

POWER AND WATER CORPORATION

Living with Power and Water easements



PowerWater

powerwater.com.au

What is an easement?

An easement is a small piece of land that allows utilities and councils with legal permission to access for maintaining and installing infrastructure.

It is common when purchasing property in the Northern Territory to find an easement on the land. If there is an easement on your property, it will be registered on your land title and it is likely to include Power and Water owned assets, such as manholes, sewer and water pipelines, powerlines or other infrastructure.

An easement is a legal right registered against a property's title and contains a plan showing the dimensions of the easement and its location on the property together with any special conditions (if any) over the easement area.

The Law of Property Act (NT) allows us to enter your land at any time with suitable notice and carry out maintenance and repair works on our power, water and sewage network.

We will contact and negotiate with the home owner if any work or access is required. Remember please carefully consider the position of the easement when deciding future landscaping, potential extensions and where to put your garden shed or swimming pool.

Why are easements necessary?

Easements are necessary to:

- protect customer's water supplies, power supplies and wastewater collection.
- provide access to Power and Water's powerlines, sewer and water pipelines for upgrades and maintenance.
- inform property owners that there is utilities infrastructure on their property, and that care must be taken.

Wherever possible, Power and Water infrastructure is located within road reserves. In most instances, the point of services for the land is located near the front boundary of the property without the need for easements to be granted.

However sometimes Power and Water need to install infrastructure to supply new customers or to maintain or improve equipment for existing services. If we can't do this using public land, we have to by accessing easements.

Where gates are installed to an easement area, a

Power and Water lock may be required to enable continued access to the easement for inspections and maintenance to infrastructure.

How do I know if there are easements on my property?

Generally a search undertaken at the Land Titles Office will determine whether an easement is registered on the Certificate of Title to your land. However, there are some instances where easements are not registered on the Certificate of Title.

Alternatively you can contact Power and Water on 1800 245 092 or Dial Before You Dig on 1100.

Land Titles Office locations:

Darwin

Ground Floor, Nichols Place, corner Bennett and Cavenagh Streets

Alice Springs

Centrepoint Building, corner Gregory and Hartley Streets

Who owns the land the easement is on?

The land is not removed from the Certificate of Title. The land remains in the title holder's ownership with an easement registered on title.

The rights provided to an easement are attached to the land itself regardless of who owns the land.

What are my obligations if I have an easement on my property?

If there is an easement on your property, the area needs to be kept clear of any obstructions that may prevent access to the assets and/or any underlying pipes or cables.

Manholes need to be kept free of garden fillers, such as gravel, sand and soil. In some cases manholes can be moved or raised with varying costs to the property owner. Any construction over or within the easement on your property requires written consent from Power and Water.

Vegetation interfering with powerlines is a major cause of power interruptions. If you see trees near powerlines call us on 1800 245 092, never try to cut them back yourself, it can be dangerous.

What if I want to make improvements to the area of my backyard that contains an electricity, sewer or water easement?

Easements in private backyards are generally located to minimise impact on surrounding buildings. Sheds, paths, driveways, edging and other landscaping are common improvements that are sometimes placed over easements. In each case, the design of your garden and any improvements need to allow for possible ground subsidence, as well as removal, if maintenance works are required.

Generally, suitable coverage over an easement includes lawn, shrubs or trees. However, trees that develop vast and invasive root systems are not appropriate to plant over or near easements as they can crack and break pipes causing burst water mains, blocked sewers or damage to conduits.

Before planting a tree you should find out where the electricity, water and sewer pipes are located so that you can stay clear of them. For additional information or to obtain a list of suitable species for planting close to easements contact Power and Water on 1800 245 092 and request to speak to the Land Development Unit.

Refer to the [detailed diagram of the required clearances for trees near powerlines](#) and the [list of allowable trees and plants to use in Power and Water easements](#).

Controlled activities

The following activities may only be undertaken with the written consent of Power and Water and then only under such controlled conditions as Power and Water specifies.

- earthworks with prior permission.
- storage of goods.
- parking of vehicles.
- operation of mobile plant within weight limitations which will avoid infrastructure damage.
- excavation by hand or mechanised plant after due investigation by Power and Water for infrastructure location.
- reduction of ground cover over infrastructure, in which event additional mechanical protection shall be provided.
- increasing ground cover within limits which will not adversely affect access to infrastructure.
- installation of driveways across the easement and where protection can be given for vehicle wheel loads.
- installation of other buried services i.e. Telstra after due investigation by Power and Water .
- erection of some types of fences after due investigation by Power and Water.
- planting of shallow rooted crops where the depth of tilling does not exceed 200mm.

Prohibited activities in all easements include:

- storage of flammable material.
- storage and use of explosives.
- planting of non-approved trees and shrubs.
- construction of houses, out buildings, storage sheds or other substantial structures.
- bird aviaries, chicken coops or pet/animal cages.
- concrete floor slabs or driveways (reinforced or not) within property boundaries.
- domestic power supplies and plumbing.
- spas or swimming pools – this includes concrete/tiled surrounds, pumps, filters, blowers, associated pipe work and electrical cable.
- overhanging structures up to 6m above easement (ie roof eaves and balconies).
- installation of fixed plant and equipment.
- placing of garbage or fallen timber.
- removal of artefacts or disturbance of significant sites within the meaning of the *Aboriginal and Torres Strait Islander Heritage Protection Act 1934*.

Guide to what may be allowed to encroach into an easement or near electricity, sewer or water assets subject to an agreement with Power and Water:

- wire or chain link fence – concrete footing for support poles to be no greater than 450mm in diameter and not within 300mm of external edge of pipe/conduit.
- shade cloth support – concrete footing for support poles to be no greater than 450mm in diameter – poles to be on outer edge (boundary side) of easement and not within 300mm of external edge of pipe/conduit.
- block or brick walls – no part of wall or footing to be wider than 450mm. Must be self supporting if excavated under.
- carports – may straddle easement, removable roof, no columns or concrete floors in easement, column supports and not within 300mm of external edge of pipe/conduit.
- approval may be given for encroachments outside these guidelines if it is considered that the proposed use will not limit Power and Water ability to service its customers in a timely and safe manner.

Who is responsible for the maintenance of the easement area?

It is the responsibility of the land owner to maintain their property within these guidelines and manage vegetation.

Customer Service Centres

Darwin	Shop 28, Ground Floor, Mitchell Centre 55 Mitchell Street, Darwin GPO Box 3596, Darwin NT 0801
Palmerston	Shop 21, Palmerston Shopping Centre 10 Temple Terrace, Palmerston GPO Box 3596, Darwin NT 0801
Katherine	Ground Floor, Government Centre 5 First Street, Katherine PO Box 1045, Katherine NT 0851
Tennant Creek	Ground Floor, Government Centre Peko Road, Tennant Creek PO Box 505, Tennant Creek NT 0861
Alice Springs	Shop 8, Alice Plaza 36 Todd Mall, Alice Springs PO Box 1521, Alice Springs NT 0871

For further information
visit powerwater.com.au
or phone 1800 245 092.

Disclaimer: This publication is intended to provide a summary of the subject matter covered. It does not purport to be a comprehensive account or to render legal advice. The reader should not act on the basis of any matter contained in this publication without first obtaining specific professional legal advice.

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