



Our Ref: CEO2922020

6 August 2020

Ms Lisa Penman
Legislative Council Committee Office
Parliament House
PERTH WA 6005

Dear Ms Penman

**STANDING COMMITTEE ON PUBLIC ADMINISTRATION INQUIRY INTO
PRIVATE PROPERTY RIGHTS**

Thank you for your email of 31 July 2020 regarding the process for registering or lodging Water Corporation interest on a Certificate of Title.

While there are a variety of reasons as to why the Water Corporation may lodge notifications, memorials and easements against land, they typically fall under four categories, each with its own process:

1. *Servicing condition – non-standard service*

This occurs when a customer applies for a water service that does not conform to the levels of service required under the Water Corporation's Water Services License.

Process: The Water Corporation identifies the special condition, to which the customer agrees. The cost of lodging the notification is paid by the customer / land owner.

Cost: Landgate fee of \$178.20 and a Water Corporation fee of \$286.11.

Legislation: *Transfer of Land Act 1893* - Section 70A

2. *Water Corporation asset acquisition and protection*

An easement is registered in order for the Water Corporation to protect its assets over private land.

Process: The Water Corporation initiates the proceedings and the customer agrees. The cost of lodging the easement is paid by the Water Corporation.

Cost: Landgate fee of \$178.20

Legislation: *Transfer of Land Act 1893* - Easement or other form of tenure.

3. Customer non-payment of charges

This occurs only as a last resort, when a customer has refused to pay legislated water charges linked to their property. This highly regrettable step sees a memorial placed on the property to enable outstanding charges to be recovered when it is sold. The Water Corporation only takes this action after extensive and dedicated efforts to resolve a long-term pattern of non-payment.

Process: The Water Corporation initiates the proceedings. The cost to lodge the memorial is initially paid by the Water Corporation and the cost to remove it is borne by the property owner.

Cost: Landgate fee of \$178.20

Legislation: *Water Services Act 2012* – Section 128 (2)

4. Deferral of Infrastructure contributions

Process: The customer initiates the process and the Water Corporation agrees. The cost of lodging the notification is paid by the property owner.

Cost: Landgate fee of \$178.20 and a Water Corporation fee of \$286.11.

Legislation: *Water Services Act 2012* – Section 128 – Memorial

Should you have any further questions regarding this matter, I invite you to contact Mr John Todd, Head of Development Services.

Thank you again for your email and I wish you well with the inquiry.

Yours sincerely



Pat Donovan
CHIEF EXECUTIVE OFFICER