

## Appendix 1: Proposed Whareroa Stream Crossing Basis of Tripartite Agreement - Aspirations of the Parties

Tuwharetoa Maori Trust Board (TMTB)	Taupo District Council Infrastructure (TDC)	The Proprietors of Hauhungaroa No.6 (The Incorporation)
<p>That the aspirations below are acknowledged by the other parties and are embodied into a legal agreement to allow the access to the proposed development at Whareroa North to proceed:</p> <ul style="list-style-type: none"> <li>• To support the proposed residential development at Whareroa North</li> <li>• To retain “legal title” of the stream bed</li> <li>• To expect that the terms and conditions of “the Deed” (between the Crown and TMTB signed 10<sup>th</sup> Sept 2007) be acknowledged and respected by all parties</li> <li>• To understand and approve the design, location and construction footprint of the bridge and associate/attached utilities/services</li> <li>• To understand and be satisfied that the risks to the environment associated with having a road bridge and utility services across the land have been adequately addressed and mitigated</li> <li>• To allow TDC to occupy the site without payment (but allowing for a peppercorn rental if necessary for legal purposes, eg consideration for the agreement)</li> <li>• To be consulted and approve any works proposed by TDC or other Service Providers that will physically affect the stream bed in TMTB ownership</li> <li>• To be excused from any financial or public liabilities arising from or associated with the stream crossing</li> </ul>	<p>That the aspirations below are acknowledged by the other parties and are embodied into a legal agreement to allow the access to the proposed development at Whareroa North to proceed:</p> <ul style="list-style-type: none"> <li>• To receive all the equivalent “rights” associated with a typical public road, including access for maintenance purposes</li> <li>• To have unencumbered public access to the proposed development in Whareroa North in perpetuity</li> <li>• To be able to access NZTA subsidy funding for maintenance of the stream crossing</li> <li>• To have rights to attach services and utilities to the bridge and to maintain these</li> <li>• To be free of financial obligations (other than maintenance and eventual replacement costs) associated with the stream crossing</li> <li>• To approve a cost-effective stream crossing proposal</li> <li>• To occupy the agreed air space above the stream bed in perpetuity without payment (but allowing for a peppercorn rental if necessary for legal purposes, eg consideration for the agreement)</li> </ul>	<p>That the aspirations below are acknowledged by the other parties and are embodied into a legal agreement to allow the access to the proposed development at Whareroa North to proceed:</p> <ul style="list-style-type: none"> <li>• To advance the proposed development at Whareroa North and have legal and practical access to this development in perpetuity</li> <li>• To ensure that arrangements regarding this stream crossing are satisfactory to the other parties of this agreement</li> <li>• To construct the stream crossing and access in a cost-effective manner and in a way which leads to ongoing efficiency of operation</li> <li>• That the stream crossing infrastructure (including road and bridge) vests in TDC or relevant service provider upon 224c certification</li> </ul>