

Cassandra Crocker

[PARTNER]

LLB University of Auckland 2004

Bachelor of International Communication Unitec Auckland 2000

Commercial property

Major project development

Commercial leasing and unit titles

HOW CAN CASSANDRA HELP YOU

Beginning with several years in a major commercial law firm, Cassandra has developed significant experience in all aspects of transactional and advisory complex property work including acquisitions and disposals, development structuring and funding, subdivisions, commercial leasing, unit title developments overseas investment issues, proportionate ownership schemes and related Securities Act compliance issues, and resolution of commercial disputes.

SOME OF CASSANDRA'S MAJOR PROJECTS INCLUDE:

Acquisitions and disposals, development, leasing

- Acting for substantial private investment trust in the settlement of a \$30m acquisition of a mixed use unit titled office building in Wellington, including advising regarding the setting up of a new Body Corporate under the Unit Titles Act 2010 and tenancy issues
- Acting for Mainstay Developments Limited regarding all aspects of its development of a new town centre in Silverdale including acquisition of the greenfield site, structuring the mixed use development, complex shared funding arrangements, subdivision, commercial and retail leasing, sell down and settlements
- Acting for a global energy technology business on all aspects of its design, build and lease relocation project to a mixed use industrial property in Auckland
- Acting for a private investment trust in respect of its design, build and lease redevelopment of an office building in Takapuna, Auckland
- Acting for private investor in \$15m dispute with the former Waitakere City Council regarding exercise of put-option for land at Hobsonville, including appearing with barrister in successful 7-day High Court hearing
- Acting for Fisher & Paykel Healthcare Limited in respect of easement issues
- Advising Tomorrow's Manukau Properties Limited, a CCTO of the former Manukau City Council, regarding the proposed comprehensive development of the Flat Bush town centre in Auckland
- Managing the retail leasing portfolio for the former owner of the Highland

Park Shopping Centre in Auckland

- Reviewing and advising on all aspects of the transfer of leasehold interests in New Zealand for Iron Mountain's \$120m acquisition of Australasian records management business, Pickfords Records Management
- Acting for a major American film production company in their negotiations as tenant for lease of film studio with rental in excess of \$100K per month
- Working on the drafting of leases and management contracts relating to the establishment of Henderson Valley Film Studios as a joint venture development undertaken with a CCTO of the former Waitakere City Council
- Working on the property due diligence for a proposed acquisition of Carter Holt Harvey Forests by a US Forester
- Acting for a New Zealand company in relation to its proposed acquisition of a high country station in Queenstown
- Advising a New Zealand investor regarding a dispute relating to access to and use of the coastal marine area and interference with its easement rights
- Acting for high net-worth individuals in relation to due diligence and the acquisition and disposal of significant waterfront and rural properties, including corporate and trust structuring issues and making applications for, and advising in respect of, Overseas Investment Office consent
- Undertaking subdivisions and boundary adjustments for various clients, including drafting and advice relating to easements, covenants and caveats
- Advising on and drafting novel property contracts including reverse sensitivity covenants

Resorts, unit title developments, and proportionate ownership schemes

- Advising 116 overseas investors regarding the restructure of their investment in the unit-titled (former) Westin hotel in Auckland, including advice under the Unit Titles Act 1972 and 2010, contested application of the Body Corporate Rules, court action to terminate leases to the former hotel operator, and new hotel set-up including drafting short-term leases under the Property Law Act 2007
- Acting for a New Zealand company in preparation of its tender to acquire the Hotel So business and site in Christchurch
- Advising a former owner of an exclusive luxury lodge in Queenstown regarding the proposed restructure of that investment as a proportionate ownership scheme
- 3-month secondment to assist the New Zealand based developer of the Hilton at Denarau Island, Fiji, managing all day-to-day legal issues and finalising the legal pack and marketing material for investors
- Assisting an off-shore resort fund in respect of its due diligence and initial documentation in respect of its proposed joint venture to establish a new luxury resort in Taupo, New Zealand
- Acting for the developer of Bendemeer Farm Park in Queenstown including drafting the updated Securities Act compliance documents and legal pack for investors
- Acting for the developer of Tui Creek Farm Park in Canterbury in preparation of its due diligence package, receivership sale tender, Overseas Investment Act compliance issues and pro-forma application for OIO consent

- Advising various investors in respect of the structure and acquisition of hotel units including the Chedi Resort, Nananu Island, Fiji and the Quadrant Hotel, Auckland
- Acting for the developer in respect of its acquisition and proposed proportionate ownership scheme for Bridgefield Farms in Matamata
- Acting for a New Zealand developer regarding a unit-titled retirement village project in Auckland, including property swap mezzanine funding arrangements
- Acting for a New Zealand retirement village developer in the proposed acquisition of a retirement village in Auckland
- Acting for a developer on the disposition of its joint venture interest in a New Zealand hotel, including unwinding various corporate and trust arrangements

General commercial advisory

- Advising a New Zealand company in relation to its proposed restructuring and joint venture in respect of a well known New Zealand franchise business
- Unwinding corporate and trust structures relating to a joint venture between New Zealand developers regarding a number of significant property projects throughout New Zealand
- Advising a New Zealand franchisor in respect of global expansion opportunities and negotiations with a proposed joint venturer regarding export and international distribution arrangements
- Assisting the Delmaine Fine Foods group of companies in relation to the financing of its acquisition of an industrial property in Mt Wellington, Auckland
- Drafting and negotiation of various commercial agreements including business sale and purchase agreements (asset and share sales), joint venture agreements, shareholders' agreements, complex funding and securities documentation, management contracts, exclusive dealings and confidentiality arrangements, preparation of trust deeds and corporate constitutions and resolutions

MEMBERSHIPS

Property Law Section – New Zealand Law Society

Auckland Women Lawyers' Association

CAREER

Partner, Anderson Creagh Lai (current)

Senior Associate, Anderson Creagh Lai (2009 – 2011)

Solicitor, Anderson Creagh Lai (2006 – 2009)

Solicitor, Minter Ellison Rudd Watts (2005 – 2006)