

[AS REPORTED FROM THE LOCAL BILLS COMMITTEE]

House of Representatives, 8 September 1965

Words struck out by the Local Bills Committee are shown in italics within bold round brackets, words inserted are shown in roman underlined with a double rule, or with double rule before first line and after last line of new matter.

Mr Douglas

AUCKLAND HARBOUR BOARD CENTRAL AREA PROPERTIES REDEVELOPMENT

[LOCAL]

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A BILL INTITULED

5 An Act to amend certain enactments of the General Assembly relating to the development and redevelopment of certain lands situate in the City of Auckland and to further authorise the Auckland Harbour Board to carry out and execute the central area properties redevelopment scheme

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

No. 43—2

Price 1s.

2 *Auckland Harbour Board Central Area
 Properties Redevelopment*

1. Short Title—This Act may be cited as the Auckland Harbour Board Central Area Properties Redevelopment Act 1965.

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

“Board” means the Auckland Harbour Board: 5

“Central Area Properties Redevelopment Scheme” and “scheme” mean the scheme for the development and redevelopment of the lands described in the Schedule to this Act or any part or parts of those lands; and in particular, but without limiting the general import of the term, includes for the purpose of and in connection with that development and redevelopment: 10

(a) The preparation, carrying out, and publication of any plan, scheme, prospectus, survey, or investigation: 15

(b) The acquisition of those lands or any part or parts thereof or any interest or interests therein:

(c) The amalgamation, subdivision or re-subdivision, and regrouping of land titles, and the improvement and better utilisation of those lands: 20

(d) The granting of licences or permits in respect of the said lands or any part or parts thereof to any person or persons on such terms and conditions as the Board thinks fit: 25

(e) The granting of leases of, or entering into and completion of agreements to let, those lands or any part or parts thereof to any person or persons on such terms and conditions as to the development and redevelopment of the same as the Board thinks fit: 30

(f) The granting or reservation of any rights of way, easements, or profits a prendre, and the creation of any other encumbrances of whatsoever kind: 35

(g) The dedication, granting, or reservation of any part of those lands for the purposes of a street, private street, footway, private way, access way, or service-lane, or square, public reserve, public place, or public utility of whatsoever kind: 40

(h) The provision and maintenance and preservation of services and amenities:

5 (i) The carrying out and execution of all matters and works necessary or reasonably incidental thereto or in order to comply with the lawful requirement of any local or public authority in connection therewith,—

And references to the scheme shall be deemed to include references to any part or parts of the scheme: “Developer” means the person or persons with whom the Board enters into any contract, or any agreement to let or any lease containing provisions specifying any work to be carried out or executed by that person on the lands described in the Schedule to this Act or any part or parts thereof or adjacent thereto or any part or parts thereof as a term or condition of the contract, agreement to let, or covenant of the lease, as the case may be:

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25 “Work” includes generally any work involved in the carrying out and execution of the scheme; and in particular, but without limiting the general import of the term, includes any demolition, removal of spoil and debris, excavation, building, erection, structure, service, feature, amenity, square, public place, street, private street, footway, private way, access way, service-lane, pedestrian-way, carriage-way, pavement, yard, mall, courtyard, terrace, bridge, arch, shelter, latrine, stairs, steps, ramp, drain, culvert, hoarding, railing, fence, and wall or retaining wall.

30 **3. Special Act**—This Act shall be deemed to be a special Act within the meaning of the Harbours Act 1950.

4. Authority to develop—Subject to the provisions of this Act, the Board is hereby empowered to develop and redevelop from time to time the lands described in the Schedule to this Act or any part or parts of those lands and to carry out and execute the Central Area Properties Redevelopment Scheme.

5. Authority to acquire land—(1) Without restricting the generality of section 4 of this Act, the scheme shall, for the purposes of section 140 of the Harbours Act 1950 and section 2 of the Public Works Act 1928, be deemed to be an undertaking and work which the Board is authorised to undertake and carry out.

(2) The right to compensation conferred by section 141 of the Harbours Act 1950 on every person having an estate or interest in any land taken under section 140 of that Act, or injuriously affected thereby, or suffering any damage by the exercise of any of the powers given by the sections referred to in the said section 141 is hereby declared to be conferred on every person having an estate or interest in any land taken under the authority of this Act for the purpose of the scheme or injuriously affected thereby, or suffering any damage by the exercise of any of the powers conferred on the Board under this Act: 5 10

Provided that, in the event of the Board exercising any of the powers conferred upon it under this Act or any other Act to take land for the purpose of the scheme and whether or not any such land is taken, no person shall, by virtue of the exercise of those powers, have any right to be entitled to any damages or recompense whatsoever (other than such compensation as may be obtained under and determined in the manner provided by the Public Works Act 1928) by reason of any covenant, whether express or implied, for quiet enjoyment in any lease granted by the Board, or arising out of or based on any breach or alleged breach of any such covenant, or any obligation, whether express or implied, not to derogate from the grant contained in any such lease or arising out of or based on any breach or alleged breach of any such obligation. 15 20 25

6. Provisions of Harbours Act 1950 applicable—The provisions of the Harbours Act 1950, except sections 176 to 183 thereof, shall, so far as they are applicable and with the necessary modifications, apply to the scheme as if it was a harbour work within the meaning of that Act: 30

Provided that nothing in this section shall in itself be read or construed so as to exempt the land described in the Schedule to this Act from the provisions of the Rating Act 1925: 35

Provided also that, without derogating from the Board's powers under the Harbours Act 1950, nothing in this section shall be deemed to empower the Board to construct or erect any building (other than temporary buildings or buildings for any public utility or purpose) for or in connection with the said scheme. 40

7. Board may enter into contracts for purposes of scheme—

(1) Without restricting the powers conferred on the Board under section 6 of this Act, the Board may enter into any contract with any person, local or public authority, or the
5 Crown for the purposes of this Act and of carrying out and executing the scheme.

(2) The provisions of the Fifth Schedule to the Municipal Corporations Act 1954 shall, so far as they are applicable and with all necessary modifications and to the extent
10 that they are not expressly negatived or modified by or inconsistent with any provision in this Act or in any conditions of tender issued by the Board or in any contract made with the Board, apply to all tenders called for and all contracts entered into by the Board for the carrying out and
15 execution by any developer of any work for or in connection with the scheme as if any reference in that Schedule to the Council was a reference to the Board, and as if any reference to the contractor and subcontractor was a reference to the developer and his contractor or subcontractor
20 respectively, and as if any reference to the Municipal Corporations Act 1954 was a reference to this Act.

(3) For the purposes of subsection (2) of this section the word “contract” shall be deemed to include the part or
25 parts of any agreement to let or any lease containing provisions specifying any work to be carried out or executed or any materials to be furnished by the developer as a term and condition thereof.

8. Exercise of powers conferred on Board in respect of adjacent land—The Board may exercise any of the powers
30 conferred on the Board under this Act or any other Act, other than the power to take land, in respect of any land or lands adjacent to or in the neighbourhood of the lands described in the Schedule to this Act in any case where in the opinion of the Board the exercise of any such powers
35 in respect of such land or lands is necessary or reasonably incidental to the carrying out and execution of the scheme, and the provisions of this Act conferring those powers shall, with the necessary modifications, apply to any such land or lands accordingly.

9. Power for the Board to acquire additional land—Without restricting the powers to acquire land conferred on the Board under this Act or any other Act, the Board is hereby empowered to acquire, by purchase or exchange of land or otherwise, any lands which the Board shall determine are reasonably required for the purpose of the scheme from any person, local or public authority, or the Crown, and whether or not any such land is dedicated or laid out and constructed as a street or footway or held in trust for any particular purpose or purposes, whether pursuant to any Act or deed of trust or conveyance or otherwise howsoever, or held for the purposes of a public reserve or for any purpose of public utility; and the said lands together with the lands referred to in the Third Schedule to the Auckland Harbour Board Loan and Empowering Act 1964 shall, when acquired by the Board, be deemed to be and to have been included in the lands described in the Schedule to this Act as from the date of the commencement of this Act.

10. Board may provide alternative site for sailors' home—In the exercise of the powers conferred upon it pursuant to section 6 of the Auckland Harbour Board Loan and Empowering Act 1964 to purchase the lands vested in the Auckland Sailors' Home, a body incorporated under the Companies Act 1955, and the Mission to Seamen Society (Port of Auckland), a body incorporated under the Charitable Trusts Act 1957, and described, together with certain other lands, in the Third Schedule to that Act, and now held for the purpose of a sailors' home and the mission to seamen respectively, the Board may set apart and make available an alternative site or sites on any land vested in the Board for the purpose of a sailors' home and mission to seamen respectively, or make available any building or buildings or any part or parts of any building or buildings, for the purpose of providing suitable alternative accommodation for such sailors' home and mission to seamen, and transfer as consideration or part of the consideration for the said purchase such land or lands including any building or buildings to the said Auckland Sailors' Home and the said Mission to Seamen Society (Port of Auckland) separately or jointly or as tenants in common in equal or such shares as they may direct or in parts to each such body severally or to trustees or a body corporate duly appointed and nominated by them

for that purpose, and the said Auckland Sailors' Home and the said Mission to Seamen Society (Port of Auckland) or trustees or body corporate, as the case may be, shall there-
upon hold such land or lands vested in them as aforesaid
5 including any building or buildings for the purposes of and
upon the trusts and subject to the conditions contained in
sections 20 and 21 of the Auckland Harbour Board Act
1885, sections 9 and 10 of the Auckland Harbour Board and
Birkenhead Borough Empowering Act 1907, and section 50
10 of the Local Legislation Act 1930 and in the agreement
referred to in subsection (1) of section 50 of that Act.

New

(2) For the purpose of giving effect to this section, the
said Auckland Sailors' Home and the said Mission to Seamen
15 Society (Port of Auckland) are hereby empowered and
authorised to transfer the said lands vested in them respec-
tively as aforesaid to the Board, and to do all such things
and execute all such documents as may be necessary for that
purpose, and are hereby further empowered and authorised
20 to accept a transfer of the said alternative land or lands from
the Board, whether separately or jointly or as tenants in
common or in part to each of them severally or to trustees
or a body corporate duly appointed and nominated by them
for that purpose as provided in subsection (1) of this section
25 and any such transfer shall be deemed to be upon the trusts
and subject to the conditions referred to in the said subsection
(1); and the District Land Registrar for the Land Registra-
tion District of North Auckland is hereby authorised and
directed to accept such documents for registration, to make
30 such entries in the register books, and do all such other things
as may be necessary to give effect to the provisions of this
section.

(3) It is hereby declared that nothing in this Act or any
other Act shall be construed as conferring on the Board the
35 power to take compulsorily the said land under the Public
Works Act 1928 or any other Act for the purpose of the
scheme.

11. Board may provide offices—The Board may at any
time provide and maintain offices, whether temporary or
40 permanent, with suitable furniture for the same, for holding
meetings and transacting the business of the Board and for
the use of its officers, and may, for that purpose, take a
lease or sublease of any land or building or part of any
building, or cause an office building to be erected on any
45 land vested in or leased by the Board.

12. Scheme declared to be within scope of any trusts—
The scheme is hereby declared to be within the scope of any trust, or the purpose or purposes of any trust, affecting any land or lands described in the Schedule to this Act, whether pursuant to any Act or to any deed of trust or conveyance or otherwise howsoever. 5

13. Application of Town and Country Planning Act 1953—
Nothing in this Act shall affect the provisions of the Town and Country Planning Act 1953 or of Part XXV of the Municipal Corporations Act 1954. 10

14. Board not authorised by this Act to create a nuisance—
Nothing in this Act shall entitle the Board to create a nuisance, or shall deprive any person of any right or remedy he would otherwise have against the Board or any other person in respect of any such nuisance. 15

15. Board may grant licences—(1) The Board may licence or permit the lands or any part or parts thereof described in the Schedule to this Act, or any land or foreshore vested in the Board and adjacent to or in the neighbourhood of those lands, to be used or occupied by any person for any purpose connected with or incidental to the scheme. 20

(2) The provisions of section 158 of the Harbours Act 1950 shall, so far as they are applicable and with all necessary modifications, apply to every licence granted pursuant to this section. 25

16. Powers of Board to grant leases—In addition to all other leasing powers exercisable by the Board under the Harbours Act 1950, or under any other Act, and except as expressly negatived or modified by or inconsistent with any provision in this Act, the provisions of the Public Bodies Leases Act 1908 and any amendments thereto shall apply to the lands described in the Schedule to this Act or any part or parts thereof and any tenancy or lease granted by the Board in pursuance of this Act for the purposes of the scheme. 30
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17. **Board may grant certain leases subject to approval of Minister**—In addition to the tenancies and leases specified in section 5 of the Public Bodies Leases Act 1908, the Board may, with the prior approval in writing of the Minister of Internal Affairs, let the lands described in the Schedule to this Act or any part or parts thereof for the purpose of the scheme on any tenancy or lease not specified in that section, whether as to the term granted, or any right of renewal, or the term of any renewed term, or the aggregate duration of any renewed terms, or the manner in which the rent is to be determined for any renewed term, or as to any one or more of those matters.

18. **Board may, in any lease, add to or vary the provisions set forth in the First and Second Schedules to the Public Bodies Leases Act 1908**—In any lease granted or to be granted in pursuance of the Public Bodies Leases Act 1908 or this Act for the purpose of the scheme, and without restricting the right of the Board to include in any such lease provisions substantially to the same effect as the provisions set forth in the First and Second Schedules to the Public Bodies Leases Act 1908, the Board may, in addition to such other additions or variations as are expressly or by necessary implication authorised in this Act, add to or vary any provision set forth in the said First or Second Schedules, in the following manner:

- (a) To provide that any (*lease*) lessee shall be required to give to the Board, at such time prior to the expiry by effluxion of time of the lease as may be stipulated by the Board, notice that he requires the valuation provided for in the First Schedule to be made, or notice of his desire to take a renewed lease of the land, whether or not such a valuation has been made, and irrespective of the rent valued or to be valued:
- (b) To provide that in making the valuation referred to in the First Schedule no account shall be taken of the value of any buildings or other improvements erected or to be erected by the lessee on the land comprised in the lease:
- (c) To provide that in no case shall the annual rent fixed for any renewed lease be less than the annual rent in the lease immediately preceding the renewed lease:

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- (d) To provide for such further additions or variations to the First or Second Schedules as may be approved in writing by the Minister of Internal Affairs.

19. Board may advertise leases proposed to be offered for sale or application—(1) The Board may, in addition to publishing in a newspaper circulating in the Auckland district a notice containing particulars as to the material provisions of any lease proposed to be offered for sale or application in pursuance of the Public Bodies Leases Act 1908 or this Act for the purpose of the scheme as required to comply with subsections (1), (2), and (3) of section 8 of the Public Bodies Leases Act 1908, prepare such advertisements, prospectuses, brochures, or other notices relating to any such lease or the provisions thereof as the Board thinks fit, and may publish or advertise the same in such manner and at such time or times as it shall determine. 5 10 15

(2) A reference in any notice which is required to be published pursuant to the Public Bodies Leases Act 1908 as aforesaid to any advertisement, prospectus, brochure, or other notice which contains the material provisions of the lease proposed to be sold or offered for application by the Board and which is, or a copy of which is, readily available to the public for inspection or supply at the offices of the Board, whether on payment of a fee or not, shall be sufficient to satisfy the requirements of subsection (3) of the said section 8. 20 25

(3) Notwithstanding the provisions of the Public Bodies Leases Act 1908, no lease granted by the Board in pursuance of that Act or this Act for the purpose of the scheme shall be invalidated by reason of the fact that the lease proposed to be sold or offered for application by the Board is a lease or draft lease in which certain of the provisions are expressed as being tentative or incomplete or in draft form, or in which the subject matter only of any of the provisions is stipulated, or by reason of the fact that the notice required to be published pursuant to the Public Bodies Leases Act 1908 as aforesaid relates to such a lease or fails to give particulars of any such provisions, whether material or not. 30 35

20. Powers of Board relating to acceptance or non-acceptance of bid or tender for lease—(1) In the sale of any lease by public auction or public tender or the offer of any lease by application at a fixed rental where the lease relates to the land described in the Schedule to this Act or any part or parts 40

thereof and is offered for sale or application as aforesaid for the purpose of the scheme, it shall not be necessary for the Board to accept any bid or tender or application for the lease.

5 (2) The Board may accept any such bid or tender or application absolutely or subject to such qualifications, modifications, additions, or omissions thereto as it thinks fit; and, in the event of such a qualified acceptance, the Board may, if the person who has made the bid, or tender, or application, as the case may be, confirms and agrees to any such qualifications, 10 modifications, additions, or omissions as are stipulated by the Board, let the land comprised in the lease offered for sale or application or any part or parts thereof to that person accordingly, or may, if further negotiations between that person and the Board relating to the matters raised by any such qualifications, 15 modifications, additions, or omissions take place, let the said land or any part or parts thereof to that person by private contract on such terms and conditions as may be agreed upon.

20 (3) In the event of the Board not accepting any such bid, or tender, or application, the Board may, at any time within eighteen months after the day of the auction, or after the last day for the delivery of tenders or applications, as the case may be, and with the prior approval in writing of the Minister of Internal Affairs, let the land comprised in the lease offered for sale or application or any part or parts thereof to such 25 person or persons as the Board may determine by private contract and at such rent, whether the upset rent or not, and on such terms and conditions, subject to the approval of the Minister, as it thinks fit.

30 (4) No lease granted by the Board in pursuance of the powers conferred on it by subsections (2) and (3) of this section shall be invalidated by reason of the fact that the provisions of that lease are not to the same effect or not consistent with the provisions of the original lease offered for sale or application.

35 (5) The Board shall not exercise the powers conferred by the said subsections (2) and (3) except in pursuance of a special resolution as defined in section 2 of the Public Bodies Leases Act 1908.

21. Commencement of leases—The provisions of section 9 of the Public Bodies Leases Act 1908 shall not apply to any lease granted or to be granted in pursuance of the Public Bodies Leases Act 1908 or this Act for the purpose of the scheme or to any agreement to grant a lease pursuant to the Public Bodies Leases Act 1908 or this Act and entered into or to be entered into by the Board for the purpose of the scheme. 5

22. Board may accept fine or premium—Notwithstanding the provisions of section 10 of the Public Bodies Leases Act 1908, the Board may accept a fine or premium or any other consideration in addition to the upset rent reserved for any lease granted or to be granted in pursuance of the Public Bodies Leases Act 1908 or this Act for the purpose of the scheme, and any such lease may, in addition to any rent reserved therein, contain provisions relating to that fine or premium or other consideration, as the case may be. 10 15

23. Board may provide for penalty rent—In any lease granted or to be granted in pursuance of the Public Bodies Leases Act 1908 or this Act for the purpose of the scheme, the Board may provide that, in the event of the lessee failing or neglecting to construct, carry out, or execute any building or work to be constructed, carried out, or executed by him in accordance with the provisions of the lease, the rent reserved therein shall be increased to a higher rent, and the increased rent shall be payable for such time as is stipulated in the lease as liquidated damages and shall be recoverable as such as a debt due to the Board without affecting any other rights or remedies which the Board may have, whether under any Act or rule of law or under the lease or otherwise howsoever. 20 25

24. Board may pay any premium received for improvements to lessee—(1) In the event of the Board re-entering upon and taking possession of any land which is comprised in a lease granted or to be granted in pursuance of the Public Bodies Leases Act 1908 or this Act for the purpose of the scheme and on which any building or work or buildings or works have been constructed or partly constructed, the Board may offer for sale and sell a lease of the land or any part thereof by public auction or public tender, or offer a lease by public application at a fixed rental in accordance with the Public Bodies Leases Act 1908 as expressly modified in this Act, and may pay to the outgoing lessee any fine, premium, or other consideration received by the Board for and in respect 30 35 40

of any such building or work or buildings or works constructed or partly constructed, as the case may be, less the Board's costs, charges, and expenses incurred in exercising its right of re-entry and re-entering upon and taking possession of the
5 land and offering for sale and selling the said lease as aforesaid and after deducting any arrears of rent or other money due to the Board.

(2) Any lease granted or to be granted in pursuance of the Public Bodies Leases Act 1908 or this Act for the purpose
10 of the scheme may contain a provision to the effect that, in the event of the Board re-entering upon and taking possession of the land comprised in the lease and on which any building or work or buildings or works have been constructed or partly
15 constructed, it may exercise the powers contained in subsection (1) of this section and, in its discretion, pay to the outgoing lessee any such fine, premium, or other consideration.

25. Forfeiture of deposit and bond—In addition to any deposit which the Board may require to be paid to it in respect of or under any contract, or to be submitted to it with any bid
20 or tender or application for a lease, the Board may, either at the time when or within a specified time after any contract or agreement to let or lease containing provisions specifying work to be carried out and executed is signed or executed by
25 any developer, require the developer to enter into a bond with a sufficient penalty, and (if required) with sufficient sureties, for the fulfilment of the contract, agreement to let, or lease, as the case may be, according to the terms and conditions thereof and the provisions of this Act, and, in the
30 case of any breach or default by the developer of any such terms and conditions, the bond, together with any deposit as aforesaid, shall be absolutely forfeited to the Board as liquidated damages and recoverable as such as a debt due to the Board without affecting any other rights and remedies
35 which the Board may have, whether under any Act or rule of law or any contract, agreement to let, or lease, or otherwise howsoever.

26. Investment of deposits—Notwithstanding anything contained in the Harbours Act 1950 or any other Act or rule of law and without restricting the powers of the Board to pay
40 money to the National Provident Fund under the National Provident Fund Act 1950, the Board may, with the prior written authority and direction of any person who has paid any sum of money to the Board by way of a deposit with any

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Section 4

SCHEDULE

CENTRAL AREA

Number	Description	Certificate of Title Reference Register Book Volume and Folio
1.	Lots 1 to 31, and Right of Way on Deposited Plan No. 21766	489/83
2.	Part land reclaimed from the sea, part Lots 78, 79, Deeds Plan "A" red (now Lots 1 and 2, Deposited Plan No. 28998)	761/9
3.	Lots 3 and 4, Deposited Plan No. 28998	761/8
4.	Lots 82 to 85, Deeds Plan "A" red (now Lots 5 to 7, Deposited Plan No. 28998)	761/64
5.	Section 42 of Block VIII, Rangitoto Survey District	1547/90
6.	All the land in Deposited Plan No. 25081	761/14
7.	Lots 53 (now Lot 1, Deposited Plan No. 40300) to 56, Deeds Plan "A" red	761/12
8.	Lots 57 to 59, Deeds Plan "A" red	761/10
9.	Lots 60 and 61, Deeds Plan "A" red	761/11
10.	Lots 62 and 63, Deeds Plan "A" red	761/13
11.	Lot 49, Deeds Plan "A" red	761/21
12.	Lot 48, Deeds Plan "A" red	761/18
13.	Lots 43 and 47, Deeds Plan "A" red	761/15
14.	Lot 46, Deeds Plan "A" red	761/46
15.	Lot 45, Deeds Plan "A" red	761/20
16.	Lot 44, Deeds Plan "A" red	761/44
17.	Lot 42, Deeds Plan "A" red	761/45
18.	Lot 41, Deeds Plan "A" red	761/19
19.	Lots 38 to 40, Deeds Plan "A" red	761/16
20.	Lots 117 to 119, Deposited Plan No. 626	429/201
21.	Lot 120, Deposited Plan No. 626	429/202
22.	Lot 121, Deposited Plan No. 626	429/203
23.	Lots 122 to 127, Deposited Plan No. 626	429/204
24.	Lots 128 to 131, Deposited Plan No. 626	429/205
25.	Part Lots 132 and 133, Deposited Plan No. 626	429/206
26.	Part Lot 134, Deposited Plan No. 626	429/207
27.	Lots 135 to 137, Deposited Plan No. 626	429/208
28.	Lots 138 to 140, Deposited Plan No. 626	429/209
29.	Lots 141 and 142, Deposited Plan No. 626	429/210
30.	Lot 143, Deposited Plan No. 626, Lot 144, Deposited Plan No. 2770	429/211
31.	Lot 145, Deposited Plan No. 2770	429/226
32.	Lot 146, Deposited Plan No. 2770	429/227
33.	Lots 86 and 87, Deposited Plan No. 205	429/212
34.	Lots 88 and 89, Deposited Plan No. 205	429/213
35.	Lots 90 to 92, Deposited Plan No. 205	1382/20
36.	Lots 93 to 95, Deposited Plan No. 205	429/215
37.	Lot 96, Deposited Plan No. 205	429/216
38.	Lot 99 and part Lot 98, Deposited Plan No. 2044	429/217
39.	Lots 100 and 101, Deposited Plan No. 2044 and part Section 1, City of Auckland on Deposited Plan No. 22965	864/182

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SCHEDULE—*continued*

Number	Description	Certificate of Title Reference Register Book Volume and Folio
40.	Lot 104, Deposited Plan No. 2044	429/219
41.	Lots 105 and 106, Deposited Plan No. 2770	429/220
42.	Lots 107 to 109, Deposited Plan No. 2770	429/221
43.	Lots 110 and 111, Deposited Plan No. 2770	429/222
44.	Lots 112 and 113, Deposited Plan No. 2770	429/223
45.	Lot 114, Deposited Plan No. 2770	429/224
46.	Lots 115 and 116, Deposited Plan No. 2770	1054/23
47.	Allotments 56 to 61, Section 2, City of Auckland	766/267
48.	Allotments 54 and 55, Section 2, City of Auckland	764/51
49.	Allotments 50, 53 and part 52, Section 2, City of Auckland	761/100
50.	Allotments 51 and part 52, Section 2, City of Auckland	763/258
51.	Allotments 8, 29, 30, Section 2, City of Auckland	761/53
52.	Allotment 28, Section 2, City of Auckland	761/54
53.	Allotment 27, Section 2, City of Auckland	761/7
54.	Allotments 24 to 26, Section 2, City of Auckland	761/55
55.	Lot 2, Deposited Plan No. 50971 and part Lot 1, Deposited Plan No. 47785	1B/546
56.	Allotments 11, parts 10, 12, 20, 21, 22, Section 2, City of Auckland	761/1
57.	Part Allotments 12 and 20, Section 2, City of Auckland	761/2
58.	Allotments 13 and part 14, Section 2, City of Auckland	761/60
59.	Part Allotment 14, Section 2, City of Auckland	761/59
60.	Allotments 15 and 16, Section 2, City of Auckland	761/58
61.	Allotments 17 and 18, Section 2, City of Auckland	761/57
62.	Allotment 19, Section 2, City of Auckland	761/56
63.	Part Allotments 20, 21, Section 2, City of Auckland	761/6
64.	Part Allotments 20, 21, 22, Section 2, City of Auckland	761/3
65.	Lot 1, Deposited Plan No. 50971 and part Lot 1, Deposited Plan No. 46982	1B/547
66.	Allotment 35, Section 2, City of Auckland	761/82
67.	Allotments 36 to 38, (now Lots 1 and 2, Deposited Plan No. 51212), Section 2, City of Auckland	761/83
68.	Allotment 39, Section 2, City of Auckland	761/84
69.	Allotment 40, Section 2, City of Auckland	761/85
70.	Allotment 41, Section 2, City of Auckland	761/86
71.	Lot 1, Deposited Plan No. 43134	767/235
72.	Allotments 31 and 32, Section 2, City of Auckland	761/66
73.	Allotments 33 and 34, Section 2, City of Auckland	761/81
74.	Allotment 49, Section 2, City of Auckland	761/99
75.	Allotments 47 and 48, Section 2, City of Auckland	761/98
76.	Allotment 46, Section 2, City of Auckland	761/95
77.	Allotments 44 and 45, Section 2, City of Auckland	761/94

All certificates of title being in the North Auckland Land Registry Office.