

Regional Council on the 21st day of July 1983, and shall confer upon the said Council the full and free rights liberties licences and privileges in perpetuity hereinafter set forth in the Second Schedule hereto but subject to the provisos set forth in the Third Schedule hereto.

FIRST SCHEDULE

WELLINGTON LAND DISTRICT

ALL that piece of land containing 871 square metres, situated in Block IX, Paekakariki Survey District, being part Lot 3, D.P. 6158; as shown coloured blue on S.O. Plan 24469, lodged in the office of the Chief Surveyor at Wellington.

SECOND SCHEDULE

THE full and free right and liberty and licence in perpetuity to carry conduct and convey fresh water backwards and forwards under and along the said land; together with the further rights, liberties, licences and privileges in perpetuity hereinafter set forth that is to say:

- (a) The right to enter upon all or any of the said lands to lay, construct, repair, renew and maintain all necessary pipes together with all tobies, valves, and surface boxes of such internal diameter and of such material and at such depth as shall be necessary for any of the purposes hereunder.
- (b) The right to remove existing materials under or surrounding the watermain and replace with same or other materials as required for the purposes of laying or maintaining the watermain, chambers and fittings.
- (c) The right to enter upon all or any of the said lands from time to time and at all reasonable times by its servants agents and workmen with all necessary tools implements plant machinery and vehicles for the purpose of laying, constructing, repairing, renewing and maintaining all or any of the pipes, tobies, valves and surface boxes.
- (d) The right to dig and break up the surface of the said lands or any parts thereof and generally to do and perform all acts and things as may be necessary or proper for any of the purposes herein mentioned.

THIRD SCHEDULE

THE registered proprietors of the land described in the First Schedule hereto will not without the prior approval of the Council in writing first had and obtained:

- (a) Place any building or fences upon or lay down any concrete yard over the easement or carry out any work thereon.
- (b) Permit any vehicle to be driven on or across the easement without such vehicle observing normal highway loading requirements or restrictions.
- (c) Alter or permit to be altered the existing ground level within the easement.
- (d) Lay or cause or permit to be laid or constructed any additional services within the easement.
- (e) Install erect or place any overhead electric power telegraph or other overhead cables or lines at a height of less than 5.5 metres above ground level existing over the easement.
- (f) Erect or plant or permit any power poles or trees to be erected or planted within the boundaries of the easement.

Dated at Wellington this 12th day of July 1983.

J. R. BATTERSBY,

for Minister of Works and Development.

(P.W. 50/239/6/21; Wn. D.O. 19/5/0/18)

16/1

Land and Easements Over Land Acquired for Electricity Works in Blocks I and V, Otanewainuku Survey District, Tauranga County

PURSUANT to section 20 of the Public Works Act 1981, the Minister of Works and Development declares that, agreements to that effect having been entered into, the land described in the First Schedule hereto is hereby acquired for electricity works and the easement firstly described in the Second Schedule hereto is hereby acquired for electricity works over the land firstly described in the Third Schedule hereto, the easement secondly described in the said Second Schedule is hereby acquired for electricity works over the land secondly and thirdly described in the said Third Schedule and the right of way easement thirdly described in the said Second Schedule is hereby acquired for electricity works over the land fourthly and fifthly described in the said Third Schedule and that the land and easements shall vest in The Tauranga City Council on the 21st day of July 1983.

FIRST SCHEDULE

SOUTH AUCKLAND LAND DISTRICT

Land Acquired for Electricity Works

ALL those pieces of land described as follows:

Area m ²	Being
1803	Part Allotment 153, Parish of Te Papa; marked 'A' on S.O. Plan 50874.

Situated in Block I, Otanewainuku Survey District.

Area ha	Being
7.0850	Part Lot 5, D.P. 14088; marked 'Q' on S.O. Plan 50120.
0.8150	Part Mangapapa River Bed; marked 'R' on S.O. Plan 50120.
1.2550	Part Allotment 498, Parish of Te Papa; marked 'A' on S.O. Plan 50116.
1.8800	Part Allotment 499, Parish of Te Papa; marked 'B' on S.O. Plan 50116.
0.1350	Part Mangapapa River Bed; marked 'C' on S.O. Plan 50116.
0.1150	Part Mangapapa River Bed; marked 'D' on S.O. Plan 50116.
0.6900	Part Allotment 342, Parish of Te Papa; marked 'J' on S.O. Plan 50118.
0.8050	Part Allotment 343, Parish of Te Papa; marked 'K' on S.O. Plan 50118.
0.0900	Part Mangapapa River Bed; marked 'L' on S.O. Plan 50118.
0.0900	Part Mangapapa River Bed; marked 'M' on S.O. Plan 50118.

Situated in Block V, Otanewainuku Survey District.

As shown on the plans marked as above mentioned and lodged in the office of the Chief Surveyor at Hamilton.

SECOND SCHEDULE

SOUTH AUCKLAND LAND DISTRICT

Description of Easements

(1) An easement in gross over and along all that piece of the land firstly described in the Third Schedule hereto being that part of Allan Roger Scott's land between a mark 123.5 metres above Moturiki Datum and a mark 128.5 metres above the same said Moturiki Datum both marks measured adjacent to the upstream face of the Lower Mangapapa River Dam, situated some 800 metres upstream of the confluence of the Mangapapa and Opiaki Rivers and extending therefrom upstream over and along the land herein described and delineated on S.O. Plan 50120 for the full and free right for The Tauranga City Council and its agents, employees, engineers and contractors in common with Allan Roger Scott and his successors in title from time to time and at all times by day and by night forever hereafter to pass and repass with or without such vehicles implements or machinery as may be required by The Tauranga City Council to maintain its works and protect the shoreline of the said reservoir and/or for the purpose of installing and maintaining along or beside the shoreline or the impounded waters or reservoir any measuring or other devices or to use and adapt part of the said land for the purposes of executing necessary works for the maintenance of the reservoir and the clearance or removal of any growth and foreign matters or deposits whatsoever in such reservoir and generally for all purposes connected with and enabling The Tauranga City Council to police and carry into effect The Tauranga Joint Generation Committee's policy from time to time for the management and control of the impounded waters PROVIDED THAT the said Allan Roger Scott and his successors in title will be prohibited from undertaking any earthworks or making any launching ramps in the said area of the easement without the express written consent of The Tauranga City Council first obtained.

(2) An easement in gross over and along all those pieces of the land secondly and thirdly described in the Third Schedule hereto being that part of Hendrikus Gerardus Antonius Peeters and Catharina Adriana Maria Peeters land between a mark 123.5 metres above Moturiki Datum and a mark 128.5 metres above the same said Moturiki Datum both marks measured adjacent to the upstream face of the Lower Mangapapa River Dam, situated some 800 metres upstream of the confluence of the Mangapapa and Opiaki Rivers and extending therefrom upstream over and along the land herein described and delineated on S.O. Plan 50116 for the full and free right for The Tauranga City Council and its agents, employees, engineers and contractors in common with Hendrikus Gerardus Antonius Peeters and Catharina Adriana Maria Peeters and their successors in title from time to time and at all times by day and by night forever hereafter to pass and repass with or without such vehicles implements or machinery as may be required by The Tauranga City Council to maintain its works and protect the shoreline of the said reservoir and/or for the purpose of installing and maintaining along or beside the shoreline or the impounded waters or reservoir any measuring or other devices or to use and adapt part of the said land for the purposes of executing necessary works for the maintenance of the reservoir and the clearance or removal of any growth and foreign matters or deposits whatsoever