

Acquiring an Easement Over Land for the Construction and Maintenance of Ground Anchors to Support a Land Retention Wall—State Highway 1, St Andrews Road, Porirua City

Pursuant to sections 20 and 28 of the Public Works Act 1981, and to a delegation from the Minister for Land Information, Zak Sun, Land Information New Zealand, declares that, pursuant to an agreement having been entered into, a right of support easement (for the purposes of construction and maintenance of retaining walls and anchors supports) in gross in perpetuity and having the rights and powers set out in the Second Schedule is hereby acquired over the land described in the First Schedule, and shall vest in the Crown on the date of publication hereof in the *New Zealand Gazette*.

Wellington Land District—Porirua City

First Schedule

<i>Easement Purpose</i>	<i>Servient Tenement</i>	<i>Easement Land</i>
Right of Support	Lot 3 DP 447354 (being part Computer Freehold Register 564547).	Marked "B" on SO 307847.

Second Schedule

Terms and Conditions of Easements

1. The Crown shall have the right to lay, place, maintain and replace ground anchors and associated equipment in the Easement Land for the purpose of securing a retaining wall.
2. In order to lay, place, maintain and replace ground anchors and associated equipment the Crown shall have the right for its servants, agents and workmen with any tools, implements, machinery or other equipment reasonably necessary to enter the Easement Land for the purposes of laying, placing, maintaining or replacing any ground anchor and its associated equipment subject to the condition that as little disturbance as possible is caused to the Easement Land and that the Easement Land is restored as nearly as possible to its original condition and that any other damage done by reason of the aforesaid is repaired at the cost of the Crown to the satisfaction of the Owner in all things.
3. The Crown will, where possible, undertake any maintenance of the ground anchors or retaining wall from the face of the cut. In the event that the Crown considers it necessary to enter upon the surface of the Easement Land for the purpose of repairing and efficiently maintaining the ground anchors, the Crown shall and will carry out and complete the same with as little disturbance to the surface of the Easement Land as possible and shall and will immediately upon the completion of such work thereon restore the surface of the Easement Land as nearly as possible to its original condition.
4. The Owner shall not do anything on or about the Easement Land which would require the ground anchors and associated equipment to be removed or where their efficiency would be reduced to the point where the stability of the wall they retain would be reduced to standards, which in the reasonable opinion of the Crown are unacceptable.
5. The Owner shall not undertake or permit or cause to be erected any building or structure other than fences on the Easement Land.
6. Except with the prior written consent of the Crown and then only in accordance with such terms and conditions as it may impose in respect of such consent, the Owner shall not plant or cause to be planted any trees or shrubs on the Easement Land.
7. The Crown or its servants, agents or workmen shall give 48 hours' notice to the owner of their intention to enter the Easement Land, except in cases of emergency or if the owner cannot be contacted.

Dated at Wellington this 20th day of December 2016.

Z. SUN, for the Minister for Land Information.

(LINZ CPC/2001/6753)