



APPROACH STATEMENT

EWON's approach to cross-property connections

EWON's role

The Energy & Water Ombudsman NSW (EWON) is the industry-based Ombudsman scheme which provides all NSW energy and some water customers with free, independent dispute resolution services.

We work towards achieving fair and reasonable complaint outcomes for all parties, provide leading customer service and influence energy and water public policy. We are not a consumer advocate, nor do we represent industry.

We achieve outcomes for complaints based on laws, codes and regulations, good industry practice and by considering

the individual circumstances of each complaint and parties to the complaint. This may include consideration of prior complaint outcomes, independent legal, technical, or regulatory advice, and where they exist, special customer circumstances.

Position and Approach Statements provide information to both customers and industry on how we consider specific complaint issues.

Cross-property connections

A cross-property connection occurs when electricity wires or poles cross a neighbour's land to supply power. Cross-property connections are usually managed through an easement, which is a legal right that allows someone to use part of another person's land for a specific purpose.

Historically, many electricity assets were installed without easements. Under the *Electricity Supply Act 1995*, electricity distributors:

- > are not required to remove or relocate these assets, or compensate landowners
- > may enter land to maintain their assets.

Any new installation, including after renovations or changes to an existing connection, must comply with current standards. In some cases, the only way to provide a new electricity connection is by crossing a neighbour's private land. The Service and Installation Rules of NSW state that this is only acceptable if a suitable easement is obtained. Obtaining an easement can be expensive because the landowner is entitled to compensation for restricted land use.

Cross-property connections can cause problems if the landowner wants to subdivide or develop their land. If an easement exists, the landowner cannot do anything on the part of the land covered by the easement.

The Australian Energy Regulator (AER) Ring-fencing guideline prevents electricity distributors from offering contestable electricity services that any qualified electrical contractor can perform. Distributors cannot undertake customer-initiated works unrelated to network operation, including changing a cross-property connection. These works must be:

- > carried out by an Accredited Service Provider (ASP)
- > approved by the distributor
- > paid for by the person requesting the work.

Customers should discuss any potential changes to a cross-property connection with the affected neighbour. If the neighbour does not want to change the connection, the customer may wish to seek independent legal advice.

EWON's approach

EWON's role is to review whether the electricity distributor has acted fairly and reasonably. Responsibilities for repairing and maintaining electricity assets, and how work should be done, are set out in:

- > Service and Installation Rules of NSW
- > *Electricity Supply Act 1995*
- > AER Ring-fencing guideline
- > AS/NZS 3000 Wiring Rules.

When a customer presents a complaint about a cross-property connection, EWON will investigate whether the existing service installation complies with the relevant rules, regulations, and laws.

If relevant, EWON will also review whether the distributor followed its process for new connection applications and whether the distributor provided the correct advice to the ASP about connection or alternative options.

EWON is not a legal forum and cannot provide legal advice or settle disputes between neighbours. Customers should seek independent advice regarding property rights or safety concerns.

EWON offers factsheets on other relevant topics, including:

- > [EWON's complaint process](#)
- > [Complaint agencies and dispute resolution services for NSW customers](#)