

Easement Policy

It is the responsibility of the subdivider/developer to ensure that all easements are obtainable. The subdivider/developer shall, where necessary and at their expense, provide any easements and obtain any formal consents required for any network overhead lines, cabling and equipment to be installed or altered on property other than road reserve.

Requirements

Easements in Gross with Network Tasman Limited as the Grantee, shall be obtained and registered on all private land.

This includes but is not exclusive to situations where:

- New “works” (lines or cables) are located on private properties.
- A padmount substation, switching station or transformer is to be located somewhere other than road reserve.
- An overhead line located in a legal road intrudes into a privately owned property. This applies especially to crossarms and conductors where air space is encroached.
- An existing service main is physically altered, shifted or its status is changed, for example, to supply a new separately subdivided property.
- A network cable is used to supply lot(s) in Rights of Ways or Access Lots. Alternatively, easements in favour of each affected lot will be required where service mains are installed in shared Rights of Ways or Access Lots. The local Authority Engineering Code will determine which method of servicing is required and the type of easement is therefore determined by the Code.

Subdivision consents and conditions

Conditions imposed in the consents granted by Councils under section 220 of the *Resource Management Act 1991* generally do not fully describe conditions required by Network Tasman Limited particularly in relation to easements where neighbouring properties are affected by new or altered network systems. Network Tasman Limited has separate conditions that must be met to ensure, for example, that perpetual right is gained for new or altered “works” and the status of those “works” cannot be compromised by aggrieved property owners wishing to contest Network Tasman Limited’s interests. This is to ensure that there is no risk of customers being stranded.

Subdivision easements

An easement required on land being developed under subdivision consent must be described under “Memorandum of Easements” on the Land Transfer plan schedule of easements. An easement required on land adjacent to, or outside the subdivision and affected by new or altered network system changes must be described under “Memorandum of Easements” on the subdivision Land Transfer plan.

Service main easements

Where service mains are used to service Lots on a shared Right of Way, Access Lot, or across private land an Easement in Gross in favour of Network Tasman Limited is not required. However, a ‘Private or Reciprocal’ easement between the respective

Lots is required and must be described under “Memorandum of Easements” on the Land Transfer plan schedule of easements using the wording “Right to convey electricity, telecommunications and computer media” as the purpose description.

Easement registration

Network Tasman Limited will not connect new “works” or allow alterations to its network system which constitutes new “work” by definition in the Electricity Act 1992, until an Easement in Gross has been confirmed by a Solicitor or alternatively, Network Tasman Limited has received a copy of the Certificate of Title displaying the Easement in Gross. This requirement may be waived for subdivisions approved by Council under *section 220* of the *Resource Management Act 1991* where property outside the subdivided property is unaffected and the subdivision Land Transfer plan schedule lists the relevant Easements under the heading of “Memorandum of Easement in Gross”.

Vesting

“Works” are to be vested with Network Tasman Limited on connection and livening, and registration of the easement. A separate agreement will be required to confirm vestment conditions and needs to be signed by approved signatories.

Easement corridor width

Overhead lines require a six metre wide corridor symmetrical to the actual line route.

Underground cables require a three metre wide corridor symmetrical to the actual cable route.

Easement in Gross document

A copy of Network Tasman Limited standard Easement in Gross document is available on request from Network Tasman Limited in either paper or electronic format. Additional special conditions may be allowed by Network Tasman Limited, for example, to allow horticultural vegetation within the easement area.