

# Landowner approval for the proposed upgrade of electricity transformer and grant of easement - Pauanui

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TO	Tairua-Pauanui Community Board
FROM	Jan McNeil - Property Officer
DATE	5 September 2018
SUBJECT	<b>Landowner approval for the proposed upgrade of electricity transformer and grant of easement - Pauanui</b>

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## 1 Purpose of report

For consideration to recommend to Council to approve the upgrade of an electricity transformer and associated switch unit, and granting of an easement in gross to PowerCo, over part of the reserve located in Pauanui.

## 2 Background

Lot 126 DPS 13849 (Reserve) vested in Council as recreation reserve in 1969, subject to the Reserves Act 1977 (Act), and is located between Courtney Place and McCall Avenue, Pauanui.

The existing PowerCo transformer and cable feeds, which are located on part of the Reserve, as shown on the plan appended to **Attachment A**, are protected by the Electricity Act 1992, and thereby formalise the current arrangements.

## 3 Issue

Powerco would like to upgrade the existing transformer to a larger unit and associated switch unit, an example image of the proposed upgrade is appended to **Appendix B**. Landowner approval is required to undertake work on the Reserve, and to grant an easement in gross (Easement), as the upgrade work is not covered by the Electricity Act 1992.

## 4 Discussion

As outlined above PowerCo's existing works and cable feeds are protected by the Electricity Act 1992, whereas the proposed work is not.

The Reserve is subject to the Act. Section 48(1)(d) of the Act provides Council authority to grant an Easement, providing that the reserve is unlikely to be materially altered or permanently damaged; and is unlikely to permanently affect the rights of the public in respect of the Reserve.

The Community Facilities Manager has no objection to the upgrade, subject to appropriate conditions being included in the easement instrument, which will ensure any damage which may occur during the upgrade phase be covered by PowerCo.

PowerCo offered a one off fee of \$1,000.00 + GST. The fee has been assessed by the Property Officer as being fair and reasonable based on the land value of the rating

valuation. Townshend Cullen, Registered Valuers confirmed the offer is appropriate for this type of structure on a Council reserve.

All costs associated with raising the title for the Reserve, drafting the easement instrument and subsequent registration, will be met by PowerCo.

Given the above, the following resolution is suggested.

## **5 Suggested resolution(s)**

That the Tairua-Pauanui Community Board:

1. Receives the 'Landowner approval for the proposed upgrade of electricity transformer and grant of easement – Pauanui' report, dated 5 September 2018.
2. Recommends to Council to approve the upgrade of the transformer and associated switch unit on part of the reserve legally described as Lot 126 DPS 13849, located between Courtney Place and McCall Avenue, Pauanui.
3. Recommends to Council to a grant an electricity easement in gross, for the purpose of electricity, over part of the reserve legally described as Lot 126 DPS 13849, located between Courtney Place and McCall Avenue, Pauanui. All costs to be met by PowerCo.
4. Recommends to Council to delegate authority to the Chief Executive to execute all necessary documents to effect the registration of the easement instrument.

## **References-Tabled/Agenda Attachments**

**Attachment A** Plan of Reserve showing location of proposed upgrade

**Attachment B** Example of type of transformer and switch unit following upgrade

[Appendix A - Street View and aerial showing existing transformer locat...](#)

**Appendix B - example of type of transformer and switch unit following ...**