67A/36, Lot 31, D.P. 53755
		60 Commodore Drive	CT 67A/35, Lot 30, D.P. 53755
		61 Commodore Drive	CT 34C/581, Lot 2, D.P. 78500
		62 Commodore Drive	CT 67A/34, Lot 29, D.P. 53755
		64 Commodore Drive	CT 67A/37, Lot 28, D.P. 53755
		66 Commodore Drive	CT 67A/47, Lot 27, D.P. 53755
		68 Commodore Drive	CT 67A/46, Lot 26, D.P. 53755
		70 Commodore Drive	CT 67A/45, Lot 25, D.P. 53755
		72 Commodore Drive	CT 64A/108, Lot 24, D.P. 53755

Address	Certificate of Title & Legal Description
74 Commodore Drive	CT 64A/107, Lot 23, D.P. 53755
76 Commodore Drive	CT 4C/468, Lot 22, D.P. 53755
80 Commodore Drive	CT 64A/104, Lot 20, D.P. 53755
82 Commodore Drive	CT 64A/103, Lot 19, D.P. 53755
84 Commodore Drive	CT 64A/102, Lot 18, D.P. 53755
5 Flavia Place	CT 40A/230, Lot 12, D.P. 83609
15 Flavia Place	CT 40A/234, Lot 16, D.P. 83609
16 Flavia Place	CT 40A/235, Lot 17, D.P. 83609
111 Halsey Drive	CT 5B/899, Lot 5, D.P. 45161
130 Halsey Drive	CT 27A/93, Lot 54, D.P. 70251
138 Halsey Drive	CT 17C/512, Lot 75, D.P. 61929
14 Halsey Drive	CT 37B/986, Lot 42, D.P. 80757
Flat 2 146 Halsey Drive	Part CT 17C/508, Part Lot 71, D.P. 61929
156 Halsey Drive	CT 17C/504, Lot 36, D.P. 61929
16 Halsey Drive	CT 37B/985, Lot 41, D.P. 80757
169 Halsey Drive	CT 41D/795, Lot 95, D.P. 52196
171 Halsey Drive	CT 41D/796, Lot 96, D.P. 52196
Flat 1/172 Halsey Drive	CT 8C/1443, Part Lot 5, D.P. 56611
179 Halsey Drive	CT 2321/130, Lot 100, D.P. 52196
Unit 4/180 Halsey Drive	CT 30B/1199, Lot 8, D.P. 75072
181 Halsey Drive	CT 56B/1173, Lot 101, D.P. 52196
193 Halsey Drive	CT 51B/729, Lot 107, D.P. 52196
20 Halsey Drive	CT 37B/983, Lot 39, D.P. 80757
205 Halsey Drive	CT 51B/735, Lot 113, D.P. 52196
207 Halsey Drive	CT 55A/1309, Lot 114, D.P. 52196
215 Halsey Drive	CT 55A/1311, Lot 118, D.P. 52196
217 Halsey Drive	CT 55A/1312, Lot 119, D.P. 52196
221 Halsey Drive	CT 46A/794, Lot 121, D.P. 52476
24 Halsey Drive	CT 30B/1363, Lot 3, D.P. 74491
73 Halsey Drive	CT 24A/1289, Lot 110, D.P. 44995
92 Halsey Drive	CT 29B/906, Lot 26, D.P. 73304
94 Halsey Drive	CT 24A/1300, Lot 260, D.P. 44862
95 Halsey Drive	CT 30B/1350, Lot 4, D.P. 74489
570 Hillsborough Road	CT 35B/1158, Lot 2, D.P. 71720
580 Hillsborough Road	CT 27D/1112, Lot 1, D.P. 71720
596 Hillsborough Road	CT 14C/1201, Lot 23, D.P. 59083
12 Himalaya Crescent	CT 30D/1482, Lot 17, D.P. 75318
3 Iberia Place	CT 39A/970, Lot 26, D.P. 82611
4 Maurentania Place	CT 40D/127, Lot 2, D.P. 84265
8 Orcades Place	CT 75C/210, Lot 1, D.P. 59295
12 Orcades Place	CT 14C/1181, Lot 2, D.P. 59083
16 Orcades Place	CT 14C/1183, Lot 4, D.P. 59083
18 Orcades Place, Flats 1-3	Lot 5 D P 59083, Areas A-D, D.P. 104398
1/18 Orcades Place	Part CT 14C/1184, Part Lot 5, D.P. 59083
Unit 2	Part CT 14C/1184, Part Lot 5, D.P. 59083
Unit 3	Part CT 14C/1184, Part Lot 5, D.P. 59083
20 Orcades Place	CT 14C/1185, Lot 6, D.P. 59083
4 Oriana Avenue	CT 58C/806, Lot 173, D.P. 53885
6 Oriana Avenue	CT 4D/390 Lot 174, D.P. 53885
7 Oriana Avenue	CT 26A/807, Lot 227, D.P. 53885
8 Oriana Avenue	CT 58C/808, Lot 175, D.P. 53885
9 Oriana Avenue	CT 26A/798, Lot 218, D.P. 53885
11 Oriana Avenue	CT 26A/797, Lot 217, D.P. 53885
12 Oriana Avenue	CT 58C/809, Lot 177, D.P. 53885
17 Oriana Avenue	CT 31B/909, Lot 214, D.P. 53885
19 Oriana Avenue	CT 31B/908, Lot 213, D.P. 53885
22 Oriana Avenue	CT 61D/235, Lot 182, D.P. 53885
25 Oriana Avenue	CT 31B/905, Lot 210, D.P. 53885
26 Oriana Avenue	CT 30A/1197, Lot 184, D.P. 53885
35 Oriana Avenue	CT 31B/901, Lot 205, D.P. 53885

Address	Certificate of Title & Legal Description
36 Oriana Avenue	CT 30A/201, Lot 189, D.P. 53885
40 Oriana Avenue	CT 30A/1203, Lot 191, D.P. 53885
42 Oriana Avenue	CT 30A/1204, Lot 192, D.P. 53885
48 Oriana Avenue	CT 30A/477, Lot 195, D.P. 53885
50 Oriana Avenue	CT 30A/478, Lot 196, D.P. 53885
52 Oriana Avenue	CT 30A/479, Lot 197, D.P. 53885
58 Oriana Avenue	CT 30A/482, Lot 200, D.P. 53885
5 Orsova Place	CT 14A/242, Lot 17, D.P. 58672
11 Orsova Place	CT 14A/239, Lot 14, D.P. 58672
6 Rangitane Place	CT 8C/1458, Lot 20, D.P. 56611
6 Rangitiki Crescent	CT 14A/247, Lot 22, D.P. 58672
14 Rangitiki Crescent	CT 8B/823, Lot 6, D.P. 56197
Flat 1	C/T 8B/823, Lot 6 D.P. 56197
Flat 2	C/T 8B/823, Lot 6 D.P. 56197
19 Rangitiki Crescent	CT 54D/1052, Lot 50, D.P. 51702
27 Rangitiki Crescent	CT 54D/1053, Lot 54, D.P. 51702
29 Rangitiki Crescent	CT 54D/1054, Lot 55, D.P. 51702
31 Rangitiki Crescent	C/T 54D/1051, Lot 17, D.P. 51702
32 Rangitiki Crescent	CT 8B/832, Lot 15, D.P. 56197
Flat 1/32 Rangitiki Crescent	Part CT 8B/832, Part Lot 15, D.P. 56197
Flat 2/32 Rangitiki Crescent	Part CT 8B/832, Part Lot 15, D.P. 56197
5 Rangitata Place	CT 8C/1453, Lot 15, D.P. 56611
2 Rangitata Place	CT 8C/1443, Lot 59, 1/2 Share, D.P. 56611
7 Rangitata Place	CT 8C/1452, Lot 14, D.P. 56611
10 Rangitata Place	CT 8C/1447, Lot 9, D.P. 56611
11 Rangitata Place	CT 8C/1450, Lot 12, D.P. 56611
30 Royal Viking Way	CT 41A/1089, Lot 34, D.P. 84791
1 Stanton Terrace	CT 24A/464, Lot 233, D.P. 53885
Niagara Crescent	CT 74C/653, Lot 2, D.P. 127967
Strathnaver Crescent	CT 74C/720, Lot 80, D.P. 127968

PART 3: ARC/NSCC JOINT PROPERTIES

Kauri Point	CT 74D/639, Lot 32, D.P. 131924
16 Cheltenham Road	CT 8D/1372, Lot 3, D.P. 56196
72 Barry's Point Road	CT 30D/573, Lot 1, D.P. 75059
Barry's Point Road	CTs 25C/842 & 28D/1452, Lot 1, D.P. 69700 & Lot 1, D.P. 72768
Barry's Point Road	CT 48D/1203, Lot 1, D.P. 92420

PART 4: ARC PROPERTIES IN AUCKLAND CITY

Cnr Beaumont Street & College Hill	CT 23A/451 Lot 1, D.P. 67345 being Part Allotment 16, Section 8 Suburbs of Auckland & part land reclaimed from the sea known as Freemans Bay Reclamation
Cnr Beaumont & Hargreaves Streets	CT 26D/565 Lot 3, D.P. 65985 being Part Allotment 16, Section 8 Suburbs of Auckland and part land reclaimed from the sea known as Freemans Bay Reclamation
Harbutt Avenue, Mt Albert	CT 539/221 All the land on Deeds Plan 1265 being Part Allotment 58 Parish of Titirangi
Harbutt Avenue, Mt Albert	CT 55B/1288, Allotment 379, Block III Titirangi Survey District
Harbutt Avenue, Mt Albert	CT 1085/73, Lot 1, D.P. 40792
Harbutt Avenue, Mt Albert	CT 732/85, Part Allotment 58, Parish of Titirangi
Fanshawe Street	CT 237/2, Lots 1, 2 & 3, D.P. 9553 being Part Allotments 7 & 8, Section 20, City of Auckland and a piece of land reclaimed from the Auckland Harbour

Address	Certificate of Title & Legal Description
Fanshawe Street	CT 977/58, Lots 1, 2, 3 & 4, D.P. 31743 being Allotments 8 9 & 10 & Part Allotment 7, Section 19, City of Auckland and land reclaimed from the sea
Fanshawe Street	CT 61A/601 & 61A/602, Lots 5 & 6, D.P. 31743 being Allotments 8 9 & 10 & Part Allotment 7, Section 19, City of Auckland and land reclaimed from the sea

PART 5: REGIONAL HOUSE

21 Pitt St, Auckland	CT 82A/8, Lot 1, D.P. 138387 being Allotments 29, 30, 35, 36, 37, 38 & 39 and Part Allotments 2, 3, 4, 5, 6, 7, 8, 21, 23 & 24, Section 45, City of Auckland
----------------------	--

PART 6: CONSTELLATION DRIVE

Constellation Drive, Takapuna	CT 87A/210 Parts of Lot 1, D.P. 26558 Block VIII Waitemata Survey District being Part Proclamation 19393 (shown marked A on SO 62308)
-------------------------------	---

PART 7: PIKES POINT

Miami Parade, Onehunga	CT 89C/730, Part Lot 2, D.P. 90270 and being part of the Tidal Land of the Manukau Harbour
Miami Parade, Onehunga	CT 32C/1384, Leasehold interest in Lot 3, D.P. 76300 being Part Allotments 55 & 56 Small Farms near Onehunga and part of the Manukau Harbour Bed (Lease 715439.1)

PART 8: PIKES POINT WALKWAY

Land leased from New Zealand Railways Corporation	Lot 1 on Plan LO 34013
Licence from Marine Department, administered by Auckland Regional Council Harbours Department, being Part of the foreshore of the Manukau Harbour situated within the Mangere Inlet at Pikes Point (as shown on Marine Department Plan (N)1064).	

--	CT 58A/668, Lot 1, D.P. 105353 being part of the Tidal Lands of the Manukau Harbour.
--	CT 73A/107, Lot 1, D.P. 125073 being part of the Tidal Lands of the Manukau Harbour.
--	CT 53C/560, Lot 1, D.P. 98342 being part of the Tidal Lands of the Manukau Harbour.
--	CTs 47B/1066, 47B/1067 Lots 3 & 4, D.P. 90270 being part of the Tidal Lands of the Manukau Harbour

PART 9: WEITI LANDFILL

East Coast Rd, Redvale	CT 26A/1052, Gazette 1982 page 845, Part Allotment 52, Parish of Okura
East Coast Road, Redvale	CTs 80A/332 & 80A/333, Lots 1 & 2, D.P. 135718 being Part Allotment 1, Parish of Okura

Address	Certificate of Title & Legal Description
PART 10: GAUNT STREET DEPOT	
Gaunt Street Bus Depot	Leasehold interest in CTs 36D/335 & 40C/278, Lots 1 & 2, D.P. 80054 being part of land reclaimed from the sea called Freemans Bay Reclamation (Leases 715438.1 & 715441.1)

PART 11: OREWA DEPOT

40 Doment Crescent	CT 89C/85 Lot 118, D.P. 55073 and part Lot 1, D.P. 21093 being Parts Allotment 95, Parish of Waiwera
--------------------	--

PART 12: SILVERDALE

State Highway 1 & Wainui Rd	CT 33B/880, Gazette Notice B.180173.1, Lot 1, D.P. 76899 being Part Allots 61, 145 & 355, Parish of Waiwera
-----------------------------	---

PART 13: SWANSON DEPOT

156-196 Swanson Rd Bus Depot	CT 63C/691, Lot 1, D.P. 113135 being Part Allotment 6A, Parish of Waipareira
156-196 Swanson Rd	CT 63C/692, Lot 2, D.P. 113135 being Part Allotment 6A, Parish of Waipareira

PART 14: CENTRAL WORKSHOPS

Subject to exclusion of Regional Civil Defence Headquarters as defined in the Fourth Schedule to this Order, and which is to remain with the Auckland Regional Council	
643-645 Manukau Rd	CTs 50D/1282 & 50D/1283, Lots 2 & 3, D.P. 94620 being Parts Allotment 46, Section 10, Suburbs of Auckland
629-641 Manukau Road	CTs 50D/1281 & 219/269, Lot 1, D.P. 94620 & part of the land on D.P. 9063 being Parts Allotments 44 & 46, Section 10, Suburbs of Auckland
15 Epworth Ave Epsom	CT 758/150, Lot 1 Deeds Plan 955 being Part Allotment 46, Section 10, Suburbs of Auckland

PART 15: SUNSET ROAD EAST

Sunset Road, Takapuna	CT 47C/292, Part Middle portion of, Allotment 199 and Part Lot 3 D.P. 31537 and Part Lots 18, 19 & 20, D.P. 44266 all situated in the Parish of Takapuna.
-----------------------	---

PART 16: PART HUNUA HEADQUARTERS

Lockwood Rd, Hunua	CT 46C/1008, Gazette 1982 Page 1630, Part Lot 2, D.P. 14602 and Allotments 293, 294 & 295, Parish of Hunua
--------------------	--

Second Schedule

Address	Certificate of Title & Legal Description
PART 1: ARC/ACC DOWNTOWN PROPERTIES	
28 Fort Street	CT 761/59, Part Allotment 14, Section 2, City of Auckland
Cnr Queen Street	CT 429/201, Lots 117-119, D.P. 626
54 Quay Street	CT 53B/74, Lot 1, D.P. 97600
47-49 The Strand	CT 9B/1443, Lot 12, D.P. 10790

<i>Address</i>	<i>Certificate of Title & Legal Description</i>
137-145 The Strand	CT 796/183, Part Lots 1-3, D.P. 20395
167-177 The Strand	Part CT 751/144, Lots 9,10 & 11, D.P. 20395

PART 2: ARC/NSCC JOINT PROPERTIES

Kauri Point	CT 74D/609, Lot 2, D.P. 128353
18 Cheltenham Road	CT 8D/1371, Lot 2, D.P. 56196
20 Cheltenham Road	CT 8D/1370, Lot 1, D.P. 56196
11A Old Lake Road	CT 43B/753, Lot 1, D.P. 42384
11 Old Lake Road	CT 43B/754, Lot 2, D.P. 42384
11B Old Lake Road	CT 43B/755, Lot 3, D.P. 42384
15 Old Lake Road	CT 608/157, Lot 16, D.P. 8553
17 Old Lake Road	CT 23C/939, Lot 3, D.P. 68231
19 Old Lake Road	CT 23C/937, Lot 1, D.P. 68231
19A Old Lake Road	CT 23C/938, Lot 2, D.P. 68231
21 Old Lake Road	CT 608/158, Lot 17, D.P. 8553
8 Sea Breeze Road	CT 608/148, Lot 7, D.P. 8553
10 Sea Breeze Road	CT 608/147, Lot 6, D.P. 8553
14 Sea Breeze Road	CT 608/145, Lot 4, D.P. 8553
16 Sea Breeze Road	CT 608/144, Lot 3, D.P. 8553
18 Sea Breeze Road	CT 608/143, Lot 2, D.P. 8553
20 Sea Breeze Road	CT 608/142, Lot 1, D.P. 8553
1 Takurunga Road	CT 8D/1374, Lot 5, D.P. 56196
Flats 1-6 Takurunga Road	CTs 8D/1373 & 21A/312, Lots 4 & 8, D.P. 56196

<i>Address</i>	<i>Certificate of Title & Legal Description</i>
7 Takarunga Road	CT 8D/1378, Lot 9, D.P. 56196
Barry's Point Road	CT 38D/614, Lot 1, D.P. 89198

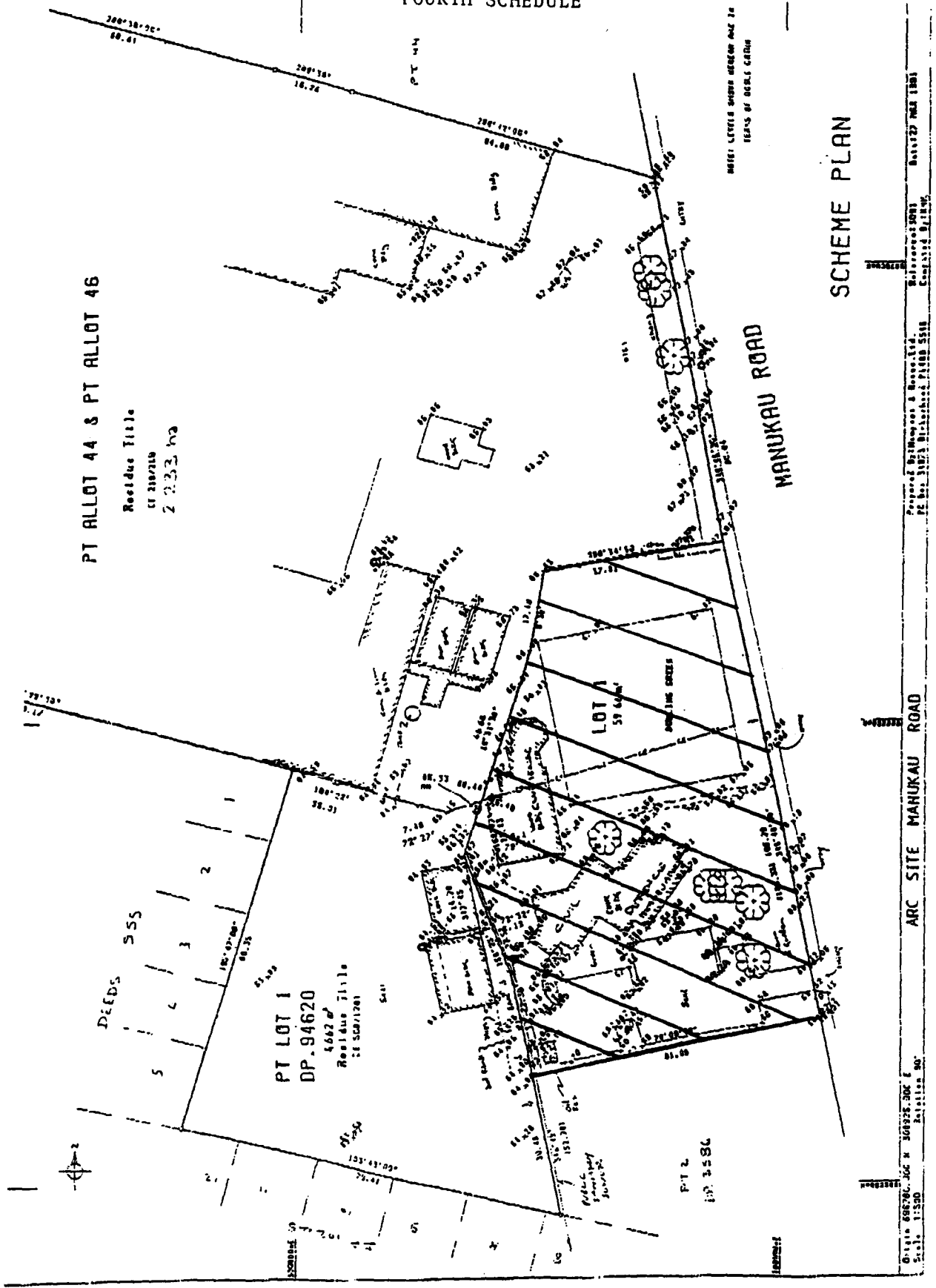
Third Schedule

Investments of the Auckland Regional Council as at 23 March 1993:

<i>Counterparty Risk</i>	<i>Type of Investment</i>	<i>Face Value at Maturity</i>	<i>Maturity Date</i>
Westpac Bank	Certificate of deposit	\$4,500,000	01-07-1993
Trust Bank	Certificate of deposit	\$2,000,000	07-07-1993
Bank of New Zealand	Certificate of deposit	\$ 400,000	13-08-1993
National Bank of Australia	Certificate of deposit	\$3,000,000	13-01-1994
New Zealand Government	Stock	\$6,000,000	15-07-1997
New Zealand Government	Stock	\$6,000,000	15-07-1998

Fourth Schedule

FOURTH SCHEDULE



Shading indicates the area of the Civil Defence land and buildings

b95



DEPARTMENT OF INTERNAL AFFAIRS
TE TARI TAIWHENUA

PUBLISHED BY AUTHORITY OF DEPARTMENT OF INTERNAL AFFAIRS:
GP PRINT LIMITED, WELLINGTON, NEW ZEALAND—1993

ISSN 0111-5650
Price \$1 (incl. GST)
39164H—93A