

FIRST SCHEDULE

SOUTH AUCKLAND LAND DISTRICT

Description of Easement

THE full and free right, liberty, licence, and authority in perpetuity for Her Majesty The Queen (hereinafter called "the grantee") her engineers, officers, agents, and workmen to do and carry out the following on the land described in the Second Schedule hereto:

1. To enter on the said land, to go, pass, and repass, with or without machinery or vehicles over and along the said land.
2. To delegate to the Waikato Valley Authority or to the local council as defined by the Waikato Valley Authority Act 1956, the rights and powers conferred by this grant.
3. To construct a water course or water courses of such dimensions as the grantee shall determine, and from time to time alter or reconstruct the same, and to clean or otherwise maintain the same in a state of efficiency.
4. To construct a stopbank or stopbanks or other defence against water of such dimensions as the grantee shall determine, and from time to time to alter or reconstruct the same, and do all things which are necessary to maintain the same in a state of efficiency.
5. To plant, sow, and maintain trees, shrubs, plants, or grasses on the said land and to regulate or prohibit interference with or the destruction thereof.
6. To fence the boundaries of the said land to the extent the grantee shall determine, the cost of maintenance and repair of such fencing to be borne equally by the grantee and the owner.
7. To prevent or regulate the pumping or releasing of water into any water course on the said land or the overflow of artesian water.
8. To regulate the use of any constructed water course on the said land.
9. To prescribe conditions on which other constructed water courses may be connected or continue to be connected with any constructed water course on the said land.
10. To regulate the construction and maintenance of crossings over water courses on the said land.
11. To prohibit the passing over any water courses on the said land except at appointed crossings.
12. To prevent any water course on the said land from being made wider or deeper than it is at the time, whether by cleaning or otherwise; or to prevent the course thereof from being altered without the consent of the grantee.
13. To prohibit or regulate access to or the passing over or along any bank, dam, or other defence against water, or other work of any kind whatsoever constructed or maintained by, or under the control of, the grantee on the said land.
14. To prohibit the planting of willows or other trees on the said land.
15. To prohibit or regulate the erection of any structures or fences on the said land.
16. To prohibit or regulate the use of the said land by the owner and to require the owner to use the said land solely for the growing of grasses, and at all times to comply with the directions of the grantee in respect of the grazing of animals on the said land as if a notice to control such grazing had been given under section 35 of the Soil Conservation and Rivers Control Amendment Act 1959, so that the said land shall be maintained and kept in such manner that any stopbank or other defence against water or any water course is maintained in a state of efficiency.
17. To prohibit the cultivation of the said land by the owner, any renewal of pasture to be the responsibility of the grantee except that the cost of such renewal shall be borne by the owner where such renewal is a result of wilful damage or the failure of the owner to conform to prudent land use practice, being practice which has proper regard to timing and circumstances and is likely to prevent soil erosion, and likely to promote soil conservation, the avoidance of deposits in water courses, and the control of floods.
18. To prohibit the lighting of fires on the said land except under such circumstances and subject to such limitations, conditions, and restrictions as may be prescribed by the grantee.

19. Generally to require the doing on or in respect of the said land of any act or thing which may be likely to prevent or mitigate soil erosion or promote soil conservation or the control of floods, and to prohibit the doing on or in respect of the said land of any act or thing which may be likely to facilitate soil erosion or floods.

SECOND SCHEDULE

SOUTH AUCKLAND LAND DISTRICT

Land over which Easement is Required to be Taken

ALL that piece of land containing 14.7500 hectares, situated in Blocks II and III, Rangiriri Survey District, being part Allotment 23B, Whangape Parish; as shown on plan S.O. 47528, lodged in the office of the Chief Surveyor at Hamilton, and thereon marked "A".

The said piece of land is situated between Horohoro Road and the Waikato River at Horohoro.

Dated at Wellington this 28th day of May 1979.

W. L. YOUNG, Minister of Works and Development.

(P.W. 96/434000/0; Hn. D.O. 96/434000/14/0)

Declaring Land Taken for Soil Conservation and River Control Purposes in Block I, Tarawera Survey District, Rotorua District

PURSUANT to section 32 of the Public Works Act 1928, the Minister of Works and Development hereby declares that, sufficient agreements to that effect having been entered into, the land described in the Schedule hereto is hereby taken for soil conservation and river control purposes, from and after the 28th day of June 1979.

SCHEDULE

SOUTH AUCKLAND LAND DISTRICT

ALL those pieces of land situated in Block I, Tarawera Survey District, described as follows:

Area m ²	Being
25	Part Te Korokoro No. 1B1 Block; marked "1A1" on plan S.O. 49612.
63	Part old bed Utuhina Stream; marked "1A2" on plan S.O. 49612.
135	Part old bed Utuhina Stream; marked "1A5" on plan S.O. 49612.
58	Part Turanga-O-Hikanui No. 1 Block; marked "1A6" on plan S.O. 49612.
99	Part old bed Utuhina Stream; marked "2G" on plan S.O. 49613.
426	Part Utuhina 3F3 and 3F2A—Lot 5; marked "2H" on plan S.O. 49613.
12	Part Utuhina 3F3 and 3F2A—Lot 5; marked "2I" on plan S.O. 49613.
46	Part Harakekeroa B2A Block; marked "2O" on plan S.O. 49613.
101	Part old bed Utuhina Stream; marked "2P" on plan S.O. 49613.
11	Part old bed Utuhina Stream; marked "3S" on plan S.O. 49614.
63	Part Omarukaipua No. 4A; marked "3T" on plan S.O. 49614.
60	Part Harakekeroa C2 and Omarukaipua 1 (Sub. A); marked "3A4" on plan S.O. 49614.
26	Part old bed Utuhina Stream; marked "3A5" on plan S.O. 49614.
14	Part old bed Utuhina Stream; marked "3A6" on plan S.O. 49614.
106	Part Harakekeroa C2 and Omarukaipua 1 (Sub. B); marked "3A7" on plan S.O. 49614.
1	Part Harakekeroa C2 and Omarukaipua 1 (Sub. B); marked "3A8" on plan S.O. 49614.
2	Part old bed Utuhina Stream; marked "4A" on plan S.O. 49615.
82	Part Utuhina No. 3A2 Block; marked "4B" on plan S.O. 49615.

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

Dated at Wellington this 28th day of May 1979.

W. L. YOUNG, Minister of Works and Development.

(P.W. 96/146077/0; Hn. D.O. 96/146075/0)