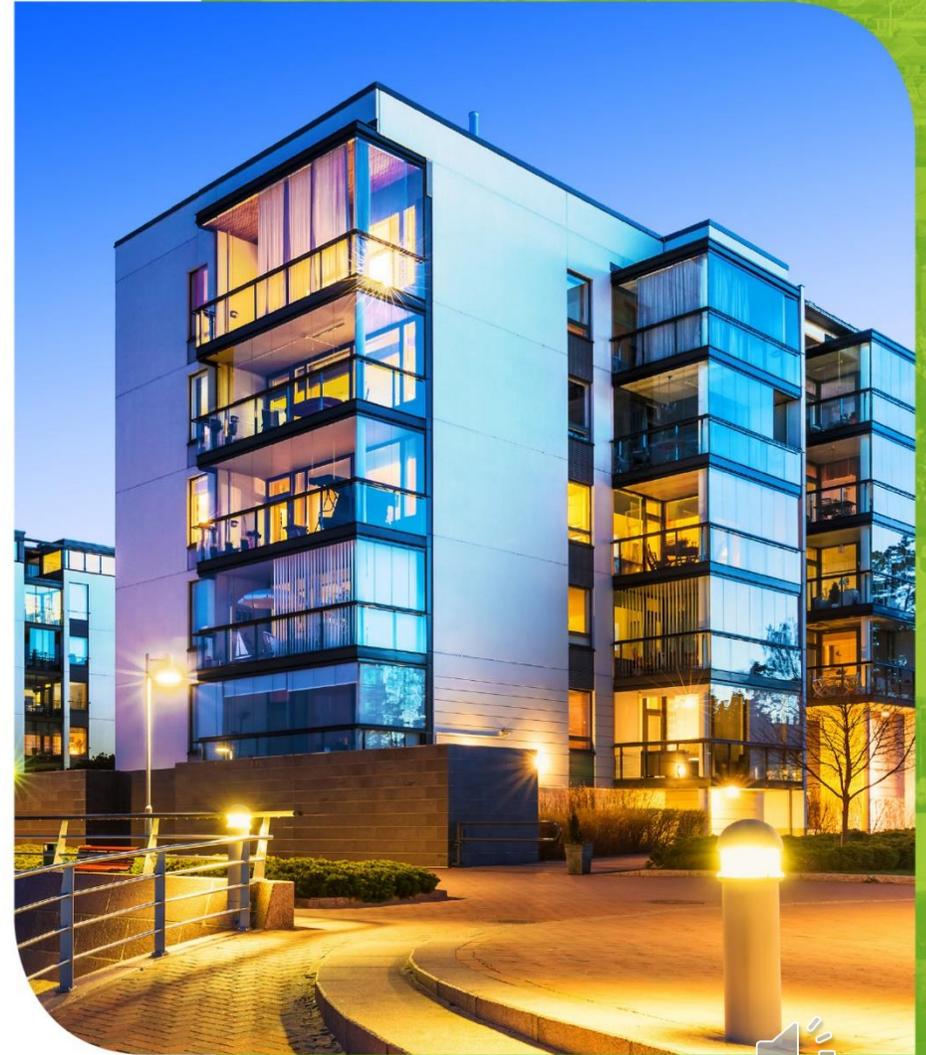




Industry Education Webinar:

EASEMENTS Part 1



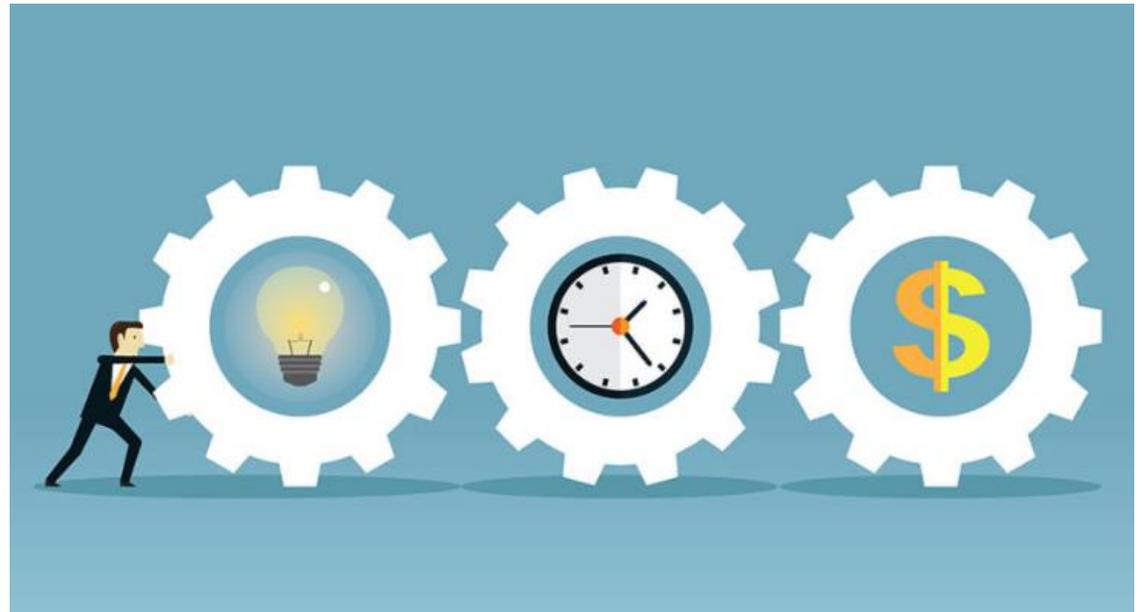


Industry Education Program

Land Services SA is committed to providing an excellent Customer Experience. One way we continue to deliver value to the Industry is through our Industry Education Program, where we produce a range of helpful educational materials, hold regular webinars and Industry Events.

Why are we doing this?

- ✓ Assist in educating the industry by providing regular training updates
- ✓ Assist in reducing requisitions across your business, saving you time and money
- ✓ Supporting you to deliver excellent service to your clients





About our Land Services SA Team

This Industry Education Webinar was prepared by one of Land Services SA's Subject Matter Experts. Our staff have years of experience and are well respected in the Industry.



Steve Andrews is a Level 3 Plan Examiner within Land Services SA with over 40 years of experience. Steve was involved with the creation of both the New Textual/Diagram sheet plan format and the Plan Presentation Requirements.



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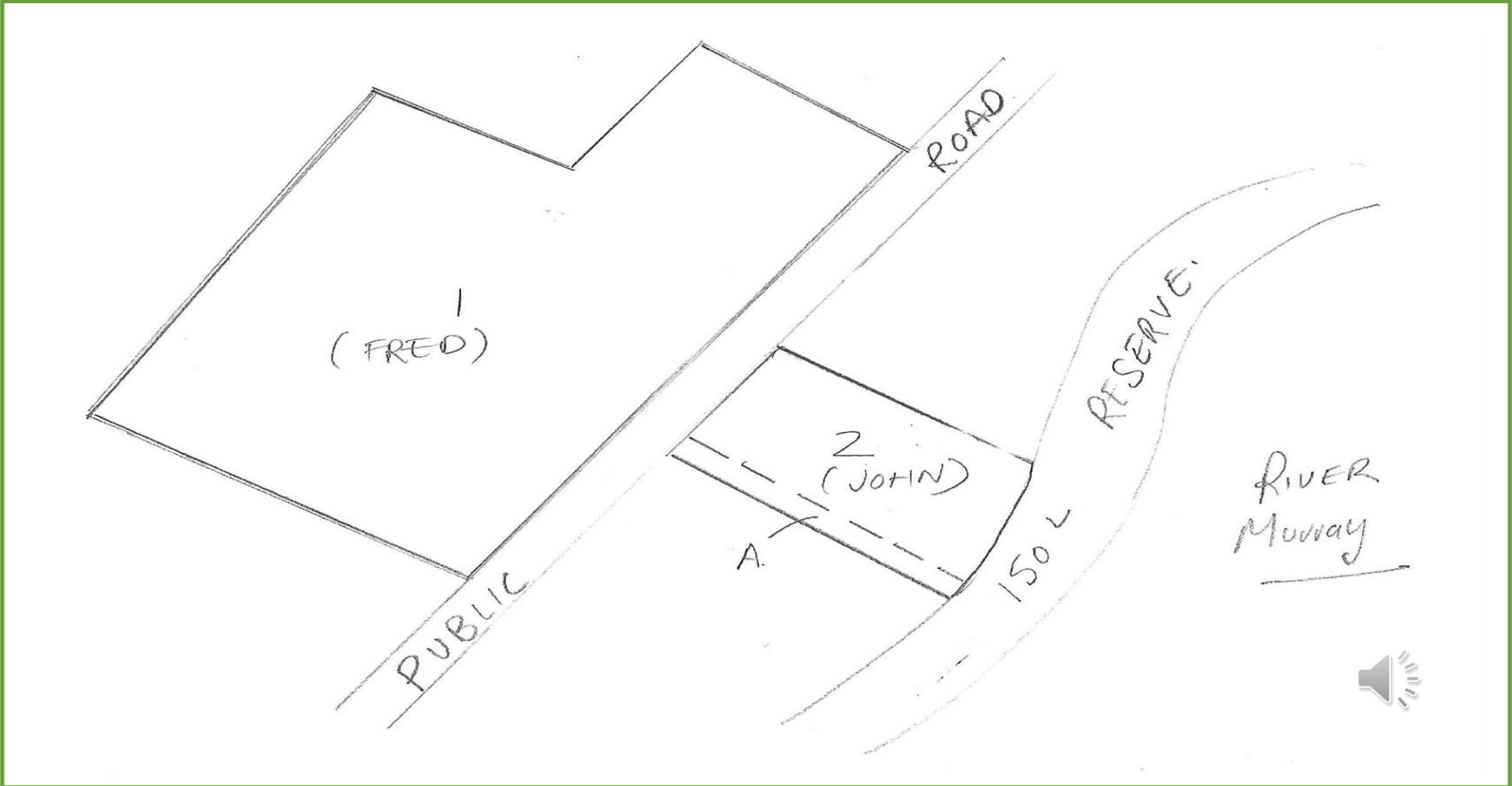
This is Part 1 of 2 regarding easement rules, including

- The Title is the authority for easements
- Where land is contiguous both servient and dominant land must be shown
- To create easements after plan is deposited show plan purpose as DIVISION AND EASEMENT and the easement as PROPOSED
- A Title search is required for ETSA easements
- Check title for Lease of Easements
- Check if an entity can hold an easement in Gross

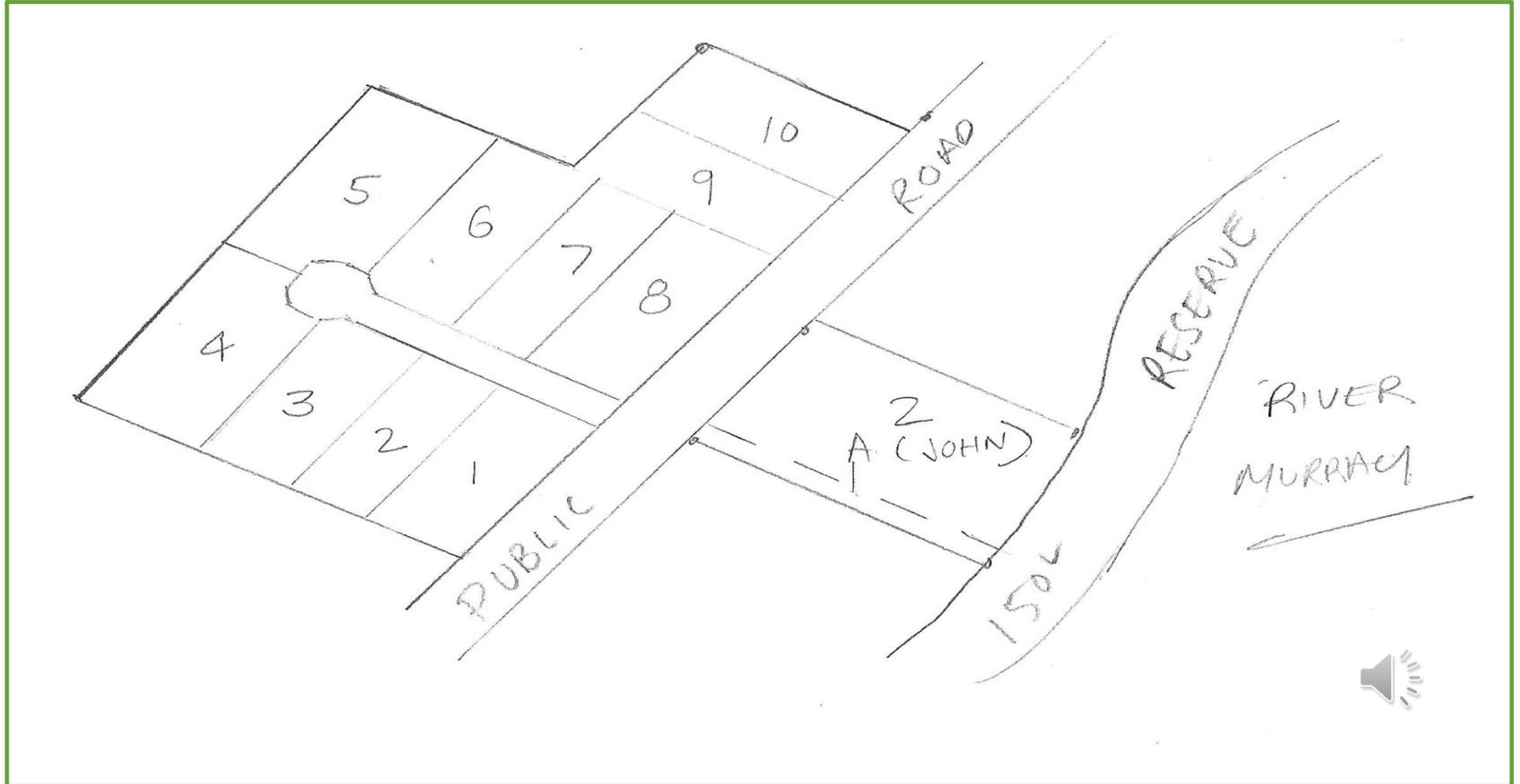




Introduction



Introduction





Easement rules

- The title not the plan must be viewed when checking the easements
- Check if the Easement notes make sense
- Where the land is contiguous both the servient and dominant land must be shown
- The combination of LAND BURDENED, IDENTIFIER and IN FAVOUR OF columns can only contain one field with multiple entries, e.g. 2.3.5 or A.B.C





Easement rules

- To create easements after the division plan is deposited:
 - The plan Purpose must show DIVISION AND EASEMENT
 - The status must be PROPOSED
 - Easement A Does not form part of the Division
- Easements over Crown land follow the same rules as RPA Easements
- Servient easements over the same land should show the same Alpha Identifier





Easement rules

When creating/varying an easement and the dominant land is contiguous it must be shown on the plan



EASEMENT DETAILS							
STATUS	LAND BURDENED	FORM	CATEGORY	IDENTIFIER	PURPOSE	IN FAVOUR OF	CREATION
EXISTING	12 IN F45689	SHORT	EASEMENT(S)	A IN F45689	FOR DRAINAGE PURPOSES	1.2	TG 5623265





Easement rules

Short Forms – see Sec 5.8.2 PPR

- FOR SEWERAGE PURPOSES
- FOR WATER SUPPLY PURPOSES
- FOR DRAINAGE PURPOSES
- FOR GAS SUPPLY PURPOSES
- FOR THE TRANSMISSION OF ELECTRICITY BY OVERHEAD CABLE
- FOR THE TRANSMISSION OF ELECTRICITY BY UNDERGROUND CABLE
- FOR THE TRANSMISSION OF TELEVISION SIGNALS BY UNDERGROUND CABLE
- FOR EAVES AND GUTTERS
- PARTY WALL RIGHTS
- FOR THE TRANSMISSION OF TELECOMMUNICATION SIGNALS BY UNDERGROUND CABLE
- FOR THE TRANSMISSION OF TELECOMMUNICATION SIGNALS BY OVERHEAD CABLE
- FOR SUPPORT
- TO PARK A VEHICLE

For RIGHT(S) OF WAY OR RIGHT(S) OF WAY WITH LIMITATIONS:

- ON FOOT





Easement rules

When creating Long Form easements, the general purpose must be shown, see Example below

CATEGORY	PURPOSE
RIGHT(S) OF WAY	ACCESS
	SAILING A VESSEL
	FOR FIREFIGHTING PURPOSES
EASEMENT(S)	LIGHT AND AIR
	MAINTENANCE OF EAVES
	MAINTENANCE PURPOSES
	DISCHARGING WATER
	ANTENNA PURPOSES
	WATER STORAGE
	PUMPING PURPOSES
	INSTALLING AND MAINTAINING AIR-CONDITIONING
	INSTALLING AND MAINTAINING PHONE TOWER
	FIRE EXIT PURPOSES
	FIRE HYDRANT PURPOSES
	FOR WATER SUPPLY FOR FIRE FIGHTING PURPOSES
	EXHAUST DUCT PURPOSES
	PIPELINE PURPOSES
CONSTRUCTION AND MAINTENANCE OF A WINDMILL	

For Existing easements - where the Title does not show a purpose the plan must show LONG FORM





Easement rules

Dominant authority decision table

Current Names	Former Names
CROWN	
COUNCIL FOR THE AREA	
DISTRIBUTION LESSOR CORPORATION	
DISTRIBUTION LESSOR CORPORATION (SUBJECT TO LEASE 8890000)	
MINISTER FOR INFRASTRUCTURE	Commissioner of Public Works Commissioner of Waterworks Commissioner of Water Conservation Commissioner of Sewers Minister of Public Works Minister of Works Minister of Water Resources Minister of Public Infrastructure
NATURAL GAS AUTHORITY OF SOUTH AUSTRALIA	Natural Gas Pipelines Authority of South Australia Pipelines Authority of South Australia
SOUTH AUSTRALIAN GAS CO. LTD.	
SOUTH AUSTRALIAN WATER CORPORATION	
TRANSMISSION LESSOR CORPORATION	
TRANSMISSION LESSOR CORPORATION OF 1 UNDIVIDED 2ND PART (SUBJECT TO LEASE 9061500) AND ELECTRANET PTY. LTD. OF 1 UNDIVIDED 2ND PART	
ETSA CORPORATION	The Adelaide Electric Supply Company Limited The Electricity Trust of South Australia. (A title search is required to determine if ETSA Corporation has vested in another name).
CKI UTILITIES DEVELOPMENT LTD. PAI UTILITIES DEVELOPMENT LTD. SPARK INFRASTRUCTURE SA (NO. 1) PTY. LTD. SPARK INFRASTRUCTURE SA (NO. 2) PTY. LTD. SPARK INFRASTRUCTURE SA (NO. 3) PTY. LTD.	<ul style="list-style-type: none"> • CKI Utilities Development Ltd. • PAI Utilities Development Ltd. - previously known as HEI Utilities Development Ltd. • Spark Infrastructure SA (No. 1) Pty. Ltd. - previously known as CKI Utilities Holdings Pty. Ltd. and CKI Utilities Holdings Ltd. • Spark Infrastructure SA (No. 2) Pty. Ltd. - previously known as CKI/HEI Utilities Distribution Pty. Ltd. and CKI/HEI Utilities Distribution Ltd. • Spark Infrastructure SA (No. 3) Pty. Ltd. - previously known as HEI Utilities Holdings Pty. Ltd. and HEI Utilities Holdings Ltd.
THE COMMONWEALTH OF AUSTRALIA	
TELSTRA CORPORATION LTD.	
ENVESTRA (SA) LTD.	



Where an existing easement to the Minister for Infrastructure is Varied / Extinguish the current name “South Australian Water Resources” must be used



Easement rules

ETSA Easements

Where title show an existing easement to ETSA a Title search of the current easement in Gross is required by:

- Checking the Creation Dealing
- Searching back through the titles
- Update the plan accordingly
- Update DPL Survey report with the Easement in Gross Title reference

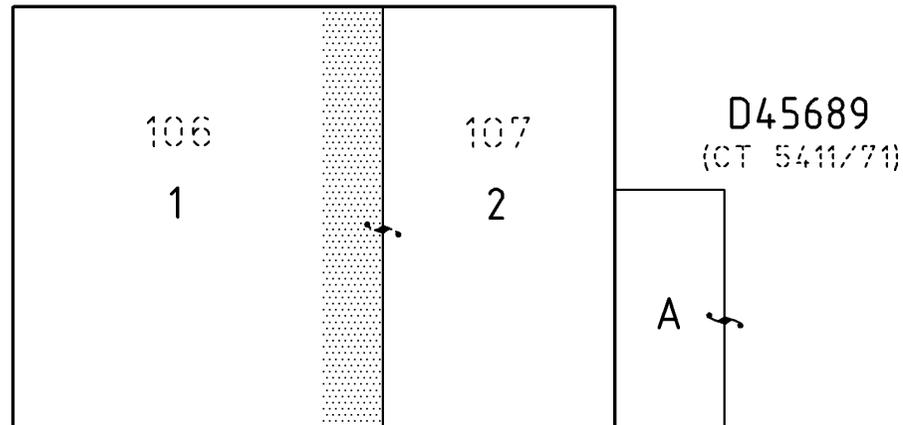




Easement rules

Now contained in

Now Contained in is shown to accurately describe the affected land in both Land Burdened / In Favour of. Where it's the whole of the allotment do not show Now Contained in show the Allotment Number



EASEMENT DETAILS							
STATUS	LAND BURDENED	FORM	CATEGORY	IDENTIFIER	PURPOSE	IN FAVOUR OF	CREATION
EXTINGUISH	CT 5411/71	SHORT	EASEMENT(S)	A	FOR DRAINAGE PURPOSES	107 IN D45689 NOW CONTAINED IN 1	T 1022365
EXISTING		SHORT	EASEMENT(S)	A	FOR DRAINAGE PURPOSES	2	T 1022365





Easement rules

Easements limited in height

Where an easement is to be limited in height :

- The category column must refer to with limitations
- Height limits must be shown in a schedule on the diagram sheet or by a cross section
- Lower and upper limits must be shown
- Height limits must refer to Australian Height Datum
- Show a cross section or annotation to clarify where the RL height is

EASEMENT LIMITATION(S) SCHEDULE	
IDENTIFIER	HEIGHT LIMITATION
A	LOWER LIMIT 10.27 METRES AHD UPPER LIMIT 27 METRES AHD





Easement rules

Lease of Easements (GU)

- Check title endorsements for existing lease of Easement eg (GU)
- These will be plotted in accordance with the creation dealing GU
- Where the GU doesn't show any data there is a certification that must be added to a Data plan
- The Category of these Easements will be EASEMENT(S) WITH LIMITATIONS
- Fresh SCAP will not be required if the easement is omitted





Easement rules

There are entities that can hold an Easement in Gross
That means that they can get a title for their Easement

A
Alano Utilities (Mt Barker) Pty Ltd.
Almaljen Water Association Incorporated.
Australian Rail Track Corporation Ltd.
Australian Gas Networks Ltd.
Australian Gas Networks (SA) Ltd.
Ayers Net Ltd.
Australian Zircon NL
B
Barossa Infrastructure Ltd.
Berri Irrigation Trust Incorporated
Bunyip Water Pty. Ltd.
C
Cadell Irrigation Trust Incorporated
Chaffey Irrigation Trust Incorporated
Cheetham (Dry Creek) Pty. Ltd.
Cobdogla Irrigation Trust Incorporated
D
Davidson Vineyard Management Pty. Ltd.
F
Fuller West Road Recycled Water Association Incorporated
G
Gawler River Floodplain Management Authority
Golden Heights Irrigation Trust Incorporated
Goyder Wind Farm Common Asset Pty.Ltd.
Greenhill Water Supply Co. Ltd.
K
Kingston Irrigation Trust Incorporated

L
Langhorne Creek Water Co. Pty. Ltd.
Lock 4 Irrigation Trust Incorporated
Loxton Irrigation Trust Incorporated
Lyrup Village Settlement Incorporated
M
Marathon Water Pty. Ltd.
Meadow Glen Water Co. Pty. Ltd.
Monarto Water Network Ltd.
Moorook Irrigation Trust Incorporated
Mypolonga Irrigation Trust Incorporated
O
OZ Minerals Prominent Hills Operations Pty. Ltd.
P
Penrice Soda Products Pty. Ltd.
Pumped Hydro (SA) Pty. Ltd.
S
Spencer Gulf Telecasters Ltd.
Stony Gap Operations Pty. Ltd.
Sunlands Irrigation Trust Incorporated
T
Telstra Corporation Ltd.
The Pine Village Land & Services Management Association Incorporated
W
Waikerie Irrigation Trust Incorporated
Willunga Basin Water Company Pty. Ltd.
WMC (Olympic Dam Corporation) Pty. Ltd.
Woods Point Irrigation Trust Incorporated

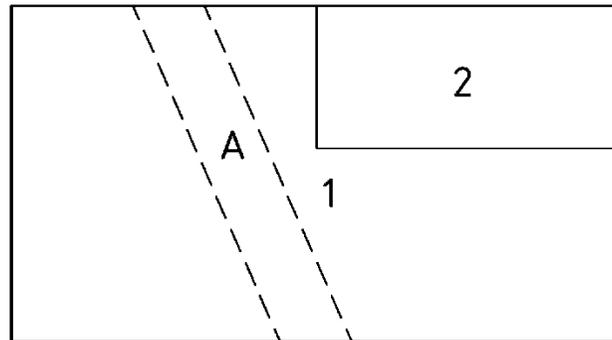




Easement rules

Natural gas easements

Where the title for a division plan has easements referring to Sec 9 of the Natural Gas Authority Act 1967



EASEMENT DETAILS							
STATUS	LAND BURDENED	FORM	CATEGORY	IDENTIFIER	PURPOSE	IN FAVOUR OF	CREATION
EXISTING	1	LONG	EASEMENT(S)	A		NATURAL GAS AUTHORITY OF SOUTH AUSTRALIA	T602385
EXISTING	1	LONG	EASEMENT(S)	POSITION NOT DEFINED			Section 9 NGA 1967





Summary of Key Points

To create easements after deposit

show plan purpose as DIVISION AND EASEMENT
and the easement as PROPOSED

ETSA Easements

A Title search is required for ETSA
easements

Contiguous Land

Where land is contiguous both servient
and dominant land must be shown

Lease of Easement

Check title for Lease of Easements

CT Authority for Easements

The Title is the authority for easements

Easement in Gross

Check if an entity can hold an Easement
in Gross



Industry Education Hub



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eConveyancing	+
Digital Plan Lodgement	+
SAILIS Video Tutorials	+
Land Services SA Fact Sheets	+



Hot Tip:
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LSSA's webinars and
video's

Questions

