



New Zealand Gazette

OF THURSDAY, 12 DECEMBER 2002

WELLINGTON: WEDNESDAY, 18 DECEMBER 2002 — ISSUE NO. 180

Departmental Notices

Courts

Sentencing Act 2002

Notice of Confiscation of Motor Vehicle

On 16 October 2002 at the Napier District Court, an order was made against **Darren John Kaio** to confiscate the following motor vehicle:

1992 Mazda Eunos, Registration No. WQ9767.

Anyone who has a legal interest in this vehicle should contact the Registrar at the Court urgently as the Registrar may sell the vehicle.

This advertisement is placed pursuant to the Sentencing Act 2002.

L. A. J. SILSON, Deputy Registrar.

go8438

Economic Development

Takeovers Act 1993

Reappointment of the Chairperson and the Trans-Tasman Member to the Takeovers Panel

Pursuant to section 6 of the Takeovers Act 1993, the Minister of Commerce has been pleased to reappoint

John Collingwood King of Auckland

to be the chairperson of the Takeovers Panel for the period commencing 30 January 2003 and expiring on 7 March 2005; and

Denis Mark Byrne of Queensland, Australia

to be the trans-Tasman member of the Takeovers Panel for the period commencing 31 January 2003 and expiring on 7 March 2005.

Dated at Wellington this 12th day of November 2002.

LIANNE DALZIEL, Minister of Commerce.

go8425

Education

Private Schools Conditional Integration Act 1975

Supplementary Integration Agreement

Pursuant to section 10 of the Private Schools Conditional Integration Act 1975, notice is given that a supplementary integration agreement has been signed between the Minister of Education on behalf of Her Majesty the Queen, acting through the Senior Manager, National Operations, Ministry of Education, pursuant to delegated authority, and the proprietor of the following school:

St Dominic's College, Henderson.

The said supplementary integration agreement was executed on 11 December 2002.

A copy of the supplementary integration agreement is available for inspection without charge by any member of the public at the regional office of the Ministry of Education, 39-45 College Hill, Ponsonby, Auckland.

Dated at Wellington this 11th day of December 2002.

KATHY PHILLIPS, Senior Manager, National Operations.

go8415

Fisheries

Fisheries Act 1996

Fisheries (Standards and Specifications) Notice 2002 (No. F236)

Pursuant to sections 296O and 296P of the Fisheries Act 1996, the Minister of Fisheries makes the following notice.

Notice

- 1. Title and commencement**—(1) This notice may be cited as the Fisheries (Standards and Specifications) Notice 2002.
(2) This notice shall come into effect on the day after its publication in the *New Zealand Gazette*.
- 2. Interpretation**—In this notice, terms and expressions defined in the Fisheries Act 1996 have the same meanings as in that Act.
- 3. Nature of standards and specifications**—(1) I have revoked all previous standards and specifications issued under section 296O of the Fisheries Act 1996.
(2) I have issued new standards and specifications under section 296O of the Fisheries Act 1996.
(3) The standards and specifications relate to the performance or exercise of specified functions, duties and powers by an approved service delivery organisation (ASDO). A general indication of the nature of these standards and specifications is listed below.
- 4. Business standards and specifications**—These standards and specifications relate to the general operation and management of an ASDO in exercising any specified function, duty or power including standards and specifications relating to:
 - (a) ASDO operation.
 - (b) Performance record keeping and reporting to the Ministry of Fisheries.
 - (c) Relationship between the Minister of Fisheries and the ASDO, including dispute resolution.
 - (d) Development and use of approved forms.
 - (e) Information management and system requirements.
 - (f) The technical operating standards for exchange of electronic data and information from an ASDO (including data exchange dictionaries).
 - (g) Supply of information to the Ministry of Fisheries to assist with requests made under the Official Information Act 1982.
- 5. Service standards and specifications**—These standards and specifications relate to the operation and management of specific registry services by an ASDO including standards and specifications relating to:
 - (a) Revoking and amending approvals for licences, approvals, authorities, permissions or decisions or a registration where false or misleading information has been supplied.
 - (b) Monitoring and recording fishers' compliance with various reporting and record-keeping requirements.
 - (c) Client registration.
 - (d) Monitoring foreign ownership and quota aggregation provisions.
 - (e) Maintaining and operating registers relating to quota, annual catch entitlements (ACE), registered fishing vessels, fishing permits and the transitional register of quota and forward trades.
 - (f) Recording decisions regarding quota allocation on the quota and ACE registers.
 - (g) Processing transfers of quota and ACE, and calculating and comparing ACE with reported catch.
 - (h) Processing applications for caveats and mortgages.
 - (i) Recording decisions made by the Ministry of Fisheries on applications for fishing permits on the permit register.
 - (j) Registering fishing vessels except for the granting of consent to register foreign owned or operated fishing vessels or fish carriers.
 - (k) Processing and licensing licensed fish receiver (LFR) applications.
 - (l) Receiving and processing of monthly harvesting returns, LFR returns, annual inventory returns from an LFR and annual audit reports from an LFR.
 - (m) Monitoring catch limits, advising fishers of their catch balance against catch limits and providing reports to the Ministry of Fisheries regarding those limits.
 - (n) Issuing Section 80 (Conclusive Notification) notifications.
 - (o) Amending catch balances.
 - (p) Reviewing Section 80 (Conclusive Notification) notifications.
 - (q) Monitoring over-fishing thresholds and tolerance levels as set by the Minister of Fisheries from time to time and actioning breaches of those thresholds and levels.
- 6. Copies of standards and specifications**—Full copies of the standards and specifications are available from the Head Office, Ministry of Fisheries, 101-103 The Terrace (P.O. Box 1020), Wellington.
- 7. Revocation**—The Fisheries (Registry Standards and Specifications) Notice 2001 (No. F174) and the Fisheries (Registry Standards and Specifications) Notice (No. 2) 2001 (No. F196) are hereby revoked.

Dated at Wellington this 13th day of December 2002.

PETE HODGSON, Minister of Fisheries.

Fisheries (Kaimoana Customary Fishing) Regulations 1998

Fisheries (Kaimoana Customary Fishing) Notice (No. 10) 2002 (No. F237)

Pursuant to Regulation 9 (2) of the Fisheries (Kaimoana Customary Fishing) Regulations 1998, a Senior Fisheries Management Advisor, Ministry of Fisheries (acting pursuant to delegated authority in accordance with section 41 of the State Sector Act 1988), hereby gives the following notice.

Notice

1. Title and commencement—(1) This notice may be cited as the Fisheries (Kaimoana Customary Fishing) Notice (No. 10) 2002.

(2) This notice shall come into effect the day after the date of its notification in the *New Zealand Gazette*.

2. Interpretation—In this notice:

- (a) The terms “Mahinga Kai-moana” and “Kaimoana” are local dialect words that have the same meaning as “Customary food gathering” and “Fisheries resources” respectively, as defined in the Fisheries (Kaimoana Customary Fishing) Regulations 1998;
- (b) Any reference to “Komiti Kaitiaki Whakature i nga taonga o Tangaroa” means the person or persons appointed under Regulation 9 of the Fisheries (Kaimoana Customary Fishing) Regulations 1998 as Tangata Kaitiaki/Tiaki for a general customary food gathering area/rohe moana and confirmed in clause 4 of this notice; and
- (c) Any reference to “area/rohe moana” means all that area of waters enclosed by a line commencing at the mean high-water mark at a point 35° 03.80' S and 173° 55.70' E on the northern shore of Takou Bay, and then proceeding along a straight line in a north-easterly direction to a point 32° 36.00' S and 176° 54.00' E on the outer limit of the exclusive economic zone and then proceeding generally in a south-easterly direction along the outer limit of the exclusive economic zone to a point 33° 09.00' S and 177° 39.00' E and then proceeding in a straight line in south-westerly direction to a point 35° 13.34' S and 174° 05.73' E and then proceeding in a southerly direction to a point 35° 16.88' S and 174° 06.31' E and then proceeding in a southerly direction to a point 35° 17.86' S and 174° 06.19' E on the southern headland of the entrance to the Haumi River and then along the mean high-water mark to the point of commencement.

3. Nomination of Komiti Kaitiaki Whakature i nga taonga o Tangaroa—Nga Hapu o Taiaimai Ki Te Marangi including the hapu of Ngati Rehia, Ngati Whakaeke, Ngati Torehina, Ngati Tautahi, Ngati Hineira, Te Uri Taniwha, Ngai Tewake, Ngati Rangi, Ngati Kawa, Ngati Kura, Te Hikutu, Te Whiu and Ngare Hauata, being the tangata whenua holding manawhenua manamoana over the area/rohe moana, have made the following nominations for Komiti Kaitiaki Whakature i nga taonga o Tangaroa within the area/rohe moana:

Aro Rihari, Richard Civil, Te Hurihanga Judah Heihei, Arthur Ashby, Hare Heihei, Keith Ashby, Bonny Craven, Remarie Kapa, Jim Taituha, Waata Rameka,

Adelaide Rameka, Leo Brown, Nou Epiha and Temepara Epiha.

4. Appointment of Komiti Kaitiaki Whakature i nga taonga o Tangaroa—The Associate Minister of Fisheries (acting pursuant to delegated authority) hereby confirms the appointment of:

Aro Rihari, Richard Civil, Te Hurihanga Judah Heihei, Arthur Ashby, Hare Heihei, Keith Ashby, Bonny Craven, Remarie Kapa, Jim Taituha, Waata Rameka, Adelaide Rameka, Leo Brown, Nou Epiha and Temepara Epiha

for managing Mahinga Kai-moana within the area/rohe moana.

The appointments will commence the day after this notice is published.

5. Power to authorise taking of Kaimoana for Mahinga Kai-moana—The Komiti Kaitiaki Whakature i nga taonga o Tangaroa may authorise any individual to take Kaimoana managed under the Fisheries Acts 1983 and 1996, other than those Kaimoana that are taken in fresh water, for Mahinga Kai-moana purposes from within the whole or any part of the area/rohe moana. No Mahinga Kai-moana of Kaimoana may take place in the area/rohe moana without authorisation from the Komiti Kaitiaki Whakature i nga taonga o Tangaroa.

Dated at Auckland on this 13th day of December 2002.

JOHN TAUNTON-CLARK, Senior Fisheries Management Advisor, Ministry of Fisheries.

go8444

Health

New Zealand Public Health and Disability Act 2000

Appointment of a Member to Southland District Health Board

Pursuant to section 29 (3) of the New Zealand Public Health and Disability Act 2000, I appoint

Leonard Errol Millar

as a board member of the Southland District Health Board (SDHB).

The appointment will take effect on the date this notice is published in the *New Zealand Gazette* and will end on 9 December 2004.

Leonard Errol Millar's appointment is to replace a deceased elected member of the SDHB.

Dated at Wellington this 17th day of December 2002.

ANNETTE KING, Minister of Health.

go8454

Reappointment of a Member and Chairperson to Wairarapa District Health Board

Pursuant to section 29 and clause 2 (b) of Schedule 3 of the New Zealand Public Health and Disability Act 2000 ("the NZPHD Act"), I reappoint

John Douglas (Doug) Matheson

as a board member of the Wairarapa District Health Board.

Pursuant to clause 10 of Schedule 3 of the NZPHD Act, I also reappoint

John Douglas (Doug) Matheson

as chairperson of the board of the Wairarapa District Health Board.

The reappointments take effect on the date this notice is published in the *New Zealand Gazette* and end on 9 December 2004.

Dated at Wellington this 17th day of December 2002.

ANNETTE KING, Minister of Health.

go8455

Treasury

Public Finance Act 1989

Notice of Publication of Financial Statements of the Crown

Pursuant to section 31B of the Public Finance Act 1989, the Minister of Finance gives notice of the publication of the financial statements of the Crown for:

- the four months ended 31 October 2002, on 12 December 2002.

Copies of these financial statements are available:

- for inspection free of charge at the National Library of New Zealand, Auckland City Library, Wellington Public Library and Canterbury Public Library;
- for purchase at branches of Bennetts bookshops; and
- through the internet at:

<http://www.treasury.govt.nz>

Dated at Wellington this 12th day of December 2002.

DR MICHAEL CULLEN, Minister of Finance.

go8451

Authorities and Other Agencies of State Notices

Civil Aviation Authority of New Zealand

Civil Aviation Act 1990

Civil Aviation Rules

Pursuant to section 34 (1) (a) of the Civil Aviation Act 1990, the Minister of Transport hereby gives notice of his intention to make the following ordinary rules:

Part 19—Transition Rules, allowing the use of GPS derived distance information on precision instrument approaches (NPRM 03-01, Docket 2/CAR/9).

The close-off date for submissions on the proposed rules is **31 January 2003**.

Copies of the Notice of Proposed Rule Making (NPRM) are available on the CAA Internet site:

<http://www.caa.govt.nz>

or on request to:

The Docket Clerk, P.O. Box 31-441, Lower Hutt 6315.
Telephone: (04) 560 9603. Email: docket@caa.govt.nz

Copies are also available for viewing at:

Aviation House, 1 Market Grove, Lower Hutt.

Dated at Lower Hutt this 13th day of December 2002.

WENDY ARMITAGE, Docket Clerk.

au8434

Land Transport Safety Authority

Land Transport Act 1998

Notice of Proposed Land Transport (Road User) Rule

In accordance with section 161 (2) of the Land Transport Act 1998, the Land Transport Safety Authority (LTSA), on behalf of the Minister of Transport, gives notice of his intention to make a rule concerning road user requirements, and advises that the proposed Land Transport (Road User) Rule is now available for public comment.

This draft legislation proposes requirements that will contribute towards the safe use of New Zealand's roads.

A copy of the draft rule may be obtained by calling the LTSA Help Desk on Freephone 0800 699 000 or by visiting the LTSA web site at

<http://www.ltsa.govt.nz/consultation/road-user-rule/index.html>

The draft rule is also available for viewing at the LTSA's seven regional offices.

Copies of the draft rule have been made available to groups and individuals who have expressed an interest in the rule.

Submissions on draft Land Transport (Road User) Rule close on 18 March 2003.

For further information, contact the Rules Team, Land Transport Safety Authority, P.O. Box 2840, Wellington.

Dated at Wellington this 16th day of December 2002.

ANGELA DUNCAN, Manager Rules, Land Transport Safety Authority.

au8432

Traffic Regulations 1976

Approval for the Fitting of Specialist Work Lamps on Motor Vehicles

Pursuant to Regulation 88 of the Traffic Regulations 1976, and under delegated authority, I, John Patrick White, Manager Safer Vehicles Policy, approve those lamps specified in the Schedule for use as auxiliary spotlamps under Regulation 65 (b) of those Regulations, subject to the conditions specified in this notice.

Schedule

Specialist work lamps in the form of steady burning lamps fitted to the roof of a taxi, the purpose of which is to temporarily illuminate street signs or locate addresses, or to illuminate an area to the side of the vehicle when passengers are alighting from or entering the vehicle.

Conditions

A taxi, namely a small passenger service vehicle that is operating under a Transport Service Licence under the Transport Services Licensing Act 1989, may be fitted with up to two specialist work lamps, in addition to its normal operating lamps, provided that:

1. Only one lamp may be fitted to each side of the vehicle, and each lamp may only be fitted with a single light source that projects a beam of light that is white in colour.
2. Each lamp must be mounted in a fixed position so that the beam is projected at right angles to the centre-line of the vehicle, and the beam must be dipped so that its

centre falls on a surface that is level with the surface on which the vehicle is standing at a distance not exceeding 25 metres from the vehicle.

3. The centre of each lamp lens must be within 300mm of the centre line of the vehicle's "B" pillar for a car or station-wagon, and within 700mm for a van.
4. The lamp lens must not be larger than 125mm x 75mm or 120mm in diameter and be of conventional design – not ellipsoidal type lamps.
5. The lamps must be wired in such a manner that only one side may be illuminated at any one time and the lamp may only remain illuminated if the switch is held depressed by the operator.
6. The maximum light that may be emitted by a lamp is equivalent to that emitted by a lamp fitted with a single tungsten filament light source with a power consumption of no more than 55 Watts.
7. The mounting of the lamps must be such that it is not possible for them to be misaligned when in service.
8. The lamps may be integrated into a taxi sign fitted to the roof of the taxi.
9. These lamps may only be operated during the hours of darkness and only when the vehicle is stationary or when it is travelling at a speed not exceeding 10km/h.
10. This approval expires on the date on which the Land Transport Rule: Vehicle Lighting comes into force.

Dated at Wellington on the 16th day of December 2002.

JOHN PATRICK WHITE, Manager Safer Vehicles Policy,
Land Transport Safety Authority.

au8439

Land Notices

Conservation Act 1987

Declaring Land to be Held for Conservation Purposes

Under section 7(1) of the Conservation Act 1987, the Minister of Conservation and the Minister for Land Information, being the Minister responsible for the department of state that has control of the land described in the Schedule, jointly declare that the land is held for conservation purposes.

Schedule

Marlborough Land District

37,450.4720 hectares, being parts Runs 230 and 231 situated in Block XIII, Barefell Survey District, and Blocks II, III, IV, V, VI, VII, IX, X, XI and XIII, Kaitarau Survey District, Blocks VIII, XII, XIII, XIV, XV and XVI, Tone Survey District, Blocks III, VI, VII, VIII, IX, X, XI, XII, XIV and XV, Greenburn Survey District, and Blocks V, VI, XI, XII, XVI and XVII, Acheron Survey District; marked "A", "B", "C", "D", "E", "F", "G", "H", "I" and "J" on S.O. Plan 7208T, subject to rights of way easements recorded in Computer Interest Registers 66449 and 68299.

Dated at Wellington this 16th day of December 2002.

CHRIS CARTER, Minister of Conservation.

JOHN TAMIHERE, Minister for Land Information.

ln8446

Declaring Land to be Held for Conservation Purposes

Pursuant to section 7(1A) of the Conservation Act 1987, and to a delegation from the Minister of Conservation, the Community Relations Manager, West Coast Conservancy of the Department of Conservation, hereby declares that the land described in the Schedule below, is held for conservation purposes and it shall thereafter be so held.

Schedule

Westland Land District—Westland District

35.6123 hectares, more or less, being Rural Section 2777.

Dated at Hokitika this 11th day of December 2002.

C. HICKFORD, Community Relations Manager.

(File: DOC PAL 05-01-11-02)

ln8419

Education Lands Act 1949

Land Declared No Longer Required for Education Purposes

Pursuant to section 5A of the Education Lands Act 1949, and pursuant to an authority delegated to me, I, Paul Dickson Burke, Group Manager Property, Ministry of Education, Wellington, hereby give the following notice.

Notice

1. The land described in the Schedule to this notice is no longer required for education purposes.
2. This notice shall come into force on 18 December 2002.

Schedule

Area ha	Description
0.0817	More or less, being Section 97, Block I, Benmore Survey District, Otago Land Registration District. <i>New Zealand Gazette</i> , 30 August 1979, No. 82, page 2577.
2.4155	More or less, being Lot 3, D.P. 6534, all certificate of title WN311/130, Wellington Land Registration District.
0.2734	More or less, being Lot 1, D.P. 306234, all certificate of title 24527, South Auckland Land Registration District.
0.2024	More or less, being Lot 33, D.P. 3853, former certificate of title 166/45, North Auckland Land Registration District.
0.1887	More or less, being Lot 1, D.P. 1873, all certificate of title 8C/925, Westland Land Registration District.

Dated at Wellington this 17th day of December 2002.

P. D. BURKE, Group Manager Property, Ministry of Education.

ln8452

Declaration That Part of Papanui High School is No Longer Needed for Educational Purposes

Pursuant to section 5A of the Education Lands Act 1949, and pursuant to authority delegated to me, I, Paul Burke, Group Manager Property, Ministry of Education, Wellington, hereby give the following notice.

Notice

1. The land described in the Schedule to this notice is no longer required for educational purposes.
2. This notice shall come into force on 16 December 2002.

Schedule**Canterbury Land District—Christchurch City**

Area ha	Description
0.0060	More or less, being part Lot 2, D.P. 6426, situated in Block VII, Christchurch Survey District. All Computer Freehold Register 67493.
0.2129	More or less, being part Lot 12, D.P. 6319, situated in Block VII, Christchurch Survey District. Balance Computer Freehold Register CB508/273.
0.0613	More or less, being part Lot 3, D.P. 12525, situated in Block VII, Christchurch Survey District. All Computer Freehold Register 67494.

Dated at Wellington this 16th day of December 2002.

PAUL BURKE, Group Manager Property, Ministry of Education.

ln8442

Land Laws Amendment Act 1926
Revoking the Vesting of Land—Alexandra Borough Council

SILVIA CARTWRIGHT, Governor-General

ORDER IN COUNCIL

At Wellington this 2nd day of December 2002

Present:

THE RIGHT HON HELEN CLARK PRESIDING IN COUNCIL

WHEREAS by Order in Council (*New Zealand Gazette*, 7 February 1929, No. 7, page 352) land was vested in the Alexandra Borough Council (now Central Otago District) in trust for tree planting purposes.

AND WHEREAS the council wishes to cease planting trees on the part of the land described in the Schedule hereto (hereinafter referred to as “the said land”).

AND WHEREAS the Minister for Land Information is satisfied that the council is no longer undertaking tree planting activities on the said land.

NOW THEREFORE Her Excellency the Governor-General, pursuant to section 20 (2) of the Land Laws Amendment Act 1926, and acting by and with the advice and consent of the Executive Council, hereby revokes the vesting of the said land.

The said land shall thereby revert to Her Majesty the Queen as Crown land and shall be held and administered under the Land Act 1948.

Schedule**Otago Land District—Central Otago District**

Area ha	Being
18.1230	Sections 1 and 2, S.O. Plan 303760 (formerly part Section 88, Block VII, Leaning Rock Survey District).

Dated at Wellington this 2nd day of December 2002.

MARIE SHROFF, Clerk of the Executive Council.

ln8413

Public Works Act 1981
Notice of Intention to Take Land for a State Primary School—in Manukau City

Notice is hereby given that the Crown, under the provisions of the Public Works Act 1981, proposes to take the land described in the Schedule for a State primary school.

The land is required for school.

The taking is considered reasonably necessary to ensure that the Howick Primary School retains the use of the pedestrian walkway linking it to Juliet Avenue, Howick. The land was owned by Cosy Homes Limited, which was dissolved and struck off the Companies Register in 1979.

Any person having an interest in the land or any other person having the right to object may, within 20 working days after the date of publication of this notice, send an objection to the Registrar, Environment Court, Tribunals Division, Department for Courts, P.O. Box 5027, Wellington.

If any objection is made in accordance with this notice, a public hearing will be held, unless the objector otherwise requires, and each objector will be informed of the time and place of the hearing.

Any person requiring further information in respect of this advice should contact Peter Port, Port Glen Consultancy Limited, P.O. Box 100, Puhoi. Telephone: (09) 422 0168 or email peter@portglen.co.nz

Schedule

North Auckland Land District—Manukau City

Area m ²	Being
78	Lot 192, D.P. 56796, being part Allotment 54, Section 1, Small Lots near Village of Howick and being all certificate of title NA10C/763. The land is situated between 26 and 28 Juliet Avenue, Howick.

Dated at Wellington this 20th day of November 2002.

JOHN TAMIHERE, Minister for Land Information.

(LINZ CPC/2001/7149)

ln8436

Road Realignment—The 309 Road, Thames—Coromandel District

Pursuant to the Public Works Act 1981, and to a delegation from the Minister for Land Information, Stephen Robert Gilbert, Land Information New Zealand:

(a) Pursuant to section 114, declares the land described in the First Schedule to this notice to be road and vested in the Thames-Coromandel District Council.

(b) Pursuant to sections 116 and 117, declares the portion of road described in the Second Schedule to this notice to be stopped and amalgamated with the land in certificate of title SA52B/605.

South Auckland Land District—Thames-Coromandel District

First Schedule

Land Declared Road

Area m ²	Being
2343	Part Section 34, Block XVI, Coromandel Survey District; shown as "Section 1" on S.O. Plan 61531.
910	Part Section 34, Block XVI, Coromandel Survey District; shown as "Section 2" on S.O. Plan 61532.
365	Part Kaimarama Block; shown as "Section 4" on S.O. Plan 61533.
34	Part Kaimarama Block; shown as "Section 5" on S.O. Plan 61533.
45	Part Kaimarama Block; shown as "Section 6" on S.O. Plan 61534.
11	Part Kaimarama Block; shown as "Section 7" on S.O. Plan 61534.
83	Part Kaimarama Block; shown as "Section 8" on S.O. Plan 61534.
22	Part Section 36, Block XVI, Coromandel Survey District; shown as "Section 9" on S.O. Plan 61534.

Second Schedule

Road to be Stopped and Amalgamated

Area m ²	Adjoining or Passing Through
529	Part Kaimarama Block; shown as "Section 3" on S.O. Plan 61533.

Dated at Christchurch this 12th day of December 2002.

S. R. GILBERT, for the Minister for Land Information.

(LINZ CPC/02/8653)

ln8437

Land to be Set Apart for Another Local Work

Pursuant to section 52 (4) of the Public Works Act 1981, and to a delegation from the Minister for Land Information, Stephen Robert Gilbert, Land Information New Zealand, declares the land described in the Schedule to this notice shall be vested in The Wellington City Council for water supply purposes on the date of publication of this notice in the *New Zealand Gazette*.

Schedule

Wellington Land District—Wellington City

Area m ²	Being
3778	Section 2 on S.O. Plan 303812, being part of the land contained in certificates of title 52A/317 and 476/119 (Wellington Registry).
2402	Section 4 on S.O. Plan 303817, being part of the land contained in certificates of title 385/162 and F3/1321 (Wellington Registry).
905	Section 5 on S.O. Plan 303817, being part of the land contained in certificates of title 385/162 and 631/18 (Wellington Registry).
2404	Section 6 on S.O. Plan 303817, being part of the land contained in certificate of title 631/18 (Wellington Registry).
1036	Section 7 on S.O. Plan 303817, being part of the land contained in certificates of title 385/162 and 631/18 (Wellington Registry).

Dated at Christchurch this 11th day of December 2002.

S. R. GILBERT, for the Minister for Land Information.

(LINZ CPC/1998/1579)

ln8448

Land to be Set Apart for Another Local Work

Pursuant to section 52 (4) of the Public Works Act 1981, and to a delegation from the Minister for Land Information, Stephen Robert Gilbert, Land Information New Zealand, declares the land described in the Schedule to this notice shall be vested in The Wellington City Council for road purposes on the date of publication of this notice in the *New Zealand Gazette*.

Schedule

Wellington Land District—Wellington City

Area m ²	Being
21	Section 2 on S.O. Plan 309504, being part of the land contained in certificate of title 58B/59 (Wellington Registry).
2	Section 3 on S.O. Plan 309504, being part of the land contained in certificate of title 58B/59 (Wellington Registry).
4	Section 4 on S.O. Plan 309504, being part of the land contained in certificate of title 58B/59 (Wellington Registry).
4	Section 5 on S.O. Plan 309504, being part of the land contained in certificate of title 58B/59 (Wellington Registry).
4	Section 6 on S.O. Plan 309504, being part of the land contained in certificate of title 58B/59 (Wellington Registry).
5	Section 7 on S.O. Plan 309504, being part of the land contained in certificate of title 58B/59 (Wellington Registry).
860	Section 1 on S.O. Plan 303812, being part of the land contained in certificate of title 52A/317 (Wellington Registry).

- 1845 Section 3 on S.O. Plan 303812, being part of the land contained in certificate of title 52A/317 (Wellington Registry).
- 2 Section 5 on S.O. Plan 303812, being part of the land contained in certificate of title 52A/317 (Wellington Registry).
- 1 Section 6 on S.O. Plan 303812, being part of the land contained in certificate of title 52A/317 (Wellington Registry).
- 2 Section 7 on S.O. Plan 303812, being part of the land contained in certificate of title 52A/317 (Wellington Registry).
- 1 Section 8 on S.O. Plan 303812, being part of the land contained in certificate of title 52A/317 (Wellington Registry).
- 506 Section 8 on S.O. Plan 303817, being part of the land contained in certificate of title 631/18 (Wellington Registry).
- 2 Section 9 on S.O. Plan 303817, being part of the land contained in certificate of title 631/18 (Wellington Registry).
- 3 Section 10 on S.O. Plan 303817, being part of the land contained in certificate of title 631/18 (Wellington Registry).

Dated at Christchurch this 11th day of December 2002.

S. R. GILBERT, for the Minister for Land Information.

(LINZ CPC/1998/1579)

ln8447

Land Declared Road—View Street, Kaipara District

Pursuant to section 114 of the Public Works Act 1981, and to a delegation from the Minister for Land Information, Ronald Alistair Jolly, Land Information New Zealand, declares the land described in the Schedule to this notice to be road and vested in the Kaipara District Council.

Schedule

North Auckland Land District—Kaipara District

Area m ²	Being
774	Part Allotment 38A, Parish of Wairau, being all certificate of title 35D/302.

Dated at Wellington this 11th day of December 2002.

R. A. JOLLY, for the Minister for Land Information.

(LINZ CPC/1998/1119)

ln8440

Acquisition of Easements—Freyberg Park Stormwater Detention Dam, North Shore City

Pursuant to sections 20 and 28 of the Public Works Act 1981, and to a delegation from the Minister for Land Information, Ronald Alistair Jolly, Land Information New Zealand, declares that, pursuant to an agreement to that effect having been entered into, easements in gross are acquired and vested in the North Shore City Council, to direct or divert water into and to concentrate water on the land described in the First Schedule hereto, in accordance with the rights and powers set out in the Seventh Schedule to the Land Transfer Act 1952, and in the Second Schedule hereto.

North Auckland Land District—North Shore City

First Schedule

All that portion of Lot 9, D.P. 40933; marked "A" on S.O. Plan 70757.

Second Schedule

Easement Conditions

The owners of the land described in the First Schedule shall not place or erect or allow to be placed or erected any solid buildings or structures on the land and will not alter the contours thereof and will not at any time hereafter do, permit or suffer to be done any act whereby the rights, powers and licences and liberties hereby granted to the North Shore City Council may be interfered with or prejudiced in any way without the express written consent of the North Shore City Council.

Dated at Wellington this 11th day of December 2002.

R. A. JOLLY, for the Minister for Land Information.

(LINZ CPC/01/6963)

ln8435

Land for Road—Talisman Drive, Katikati

Pursuant to section 114 of the Public Works Act 1981, and to a delegation from the Minister for Land Information, Ronald Alistair Jolly, Land Information New Zealand, declares the land described in the Schedule to this notice to be road and remain vested in the Western Bay of Plenty District Council.

Schedule

South Auckland Land District—Western Bay of Plenty District

Land for Road

Area m ²	Description
2367	Section 3, S.O. 61747.
332	Section 4, S.O. 61747.

Dated at Wellington this 13th day of December 2002.

R. A. JOLLY, for the Minister for Land Information.

(LINZ CPC/01/7741)

ln8441

Road Stopping—Off Grove Road, Waipa District

Pursuant to sections 116 and 117 of the Public Works Act 1981, and to a delegation from the Minister for Land Information, Ronald Alistair Jolly, Land Information New Zealand, declares the portions of road described in the Schedule to this notice to be stopped and vested in the Waipa District Council.

Schedule

South Auckland Land District—Waipa District

Area ha	Adjoining or Passing Through
1.1015	Allotment 251, Pirongia Parish; shown as "Section 1" on S.O. Plan 306601.
m ²	
4172	Part Allotment 250, Pirongia Parish; shown as "Section 2" on S.O. Plan 306601.
6020	Lots 1, 2 and 3, D.P.S. 61638 and part Allotment 250, Pirongia Parish; shown as "Section 3" on S.O. Plan 306601.
9280	Part Allotment 198 and part Allotment 250, Pirongia Parish; shown as "Section 4" on S.O. Plan 306601.
410	Part Allotment 250, Pirongia Parish; shown as "Section 5" on S.O. Plan 306601.

440 Part Allotment 198 and part Allotment 250, Pirongia Parish; shown as "Section 6" on S.O. Plan 306601.

Dated at Wellington this 9th day of December 2002.

R. A. JOLLY, for the Minister for Land Information.

(LINZ CPC/02/8608)

ln8433

Land Declared Limited Access Road—State Highway No. 2, Pedersons/Garfield Passing Lane, Tararua District

Pursuant to the Public Works Act 1981, and to a delegation from the Minister for Land Information, Ronald Alistair Jolly, Land Information New Zealand:

(a) Pursuant to section 114, declares the land described in the First Schedule to this notice to be road which, pursuant to section 88 (2) of the Transit New Zealand Act 1989, becomes road, limited access road and State highway and shall vest in the Crown on the date of publication of this notice in the *New Zealand Gazette*.

(b) Pursuant to sections 116 (1) and 117 (3), declares the road described in the Second Schedule to this notice to be stopped and, pursuant to section 120 (3), amalgamated with the land in certificate of title E3/751, subject to mortgage 530219.4 and Limited Access Road Notice 621778.1.

Hawke's Bay Land District—Tararua District

First Schedule

Land Declared Limited Access Road

Area m ²	Being
65	Part Suburban Section 136, Norsewood; shown as "Section 8" on S.O. Plan 307287 (part C.T. H3/348).
935	Part Suburban Section 14, Norsewood; shown as "Section 19" on S.O. Plan 307287 (part C.T. E3/752).
325	Part Suburban Section 222, Norsewood; shown as "Section 20" on S.O. Plan 307287 (part C.T. F2/999).
1639	Part Suburban Section 14, Norsewood; shown as "Section 21" on S.O. Plan 307287 (part C.T. E3/752).
17	Part Suburban Section 13, Norsewood; shown as "Section 22" on S.O. Plan 307287 (part C.T. E3/751).
333	Part Suburban Section 13, Norsewood; shown as "Section 24" on S.O. Plan 307287 (part C.T. E3/751).
62	Part Lot 1, D.P. 99; shown as "Section 25" on S.O. 307287 (part C.T. F3/502).

Second Schedule

Road Stopped and Amalgamated

Area m ²	Adjoining or Passing Through
295	Part Suburban Section 13, Norsewood; shown as "Section 23" on S.O. Plan 307287 (part C.T. E3/751).

All in Block VI, Norsewood Survey District.

Dated at Wellington this 13th day of December 2002.

R. A. JOLLY, for the Minister for Land Information.

(LINZ CPC/00/5744 and 00/5877)

ln8453

Land Declared Road and Land Taken as Severance—State Highway No. 3, Rapanui Road, Wanganui District

Pursuant to the Public Works Act 1981, and to a delegation from the Minister for Land Information, Ronald Alistair Jolly, Land Information New Zealand:

(a) Pursuant to section 114, declares the land described in the First Schedule to this notice to be road which, pursuant to section 88 (2) of the Transit New Zealand Act 1989, becomes road, limited access road and State highway and vested in the Crown;

(b) Pursuant to section 119 (1), declares the land described in the Second Schedule to this notice to be taken and shall vest in the Crown;

on the date of publication hereof in the *New Zealand Gazette*.

Wellington Land District—Wanganui District

First Schedule

Land Declared as Road

Area m ²	Being
2650	Part Lot 1, D.P. 26617; shown as "Section 4" on S.O. Plan 305084 (part C.T. 5A/1459).
267	Part Lot 7, D.P. 381; shown as "Section 5" on S.O. Plan 305084 (part C.T. 39A/308).
1411	Part Lot 2, D.P. 67725; shown as "Section 6" on S.O. Plan 305084 (part C.T. 39A/308).
600	Part Lot 2, D.P. 80670; shown as "Section 7" on S.O. Plan 305084 (part C.T. 47B/224).

Second Schedule

Severance

Area m ²	Being
349	Part Lot 1, D.P. 26617; shown as "Section 12" on S.O. Plan 305084 (part C.T. 5A/1459).

Dated at Wellington this 10th day of December 2002.

R. A. JOLLY, for the Minister for Land Information.

(LINZ CPC/99/5073, 99/5074 and 99/5072)

ln8418

Amending a Notice Setting Apart Land at Christchurch for a Public School

Pursuant to section 55 of the Public Works Act 1981, and to a delegation from the Minister for Land Information, Ronald Alistair Jolly, Land Information New Zealand, hereby amends the notice dated the 3rd day of September 2001, setting apart land for a public school and to remain vested in the Crown, published in the *New Zealand Gazette*, 13 September 2001, No. 124, page 3232, by substituting the areas

"2.4514" ha and "0.0739" ha
in the Schedule with the areas
"2.2908" ha and "0.0738" ha.

Dated at Wellington this 9th day of December 2002.

R. A. JOLLY, for the Minister for Land Information.

(LINZ CPC/01/7425/A)

ln8420

Land Declared Road—Wright Road, Rodney District

Pursuant to section 114 (1) of the Public Works Act 1981, and to a delegation from the Minister for Land Information, R. J. Sutherland, Land Information New Zealand, declares the land described in the Schedule to this notice to be road

and shall vest in Rodney District Council on the date of publication hereof in the *New Zealand Gazette*.

Schedule

North Auckland Land District—Rodney District *Land Declared as Road*

Area m ²	Being
5756	Part Lot 11, D.P. 64650; shown as “Section 3” on S.O. Plan 308950 (part <i>Gazette</i> Notice B. 708260.2).
1215	Part Lot 2, D.P. 111627; shown as “Section 14” on S.O. Plan 308950 (part <i>Gazette</i> Notice B. 708260.2).

Dated at Auckland this 10th day of December 2002.

R. J. SUTHERLAND, for the Minister for Land Information.
(LINZ CPC/1998/3653)

ln8423

Land Declared Limited Access Road—State Highway No. 1, Albany–Puhoi, Rodney District

Pursuant to section 114 (1) of the Public Works Act 1981, and to a delegation from the Minister for Land Information, R. J. Sutherland, Land Information New Zealand, declares the land described in the Schedule to this notice to be road which, pursuant to section 88 (2) of the Transit New Zealand Act 1989, becomes road, limited access road and State highway and shall vest in the Crown on the date of publication hereof in the *New Zealand Gazette*.

Schedule

North Auckland Land District—Rodney District *Land Declared as Limited Access Road*

Area ha	Being
2.5931	Part Lot 11, D.P. 64650; shown as “Section 5” on S.O. Plan 308950 (part <i>Gazette</i> Notice B. 708260.2).
1.8748	Part Lot 4, D.P. 111627; shown as “Section 7” on S.O. Plan 308950 (part <i>Gazette</i> Notice D. 297165.1).
m ²	
484	Part Lot 5, D.P. 111627; shown as “Section 8” on S.O. Plan 308950 (part <i>Gazette</i> Notice D. 297165.1).
777	Part Lot 5, D.P. 111627; shown as “Section 11” on S.O. Plan 308950 (part <i>Gazette</i> Notice D. 297165.1).
ha	
3.3000	Part Lot 6, D.P. 111627; shown as “Section 12” on S.O. Plan 308950 (part <i>Gazette</i> Notice B. 757472.2).

Dated at Auckland this 10th day of December 2002.

R. J. SUTHERLAND, for the Minister for Land Information.
(LINZ CPC/2001/7223, 1999/3653, 2001/7180, 1998/551 and 1998/118)

ln8424

Land Taken as Severance—State Highway No. 1, Albany–Puhoi, Rodney District

Pursuant to section 119 (1) of the Public Works Act 1981, and to a delegation from the Minister for Land Information, R. J. Sutherland, Land Information New Zealand, declares the land described in the Schedule to this notice to be taken and shall vest in the Crown on the date of publication hereof in the *New Zealand Gazette*.

Schedule

North Auckland Land District—Rodney District *Severance*

Area m ²	Being
9054	Part Lot 11, D.P. 64650; shown as “Section 4” on S.O. Plan 308950 (part <i>Gazette</i> Notice B. 708260.2).

Dated at Auckland this 10th day of December 2002.

R. J. SUTHERLAND, for the Minister for Land Information.
(LINZ CPC/1999/3653)

ln8428

Land Taken as Severance and Building Restriction Created—State Highway No. 1, Albany–Puhoi, Rodney District

Pursuant to the Public Works Act 1981, and to a delegation from the Minister for Land Information, R. J. Sutherland, Land Information New Zealand:

(a) Declares the land described in the First Schedule to this notice to be taken, under section 119 (1), and shall vest in the Crown on the date of publication hereof in the *New Zealand Gazette*.

(b) Pursuant to section 236, declares the land described in the Second Schedule to this notice (“the fill area”) to be subject to the following restrictions:

- (i) No person shall erect or permit to be erected any building or structure or carry out any earthworks on the fill area otherwise than in accordance with the recommendations of a registered engineer experienced in soil mechanics.
- (ii) Any building or structure erected or any earthworks carried out on the fill area shall be erected or carried out at the sole risk of the owner and the owner shall have no recourse to the Crown in respect of the fill area.
- (iii) The owner will not erect any building or structure or carry out any earthworks on the fill area in a manner that will adversely affect the structural integrity of the motorway, and will not object to any application by the Crown seeking building or resource consents required in respect of the use and operation of the motorway for any reason relating to the effects of such works or operation on any building or structure erected on the fill area.
- (iv) The covenants contained herein shall be enforceable only against the owners and occupiers from time to time of the land.
- (v) In the event of any dispute arising between the parties in respect of or in connection with this building restriction, the parties shall, without prejudice to any other right or entitlement they may have under this agreement or otherwise:

1. Explore whether the dispute can be resolved by use of the alternative dispute resolution technique of mediation. The rules governing such techniques shall be agreed between the parties or as recommended by the New Zealand Law Society or as selected by the Chairman of the New Zealand Chapter of LEADR (Lawyers Engaged in Alternative Dispute Resolution); and
2. In the event the dispute is not resolved without 28 days of written notice by one party to the other of the dispute (or such further period agreed in writing between the parties), either party may refer the dispute to arbitration under the provisions of the Arbitration Act 1996 or any

amendment or re-enactment of it. The arbitrator shall be agreed between the parties within 10 days of written notice of the referral by the referring party to the other or failing agreement appointed by the President of the New Zealand Law Society. In either case, the arbitrator shall not be a person who has participated in any informal dispute resolution procedure in respect of the dispute.

- (vi) Before any building or structure is erected or any earthworks are carried out on the fill area, the owner shall submit plans and specifications in respect of same in commercial confidence to Transit New Zealand for its approval, such approval not to be unreasonably or arbitrarily withheld where:
1. The plans and specifications specifically address and accommodate any particular engineering requirements for the land; and
 2. The proposed building or structure will be erected and any proposed earthworks will be carried out on the fill area in line with the recommendations of a registered engineer experienced in soil mechanics; and
 3. Transit New Zealand is reasonably satisfied such building or structure or such earthworks will not create any hazard to the motorway or adversely affect the structural integrity of the motorway.

The Crown shall cause Transit New Zealand to provide its approval, or reasons for its disapproval, of the plans and specifications for the proposed building or structure or the proposed earthworks on the fill area within two weeks of receipt of the foregoing from the owner, or such longer time as the parties may agree.

North Auckland Land District—Rodney District

First Schedule

Severance

Area m ²	Being
7353	Part Lot 5, D.P. 111627; shown as “Section 9” on S.O. Plan 308950 (part <i>Gazette</i> Notice D. 297165.1).
1181	Part Lot 4, D.P. 111627; shown as “Section 10” on S.O. Plan 308950 (part <i>Gazette</i> Notice D. 297165.1).

Second Schedule

Fill Area

Part Lot 5, D.P. 111627; marked “A” on S.O. Plan 308950 (part *Gazette* Notice D. 297165.1).

Dated at Auckland this 10th day of December 2002.

R. J. SUTHERLAND, for the Minister for Land Information.
(LINZ CPC/2001/7223)

ln8429

Building Restriction Created—State Highway No. 1, Albany–Puhoi, Rodney District

Pursuant to section 236 of the Public Works Act 1981, and to a delegation from the Minister for Land Information, R. J. Sutherland, Land Information New Zealand, declares the land described in the Schedule to this notice (“the fill area”) to be subject to the following restrictions:

- (i) No person shall erect or permit to be erected any building or structure or carry out any earthworks on the fill area otherwise than in accordance with the recommendations of a registered engineer experienced in soil mechanics.

- (ii) Any building or structure erected or any earthworks carried out on the fill area shall be erected or carried out at the sole risk of the owner and the owner shall have no recourse to the Crown in respect of the fill area.
- (iii) The owner will not erect any building or structure or carry out any earthworks on the fill area in a manner that will adversely affect the structural integrity of the motorway, and will not object to any application by the Crown seeking building or resource consents required in respect of the use and operation of the motorway for any reason relating to the effects of such works or operation on any building or structure erected on the fill area.
- (iv) The covenants contained herein shall be enforceable only against the owners and occupiers from time to time of the land.
- (v) In the event of any dispute arising between the parties in respect of or in connection with this building restriction, the parties shall, without prejudice to any other right or entitlement they may have under this agreement or otherwise:
1. Explore whether the dispute can be resolved by use of the alternative dispute resolution technique of mediation. The rules governing such techniques shall be agreed between the parties or as recommended by the New Zealand Law Society or as selected by the Chairman of the New Zealand Chapter of LEADR (Lawyers Engaged in Alternative Dispute Resolution); and
 2. In the event the dispute is not resolved without 28 days of written notice by one party to the other of the dispute (or such further period agreed in writing between the parties), either party may refer the dispute to arbitration under the provisions of the Arbitration Act 1996 or any amendment or re-enactment of it. The arbitrator shall be agreed between the parties within 10 days of written notice of the referral by the referring party to the other or failing agreement appointed by the President of the New Zealand Law Society. In either case, the arbitrator shall not be a person who has participated in any informal dispute resolution procedure in respect of the dispute.

- (vi) Before any building or structure is erected or any earthworks are carried out on the fill area, the owner shall submit plans and specifications in respect of same in commercial confidence to Transit New Zealand for its approval, such approval not to be unreasonably or arbitrarily withheld where:

1. The plans and specifications specifically address and accommodate any particular engineering requirements for the land; and
2. The proposed building or structure will be erected and any proposed earthworks will be carried out on the fill area in line with the recommendations of a registered engineer experienced in soil mechanics; and
3. Transit New Zealand is reasonably satisfied such building or structure or such earthworks will not create any hazard to the motorway or adversely affect the structural integrity of the motorway.

The Crown shall cause Transit New Zealand to provide its approval, or reasons for its disapproval, of the plans and specifications for the proposed building or structure or the proposed earthworks on the fill area within two weeks of receipt of the foregoing from the owner, or such longer time as the parties may agree.

Schedule**North Auckland Land District—Rodney District****Fill Area**

Part Lot 1, D.P. 197916; marked “B” on D.P. 311145 (part C.T. 125B/415).

Dated at Auckland this 10th day of December 2002.

R. J. SUTHERLAND, for the Minister for Land Information.
(LINZ CPC/1998/551)

ln8422

**Land Taken as Severance and Building Restriction
Created—State Highway No. 1, Albany–Puhoi,
Rodney District**

Pursuant to the Public Works Act 1981, and to a delegation from the Minister for Land Information, R. J. Sutherland, Land Information New Zealand:

(a) Declares the land described in the First Schedule to this notice to be taken, under section 119 (1), and shall vest in the Crown on the date of publication hereof in the *New Zealand Gazette*.

(b) Pursuant to section 236, declares the land described in the Second Schedule to this notice (“the fill area”) to be subject to the following restrictions:

- (i) No person shall erect or permit to be erected any building or structure or carry out any earthworks on the fill area otherwise than in accordance with the recommendations of a registered engineer experienced in soil mechanics.
- (ii) Any building or structure erected or any earthworks carried out on the fill area shall be erected or carried out at the sole risk of the owner and the owner shall have no recourse to the Crown in respect of the fill area.
- (iii) The owner will not erect any building or structure or carry out any earthworks on the fill area in a manner that will adversely affect the structural integrity of the motorway, and will not object to any application by the Crown seeking building or resource consents required in respect of the use and operation of the motorway for any reason relating to the effects of such works or operation on any building or structure erected on the fill area.
- (iv) The covenants contained herein shall be enforceable only against the owners and occupiers from time to time of the land.
- (v) In the event of any dispute arising between the parties in respect of or in connection with this building restriction, the parties shall, without prejudice to any other right or entitlement they may have under this agreement or otherwise:
 1. Explore whether the dispute can be resolved by use of the alternative dispute resolution technique of mediation. The rules governing such techniques shall be agreed between the parties or as recommended by the New Zealand Law Society or as selected by the Chairman of the New Zealand Chapter of LEADR (Lawyers Engaged in Alternative Dispute Resolution); and
 2. In the event the dispute is not resolved without 28 days of written notice by one party to the other of the dispute (or such further period agreed in writing between the parties), either party may refer the dispute to arbitration under the provisions of the Arbitration Act 1996 or any amendment or re-enactment of it. The arbitrator shall be agreed between the parties within 10 days of written notice of the referral by the

referring party to the other or failing agreement appointed by the President of the New Zealand Law Society. In either case, the arbitrator shall not be a person who has participated in any informal dispute resolution procedure in respect of the dispute.

- (vi) Before any building or structure is erected or any earthworks are carried out on the fill area, the owner shall submit plans and specifications in respect of same in commercial confidence to Transit New Zealand for its approval, such approval not to be unreasonably or arbitrarily withheld where:
 1. The plans and specifications specifically address and accommodate any particular engineering requirements for the land; and
 2. The proposed building or structure will be erected and any proposed earthworks will be carried out on the fill area in line with the recommendations of a registered engineer experienced in soil mechanics; and
 3. Transit New Zealand is reasonably satisfied such building or structure or such earthworks will not create any hazard to the motorway or adversely affect the structural integrity of the motorway.

The Crown shall cause Transit New Zealand to provide its approval, or reasons for its disapproval, of the plans and specifications for the proposed building or structure or the proposed earthworks on the fill area within two weeks of receipt of the foregoing from the owner, or such longer time as the parties may agree.

North Auckland Land District—Rodney District**First Schedule****Severance**

Area m ²	Being
7084	Part Lot 4, D.P. 111627; shown as “Section 1” on S.O. Plan 308950 (part <i>Gazette</i> Notice D. 297165.1).
951	Part Lot 6, D.P. 111627; shown as “Section 13” on S.O. Plan 308950 (part <i>Gazette</i> Notice B. 757472.2).

Second Schedule**Fill Area**

Part Lot 4, D.P. 111627; marked “C” and part Lot 6, D.P. 111627; marked “D” on S.O. Plan 308950 (part *Gazette* Notices D. 297165.1 and B. 787472.2).

Dated at Auckland this 10th day of December 2002.

R. J. SUTHERLAND, for the Minister for Land Information.
(LINZ CPC/1998/118)

ln8426

**Land Taken as Severance and Building Restriction
Created—State Highway No. 1, Albany–Puhoi,
Rodney District**

Pursuant to the Public Works Act 1981, and to a delegation from the Minister for Land Information, R. J. Sutherland, Land Information New Zealand:

(a) Declares the land described in the First Schedule to this notice to be taken, under section 119 (1), and amalgamated with the land in certificate of title 125B/415 on the date of publication hereof in the *New Zealand Gazette*.

(b) Pursuant to section 236, declares the land described in the Second Schedule to this notice (“the fill area”) to be subject to the following restrictions:

- (i) No person shall erect or permit to be erected any building or structure or carry out any earthworks on the fill area otherwise than in accordance with the recommendations of a registered engineer experienced in soil mechanics.
- (ii) Any building or structure erected or any earthworks carried out on the fill area shall be erected or carried out at the sole risk of the owner and the owner shall have no recourse to the Crown in respect of the fill area.
- (iii) The owner will not erect any building or structure or carry out any earthworks on the fill area in a manner that will adversely affect the structural integrity of the motorway, and will not object to any application by the Crown seeking building or resource consents required in respect of the use and operation of the motorway for any reason relating to the effects of such works or operation on any building or structure erected on the fill area.
- (iv) The covenants contained herein shall be enforceable only against the owners and occupiers from time to time of the land.
- (v) In the event of any dispute arising between the parties in respect of or in connection with this building restriction, the parties shall, without prejudice to any other right or entitlement they may have under this agreement or otherwise:
1. Explore whether the dispute can be resolved by use of the alternative dispute resolution technique of mediation. The rules governing such techniques shall be agreed between the parties or as recommended by the New Zealand Law Society or as selected by the Chairman of the New Zealand Chapter of LEADR (Lawyers Engaged in Alternative Dispute Resolution); and
 2. In the event the dispute is not resolved without 28 days of written notice by one party to the other of the dispute (or such further period agreed in writing between the parties), either party may refer the dispute to arbitration under the provisions of the Arbitration Act 1996 or any amendment or re-enactment of it. The arbitrator shall be agreed between the parties within 10 days of written notice of the referral by the referring party to the other or failing agreement appointed by the President of the New Zealand Law Society. In either case, the arbitrator shall not be a person who has participated in any informal dispute resolution procedure in respect of the dispute.
- (vi) Before any building or structure is erected or any earthworks are carried out on the fill area, the owner shall submit plans and specifications in respect of same in commercial confidence to Transit New Zealand for its approval, such approval not to be unreasonably or arbitrarily withheld where:
1. The plans and specifications specifically address and accommodate any particular engineering requirements for the land; and
 2. The proposed building or structure will be erected and any proposed earthworks will be carried out on the fill area in line with the recommendations of a registered engineer experienced in soil mechanics; and
 3. Transit New Zealand is reasonably satisfied such building or structure or such earthworks will not create any hazard to the motorway or adversely affect the structural integrity of the motorway.

The Crown shall cause Transit New Zealand to provide its approval, or reasons for its disapproval, of the plans and specifications for the proposed building or structure or the proposed earthworks on the fill area within two weeks of receipt of the foregoing from the owner, or such longer time as the parties may agree.

North Auckland Land District—Rodney District

First Schedule

Severance

Area m ²	Being
6742	Part Lot 6, D.P. 111627; shown as "Section 2" on S.O. Plan 308950 (part <i>Gazette</i> Notice B. 757472.2).
6070	Part Lot 6, D.P. 111627; shown as "Section 1" on S.O. Plan 70725 (part <i>Gazette</i> Notice B. 757472.2).

Second Schedule

Fill Area

Part Lot 6, D.P. 111627; marked "E" on S.O. Plan 308950 (part *Gazette* Notice B. 757472.2).

Part Lot 6, D.P. 111627; marked "A" on D.P. 311145 (part *Gazette* Notice B. 757472.2).

Dated at Auckland this 10th day of December 2002.

R. J. SUTHERLAND, for the Minister for Land Information.
(LINZ CPC/1998/551 and 2001/7180)

In8427

Road to be Stopped and Vested—

Auckland—Waiwera Motorway, Rodney District

Pursuant to sections 116 and 117 of the Public Works Act 1981, and to a delegation from the Minister for Land Information, R. J. Sutherland, Land Information New Zealand, declares the portions of roads described in the Schedule to this notice to be stopped and:

(a) The land firstly described shall remain vested in Rodney District Council;

(b) Pursuant to section 120(3), the land secondly described shall be amalgamated with the land in *Gazette* Notice C. 894232.2;

on the date of publication hereof in the *New Zealand Gazette*.

Schedule

North Auckland Land District—Rodney District

Road to be Stopped

Area m ²	Adjoining or Passing Through
4618	Part Lot 1, D.P. 168643 (<i>Gazette</i> Notice C. 894232.2); shown as "Section 15" on S.O. Plan 308950.
2010	Part Lot 5, D.P. 111627 (C.T. 62D/690) and part Allotment 43A, Okura Parish (C.T. 161/203); shown as "Section 16" on S.O. Plan 308950.

Dated at Auckland this 10th day of December 2002.

R. J. SUTHERLAND, for the Minister for Land Information.
(LINZ CPC/2001/7179 and 2001/7223)

In8430

**Easement Acquired—Awanohi Road,
Rodney District**

Pursuant to sections 20 and 28 of the Public Works Act 1981, and to a delegation from the Minister for Land Information, R. J. Sutherland, Land Information New Zealand, declares that, pursuant to an agreement to that effect having been entered into, a stormwater easement in gross is acquired

over the land of the Crown (“the grantor”) described in the First Schedule to this notice upon the terms and conditions described in the Second Schedule (“the easement land”) to this notice vesting in the Rodney District Council (“the grantee”) on the date of publication in the *New Zealand Gazette*.

North Auckland Land District—Rodney District

First Schedule

Easement to be Acquired

Area m ²	Over
201	Part Lot 11, D.P. 64650 (part <i>Gazette</i> Notice B. 708260.2); marked “B” on S.O. Plan 308950.

Second Schedule

The rights and powers listed hereunder shall be in addition to the rights and powers set out in the Seventh Schedule of the Land Transfer Act 1952:

- Except with the written consent of the grantor and then only in accordance with such terms and conditions as it may impose in respect of such consent, the grantee shall not nor will plant or cause or allow to be planted any trees or shrubs on those portions of the easement land nor will erect nor place thereon nor cause nor allow to be erected or placed thereon any buildings, concrete work or other erections or fences nor at any times hereafter to permit or suffer any act whereby the rights, powers, licences and liberties hereby granted to the grantor may be interfered with or affected.
- All disputes and differences between the grantee and the grantor shall be submitted to the arbitration of a single arbitrator if one can be agreed upon or if they can not so agree then to the arbitration of two arbitrators (one to be appointed by the grantor and

one by the grantee) and their umpire (appointed by them prior to their arbitration), such arbitration to be carried out in accordance with the provisions of the Arbitration Act 1996 or any Act substituted thereunder.

Dated at Auckland this 10th day of December 2002.

R. J. SUTHERLAND, for the Minister for Land Information.
(LINZ CPC/1999/3653)

In8431

Land Declared Limited Access Road—State Highway No. 18, Unsworth Heights, North Shore City

Pursuant to section 114 of the Public Works Act 1981, and to a delegation from the Minister for Land Information, R. J. Sutherland, Land Information New Zealand, declares the land described in the Schedule to this notice to be road which, pursuant to section 88 (2) of the Transit New Zealand Act 1989, becomes road, limited access road and State Highway and shall vest in the Crown on the date of publication of this notice in the *New Zealand Gazette*.

Schedule

North Auckland Land District—North Shore City Council
Land Declared Limited Access Road

Area m ²	Being
2390	Lot 252, D.P. 211370 (all certificate of title 139B/729).

Dated at Auckland this 13th day of December 2002.

R. J. SUTHERLAND, for the Minister for Land Information.
(LINZ CPC/00/6275)

In8443

Regulation Summary

Notice Under the Acts and Regulations Publication Act 1989

Pursuant to the Acts and Regulations Publication Act 1989, notice is hereby given of the making of Regulations as under:

<i>Authority for Enactment</i>	<i>Title or Subject-matter</i>	<i>Serial Number</i>	<i>Date of Enactment</i>	<i>Price Code</i>	<i>Retail</i>
Fisheries Act 1996	Fisheries (Western Coromandel Peninsula Closure) Notice 2002	2002/405	13/12/02	2-A	\$1.60
Takeovers Act 1993	Takeovers Code (Richina Pacific Limited) Exemption Notice 2002	2002/406	13/12/02	5-BY	\$2.30
Securities Act 1978	Securities Act (Industrial and Provident Societies) Exemption Notice 2002 Amendment Notice 2002	2002/407	16/12/02	2-A	\$1.60
Student Loan Scheme Act 1992	Student Loan Scheme (Repayment Threshold) Regulations 2002	2002/408	16/12/02	2-A	\$1.60
Student Loan Scheme Act 1992	Student Loan Scheme (Income Amount for Full Interest Write-off) Regulations 2002	2002/409	16/12/02	2-A	\$1.60
Judicature Act 1908	High Court Amendment Rules (No 2) 2002	2002/410	16/12/02	20-CY	\$3.95
District Courts Act 1947	District Courts Amendment Rules (No 4) 2002	2002/411	16/12/02	17-CY	\$3.95
Commodity Levies Act 1990	Commodity Levies (Wheat Grain) Order 2002	2002/412	16/12/02	10-CX	\$3.60
Electricity Act 1992	Electricity Amendment Regulations 2002	2002/413	16/12/02	37-D	\$5.35
Maori Trust Boards Act 1955	Whakatohea Maori Trust Board Order 2002	2002/414	16/12/02	3-BX	\$2.10

Engineers Registration Act 1924	Engineers Registration Amendment Regulations 2002	2002/415	16/12/02	2-A	\$1.60
Engineering Associates Act 1961	Engineering Associates Fees Regulations 2002	2002/416	16/12/02	3-BX	\$2.10
Immigration Act 1987	Immigration Amendment Regulations (No 2) 2002	2002/417	16/12/02	2-A	\$1.60
Injury Prevention, Rehabilitation, and Compensation Act 2001	Injury Prevention, Rehabilitation, and Compensation (Earnings' Levy and Earnings' Account Residual Levy) Regulations 2002	2002/418	16/12/02	6-BY	\$2.30
Local Government Act 1974	Local Government (Infringement Fees for Offences: Environment Waikato Navigation Safety Bylaw) Regulations 2002	2002/419	16/12/02	8-BY	\$2.30
Customs and Excise Act 1996	Customs and Excise Amendment Regulations (No 2) 2002	2002/420	16/12/02	8-BY	\$2.30
Securities Act 1978	Securities Act (The New Zealand Wine Company Limited) Exemption Notice 2002	2002/421	17/12/02	4-BX	\$2.10
Securities Act 1978	Securities Act (Great Britain Collective Investment Schemes) Exemption Amendment Notice 2002	2002/422	17/12/02	4-BX	\$2.10
Securities Act 1978	Securities Act (J. D. Edwards & Company) Exemption Amendment Notice 2002	2002/423	17/12/02	2-A	\$1.60
Securities Act 1978	Securities Act (Group Investment Index Funds) Exemption Amendment Notice 2002	2002/424	17/12/02	3-BX	\$2.10

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rs8450

General Section

St. Paul International Insurance Company Limited (New Zealand branch)

Insurance Companies (Ratings and Inspections) Act 1994

Change of Rating—St. Paul International Insurance Company Limited (New Zealand branch)

Pursuant to section 8 of the Insurance Companies (Ratings and Inspections) Act 1994, St. Paul International Insurance Company Limited (New Zealand branch) gives public notice of a rating downgrade.

On 10 December 2002, Standard & Poor's (Australia) Pty. Limited lowered its insurer financial strength rating of St. Paul International Insurance Company Limited (New Zealand branch) from "AA" to "A+".

gs8449

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