

Documentation of standards for easements over private service lines

1. Overview

1.1 At a glance

We may approve the construction of private service lines rather than extensions of our mains. However, this requires an easement to be created over the private service line. This policy outlines what is required for these easements to be created.

Private service lines are the pipes that connect a property to our services in accordance to the Plumbing Code of Australia.

1.2 Scope

Our policy applies to customers who need to create an easement for private service lines where an extension of our services is not possible.

1.3 Objective

Our policy explains what documentation you need to provide to us, to create an easement for services, and the process of creating the easement.

2. Policy in detail

2.1 Easement documentation

Easements are created under Section 88B of the Conveyancing Act 1919 using the Section 88B Instrument 'Easement for Sewerage/Water Supply Purpose over Existing Line of Pipes'.

To further ensure the safety of the pipes, a restriction on the use of land is created for the easement by an appropriate notation on the subdivision plan.

The acceptable wording for both the Section 88B Instrument and the subdivision plan is in generic documentation titled Notes on Creation of Sewer/Water Supply Easement. This is available from your Water Servicing Coordinator.

Note: This documentation states:

- a) that we are not to be included as a beneficiary
- b) the easement is to include a notation that it cannot be varied, modified or extinguished without the written consent from us.

2.2 Process for the creation of the easement

Our standard policy requires all lots in a development to be served by our services. If it's not possible you can request an alternative, usually a private service line encroaching on another property with an easement over it. We may agree to the use of an easement on the basis that the circumstances meet our guidelines and policies and are the best option for servicing the property.

If we agree to the easement, you'll be assisted to create it with documentation from your Water Service Coordinator. This documentation should be lodged with council to register the easement. Once this is done, and any other requirement met, the Section 73 Compliance Certificate can be issued or security can be released, as appropriate.

Lastly our records, including our sewerage service diagrams that show the affected properties, are notated.

3. Context

3.1 References

Document type	Title
Compliance obligations	Conveyancing Act 1919 Sydney Water Act 1994
Policies and procedures	
Other documents	