



YOUNG SHIRE COUNCIL

**BUILDING OVER OR ADJACENT TO
UTILITY SERVICE ASSETS
POLICY**

NO 36

DATE ADOPTED: 21/8/13

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1 INTRODUCTION/BACKGROUND

Utility service assets such as sewerage, water and stormwater pipes are essential infrastructure and are exposed to defects that may occur at any time, mainly as a consequence of ruptures and end of life. When emergencies arise, effortless access and immediate response are imperative. Council has developed this policy because it recognises the potential problems and risks that building over or adjacent to sewerage, water and stormwater assets can cause with regard to access to assets in emergency situations (such as flooding, overflow, blockage, and burst pipelines).

The present policy will provide important requirements involved in the construction of buildings, dwelling, decks, verandas, gazebos, fences, driveways, carports, garages, sheds, swimming pools, pergolas, retaining walls as well as any type of detachable structures within Council's jurisdiction.

2 PURPOSE/OBJECTIVES

This policy was developed to:

- Maintain and protect the right of entry/access to assets.
- To ensure that the health and safety of the community as well as the environment are not put at risk.
- To ensure Council is able to fulfil statutory obligations relating to the installation, maintenance and repairs or reconstruction of its Utility Services assets when required.
- Prevent any damage to Council's utility assets, caused by increased load from a structure as load can cause the pipes to subside or fracture.
- Prevent any damage to new or existing buildings and structures.
- Enable efficient and economical access for both the Customers/property owner and Council staff to their utility assets for major repairs and/or replacement without

3 STATEMENT

- A. Young Shire Council does not support nor encourage building over or building too close to any of its underground utility services assets.
- B. Applicants must investigate all other options for the development of the property.
- C. First consideration for Young Shire Council in evaluating applications for building over or adjacent to assets will always be public health and safety, harm minimisation, and continuity of service.
- D. **Under No Circumstances** will buildings or structures be permitted:
 - i. if the sewer line is 225mm or bigger
 - ii. over a pressure sewer pipeline or within an easement containing a pressure sewer pipeline
 - iii. over an access chamber (manhole) or sideline junction
 - iv. over assets that are near the end of life or where replacement is a priority
 - v. over water mains or within easements containing water mains

4 POLICY

4.1 Scope

This policy applies to owners and developers of land containing any Young Shire Council sewerage, water or stormwater assets.

4.2 Conditions for Applications:

Council will only consider application of proposals to erect building structures over or adjacent to it Utility Service assets when:

- i. It is proved by the applicant and acknowledged by Council that it is the only reasonable solution for the development of the property.

- ii. It is demonstrated that proposals will provide easy and untroubled access to asset (s), when required.
- iii. It is demonstrated that proposals comply with current legislation and standards (including WHS) as well as Council's requirements.
- iv. The structure is considered not to be harmful to Council's assets.
- v. Council is indemnified from all risks associated with the presence of the asset.

4.3 Technical requirements:

4.3.1 Building Over

Minimum clearances permit YSC to access its asset, should the need arise, without affecting the structural integrity of the works. In this regard:

- i. The pier and beam footing system should be used with a minimum clearance between pier and structure of 600mm.
- ii. Minimum clearances between the foundations of building works and YSC assets will be specified by Council's delegated staff.
- iii. The structure must be designed to permit access for pipe maintenance with removable panel flooring designed as a suspended slab. (WSA 03-2002)
- iv. Clearances may also be specified from any concrete encasement (if requested) surrounding a pipeline.
- v. YSC may consider other forms of practical access to its assets. Such access should be clearly indicated on building/engineering plans and should be designed by a currently certified structural engineer.

4.3.2 Deviation or Relocation of Council's Assets

YSC may require the deviation or reconstruction of Utility Service assets in circumstances where:

- i. The remaining life of the asset is less than the expected life of the proposed building.
- ii. The proposed building will intersect the asset.
- iii. The type of asset is not suitable for building over.

A Deviation Report may be required by Young Shire Council for all options to deviate the asset around the proposed structure. This report needs to consider in its study:

- Any possible changes to the slope of the asset.
- Assessment of all existing services, structures, etc. that are within the deviation route.
- Cost estimates (if required) for each deviation option and for the 'base case' of reconstructing the asset to its existing alignment and length.

4.3.3 Building Adjacent

Young Shire Council must approve any plans for building adjacent to its Utility Service assets before any work may commence. A Zone of Influence exists adjacent to all Council Utility assets.

- i. Council reserves the right to individually assess requirements for the zone of influence in relation to Utility Service assets for each development. Factors influencing the requirements may include the existence of an easement, location of assets within an easement, the size of a main, etc.
- ii. Any structures within the zone of influence must be designed and certified to be self-supporting.
- iii. Any structures and their plans within the zone of influence must be designed and certified by an engineer.

4.7 Council Requirements Prior to Approval

The applicant (property owner) must enter into and sign an agreement that holds the Council blameless for any damage caused by the infrastructure being under or near the structure, or by any maintenance work done on the infrastructure.

Any building over or adjacent to existing assets must have certified plans designed by a Structural Engineer. Plans must be approved by Council prior to any commencement of building work.

In the event of property sale, the present owner will undertake to notify the purchaser of agreement under the *Conveyancing Act 1919*

4.8 Working close to Utility Service Assets

No earthworks or improvements are permitted within 3 metres of a Utility Services asset without approval from Council. This includes cutting, filling, landscaping, tree planting, retaining walls etc. The minimum horizontal clearance is 3 metres and may be increased where necessary to protect the asset.

5 RESPONSIBILITY

Young Shire Council's Utility Services Department is responsible for the reviewing of this policy. This policy is to be reviewed every four years or when changes in legislation are necessary to adopt and implement.

Date Reviewed: 21/8/13

Resolution No. 320/13