

OBTAINING PROPERTY RIGHTS FOR NEW TRANSMISSION LINES – EASEMENTS FACT SHEET



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Overview

Before constructing a new transmission line, Transpower must acquire property rights to the land traversed by the line route. This is achieved through an easement agreement with directly affected landowners.

Why is an easement needed?

Transpower's transmission lines are an important contributor to New Zealand's economic and social wellbeing. We need to be able to safely access transmission lines to inspect, maintain, operate or upgrade them, and protect them from inappropriate activity.

An easement is an appropriate means of providing that protection, while also setting out the relationship we will need to maintain with landowners in terms of our respective rights and obligations.

What is an easement?

An easement is a property right over a specified area of land which is then registered on the property title. An easement agreement essentially sets out the land subject to the easement and the respective rights and obligations of Transpower and the landowner over that land. The landowner will continue to own the land, but their rights over the easement area would be subject to an agreement with us.

Easements are a common property right in New Zealand – often used for rights of access like paths and driveways between neighbouring properties.

How wide will the easement be?

The width of the easement needed for a transmission line will vary depending on the design of the line and towers, the number of circuits, and the voltage carried by the line. As an example, a new double circuit 220 kV transmission line would have a minimum easement width of 50 metres (larger in some places to accommodate the extent to which the conductor can swing out in longer spans).

How is the purchase price of the easement determined?

We are committed to paying landowners fair compensation for easements. Negotiations are based on advice from independent registered valuers who assess the value of the property before and after the easement is established. The difference between those two figures is the value of the easement. We will also pay the reasonable costs of landowners obtaining valuations. A significant proportion of the easement compensation is paid when the easement is signed.

What will the easement agreement contain?

The easement agreement will detail the rights and obligations of both the landowner and Transpower. It will contain a number of restrictions on land use in the easement area to ensure we can safely operate and maintain the lines. These include restrictions on buildings, trees, lighting fires etc within the easement area. Our obligations include notice provisions for when we wish to access the land (outside emergencies) to build, maintain or inspect the line. We must also cause as little disturbance as possible and pay compensation as required for any temporary disturbance. The table at the end of this information sheet provides an overview of the key obligations.

We advise landowners to have the easement agreement reviewed by their legal representatives prior to finalising negotiations, and we will pay the reasonable costs of this.

Who is Transpower? Transpower is the owner and operator of the National Grid – the network of high voltage transmission lines and substations that connect areas of generation to towns and cities across New Zealand. Transpower is a State-Owned Enterprise, meaning it is owned by the Crown on behalf of all New Zealanders.

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Transpower New Zealand Ltd The National Grid

What if an easement agreement can't be reached?

We always endeavour to negotiate a settlement with landowners over the compensation payable for the easement, as this is the best outcome for both Transpower and the landowner. When all such possibilities of settlement have been exhausted, we will need to acquire the easement through the acquisition process set out in the Public Works Act.

At what stage in the project will Transpower begin negotiating easements?

We need to define exactly where a new transmission line will go, before we begin negotiating easements with landowners. This process begins with defining a large area of land where a transmission line might be located, and gradually, through continual consultation and our own investigations, we narrow down the area until we have defined a centre line for the transmission line and determined where the supporting towers will be located. At that point, we then begin negotiations with landowners.

Will Transpower always seek an easement?

In some cases, we may consider purchasing the entire property from the landowner where the impact of the transmission line easement is significant (eg small residential properties or business operations severely affected by the restrictions in the easement agreement). This is assessed on a case-by-case basis.

Will Transpower pay for my valuer/lawyer?

We will pay the reasonable costs of both the registered valuer nominated by the landowner to provide an independent value of the easement being acquired, and the legal review of the easement agreement by the landowner's lawyer.

STANDARD EASEMENT OBLIGATIONS (not exhaustive)	
Transpower will:	<ul style="list-style-type: none"> ■ give notice prior to coming onto the property (except in emergency situations) ■ cause as little disruption as possible ■ pay compensation for temporary disturbance ■ access the works by agreed access routes ■ maintain its access routes.
The landowner will:	<ul style="list-style-type: none"> ■ not alter the land contour in the easement (except for normal farming operations) ■ not build any new structures within the easement or plant trees that will grow into the lines ■ maintain minimum clearance (4 metres) from the lines when operating machinery ■ not knowingly flood or light fires in the easement area or do anything to damage the line or supporting towers ■ not subdivide land in the easement (except with Transpower's approval).

Who can I contact for more information on easements?

For more information on easements, visit www.transpower.co.nz or contact our Property Manager on 04 495 7000.

