

Wastewater Easement Fact Sheet

You can save both time and money by learning about building near or over wastewater infrastructure and easements.

What is an easement?

In accordance with the Real Property Act 1886 an easement is a section of land generally (but not always) registered on your property Certificate of Title which gives another party the right to use the land for a specific purposes, even though they are not the landowner. Generally a service easement is 3 – 4m wide with varying depths of the infrastructure. In terms of Alexandrina Council Wastewater assets, an easement would relate to sections of private property that have a sewerage pipe or other assets running through them. It is always advisable to contact Alexandrina Council to establish if there is any council owned infrastructure located on your property that may not be identified on the Certificate of Title. There are a number of properties where this occurs.

Details of most easements are shown on your property Certificate of Title (available for a fee from www.SAILIS.sa.gov.au).

Because we will occasionally need access to the easement to make repairs or maintain the infrastructure/assets, you will need to take this into consideration when planning to build. Building over a maintenance hole or sewer main prevents access by our contractors and staff and introduces risk for the home owners.

Why are easements important to the property owner?

An easement is generally shown on a Certificate of Title to highlight to the home owner where service infrastructure may be located on their property. This is important when designing or building houses.

Why do Council need to access wastewater infrastructure?

Alexandrina Wastewater require 24 hours/7days a week access to all sewer assets. A structure located over a sewer asset can restrict or delay maintenance impacting our service to customers. Council has statutory powers under the Water Industry Act 2012 to enter private property to carry out maintenance, repairs or inspections on its infrastructure located within private property. Generally if not urgent, Council will notify the property owner of their intent to access the easement prior to works. Urgent access usually only occurs in emergency situations where immediate action is required. In these circumstances notification may not be possible.



Can I build over an easement?

No structures can be built over a service easement.

These may include but are not limited to dwellings, dwelling extensions, industrial buildings, sheds (outbuildings), decks, concrete slabs, retaining walls and swimming pools. All infrastructure/assets must remain clear and readily accessible.

The Water Industry Act contains provisions that makes it an offence to build any structure over water industry infrastructure or associated land regardless of the presence of an easement.

Can I plant over an easement?

It is important to think carefully about the type of plants that you place over and near an easement. Many plants have the potential to cause problems for the pipes buried underneath. Trees, in particular, have extensive root systems that can infiltrate pipes. Tree roots seek out moisture and nutrients which are both contained in drainage and sewerage pipes.

The Water Industry Regulations include a number of plants that are prohibited within a certain distance of sewerage infrastructure.

Ultimately this has potential to damage both public and private infrastructure and can be disruptive and expensive for the home owner.

There are a number of plants that can safely be planted on and near an easement that won't impact the drainage system. In general, groundcovers, climbers, grasses and small shrubs do not have deep root systems that can damage pipes.

The planting of new trees will not be permitted within a wastewater easement.

If you have any further questions or require additional details regarding Alexandrina Wastewater easements, please contact Council on 08 85557000 or cwms@alexandrina.sa.gov.au