

What is an easement?

An easement is a legal right to use someone else's land in a particular way. The easement may restrict the owner from using that part of their land in certain ways.

Why are easements needed?

When assessing the need to create easements we try to avoid the use of private land, however sometimes it may be necessary once all investigations have been completed. Easements are usually obtained by us to protect assets that we construct and enable us to access them in the future.

What happens once the easement is obtained?

Once the easement is obtained it will be registered on the Title of the property. The easement may restrict future use of the land where the easement is located.

What are the implications of a registered easement?

Once registered on the property Title, we are able to use and access the easement for construction activities, inspections, maintenance repair or replacement. Reasonable care is taken when gaining access to and using the easement.

If our ability to access the easement is restricted or interfered with by way of a new building, tree plantings or construction works and reasonable care was taken to gain access, we will not be responsible for any damage caused.

What will happen to my existing assets on the proposed easement?

All existing buildings, structures, dams, driveways, irrigation systems and fences can remain on the proposed easement. We will take all care to protect your existing assets during the construction period.

What will happen to my property during construction?

Some fences may be temporarily dismantled to allow access for construction equipment and will be reinstated as soon as reasonably possible. If required to protect stock, temporary fencing will be installed by the contractor during the construction activities. These concerns should be raised and discussed with RMCG when they make contact with you.

Any of your assets inadvertently damaged during construction will be repaired by the construction contractor.

During pipeline construction the soil will be sorted and stockpiled to enable reinstatement of your land and its return to productive use as soon as practicable.

We will endeavour to protect all existing larger trees during construction.

Will I be compensated if an easement is taken out on my property?

Yes. Under the *Land Acquisition and Compensation Act 1986* you are entitled to compensation.

There are two direct impacts that owners of the land can be compensated for – our acquisition of an easement and our access to the private land during the construction period.

For further information on compensation, please refer to our Easement Acquisition brochure, which is available on our website at www.coliban.com.au.



What if I want to build on the easement in future?

If you have an easement on your property and you wish to build a structure within the easement you must get approval from us to do so.

We encourage you to contact us to discuss your needs so that we can work with you to see what options are available.

What land activities are not restricted by easements?

There are a number of activities that are not restricted by having an easement on your property:

- Normal farm activities such as ploughing, sowing and stock grazing.
- Planting of shrubs – along fence lines (within reason) which allows access to the easement and pipeline for wind breaks and privacy.
- Normal vehicle and farm machinery traffic.
- Fencing is allowed, but fence posts must be a minimum of one metre away from the pipeline. Prior to fence installation you should contact us to minimise the likelihood of damage to below ground assets, you may be held liable for the damage and may have to pay for the costs associated with repair.
- Creation of a fire break.
- Construction of driveways provided that excavation is less than 200 millimetres deep and the finished driveway level is the same or higher than the existing level.

What access rights does an easement create?

Once an easement is created we are able to access it at all times. Where possible, land owners or occupiers will be notified prior to access being gained.

You must keep access to the easement open and clear at all times. You must check with us before planting any vegetation near an easement (i.e. permanent plantings like vineyards and orchards). This is to ensure vegetation does not restrict access for us, and that we do not restrict the operation of your land activities.

Please contact us to discuss any concerns that you have so that we can work with you.

By obtaining an easement, what rights does Coliban Water have?

An easement taken out in our favour grants us the following rights in relation to land specified by the easement:

- Full and free access to enter the land at all times.
- Take plant and equipment onto the land.
- Clear and excavate the land.
- Construct pipeline or channel works on, over or under the land.
- Use and operate pipeline or channel works on the land.
- Inspect, maintain or change pipeline or channel works on the land.
- Remove any matter from, or deposit any matter on the land.



What shouldn't I do if I have an easement on a pipeline route?

Land owners and occupiers should not:

- Erect structures (especially permanent) over the pipeline or easement.
- Undertake excavations along or across the easement.
- Sow forest plantations, vineyards or orchards within the easement.

If I have a pipeline easement, do I need to notify Coliban Water of works on the easement?

Yes, land owners or occupiers must notify us prior to the commencement of any of the following types of work in the immediate vicinity of the easement:

- Excavation and trenching.
- Boring or drilling.
- Installation of buried services.
- Deep ripping.
- Erection or replacement of power poles.
- Construction of drains.
- Clearing of drains.
- Dam construction.
- Levelling of farm land.
- Permanent tree/vegetation plantings.
- Temporary or permanent buildings.
- Installation of drainage systems.
- Any works that may affect the pipeline.

How often will my easement be accessed by Coliban Water?

This can vary from one to two times a year up to several times per year depending on what is required. For example access to perform meter readings is required more frequently than access to conduct routine maintenance.

For further information, please refer to our website at www.coliban.com.au or call our Contact Centre on 1300 363 200.

