

Building Over Water/Sewer Pipelines Policy

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Related Legislations: Water Management Act and Regulations, POEO Act, EP&A Act,

Associated Policies/documents: Shoalhaven Waters "Building over and adjacent to
assets technical guide", Water Services Association of Australia NSW Regional Water
Supply Code, Water Services Association of Australia NSW Regional Gravity Sewerage
Code

Responsible Owner: Water Regulatory Manager

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1 Policy Purpose

This policy document has been prepared as guidance for proposed development/s where approval is required from Shoalhaven Water for building over or adjacent to Council’s gravity sewer pipes, pressure sewer pipes and water pipelines. The implementation of this policy will ensure that Council’s assets are protected, and adequate clearance is provided to those assets for operation and maintenance.

2 Objectives

2.1 Policy Statement

Shoalhaven Water’s (SW) first position is that structures are not constructed over, or close to sewers, water pipelines or within Easements.

Applications for construction adjacent to and/or over SW’s assets or within easements that are in favour of Shoalhaven City Council will only be considered if it can be clearly demonstrated that the applicant has investigated all other options for development. The applicant/developer/designer must give due consideration and/or care to protect Council’s water and sewer assets and ensure access for operation and maintenance purposes.

SW will treat each application on its merits, but it should not be assumed that consent for construction over or near the sewer will be automatically granted.

No construction will be permitted over water pipelines or within the easements for water pipelines.

3 Definitions

Term	Meaning
<i>Building over sewer</i>	means the erection of a structure over or within the zone of influence of a sewer.
<i>Easement to drain sewage</i>	means a legal entitlement placed over a parcel of land for the purposes of the provision, operation and maintenance of sewer infrastructure
<i>Easement for Water Supply or Easement over Line of Pipes</i>	means a legal entitlement placed over a parcel of land for the purposes of provision, operation and maintenance of water supply infrastructure
<i>Encasement</i>	means the protection of a sewer pipe by encasing all around with concrete to SW standards
<i>Zone of Influence</i>	Area of ground around SW assets if built within or over, could cause undue loading on the asset and cause damage

	of the asset and surrounding soil or reduce access for maintenance and repair of the asset.
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4 Roles and Responsibilities

4.1 Provisions

4.1.1 Restrictions

Structures will not be permitted to be built over and/or in close proximity to the following:

- a) Critical water and sewer assets, sewer rising pipes or pressure sewer pipes (generally all sewer pipes of greater diameter than 150mm pipes and/or assets deemed to be excessively deep i.e., greater than 3.0m), as determined by SW.
- b) Concrete pipes, asbestos cement pipes, vitreous clay pipes. However, if local conditions permit, these pipes can be replaced with alternative pipe types, subject to approval by SW. In most circumstances SW will provide the replacement pipe for sewer assets which are approved for concrete encasement, or which are to be replaced as part of the approval. Water supply pipes will not be replaced by Shoalhaven Water.
- c) Any pipes that, in the opinion of SW, is in poor condition. Exposing of the pipe so that it may be inspected by the SW and, if necessary, repaired or replaced, may be a requirement.
- d) Any water and sewer assets where sufficient clearances cannot be achieved (For further details see WSAA's NSW Regional Water and Sewer Supply Codes and or Shoalhaven Waters "Building over and adjacent to assets technical guide")
- e) Sewer manholes, lamp holes, sewer maintenance shafts, surface fittings, pressure sewer units and sewer junctions where sufficient clearances cannot be achieved. These structures enable ventilation of the sewer and provide access for maintenance, operations and inspections. (See Shoalhaven Waters "Building over and adjacent to assets technical guide" for further details)
- f) Sewers and or water supply assets in water charged ground unless normal building over asset precautions can be taken and approved by Shoalhaven Water.
- g) Where access to adjacent land is required to undertake the works and access to enter is NOT granted by the adjacent landowner.
- h) Construction within 5 metres of a water pipeline must consider operational and maintenance matters and risk to Council's water assets.
- i) Encasement of water pipelines are not permitted under any circumstances.

4.1.2 Exemptions

Some lightweight structures may be exempt from certain conditions set down in this policy, as noted below:

- a) If the proposed structure/s are approved by Council as readily demountable and can be easily dismantled by the owner at their own risk and expense, at any time, as requested by Shoalhaven Water. The applicant may need to provide information confirming the above.
- b) If the proposed structure/s do not place a superimposed load on the asset and do not prevent reasonable access to the assets either at the stage of construction or in the foreseeable future (owing to alteration of the structure).
- c) Small retaining walls where:
 - maximum soil retaining height of 600mm (as determined as an “exempt development” by Shoalhaven City Council), and
 - sewer pipe is not classified as critical, and
 - sewer depth is greater than 1200mm, and
 - sewer is in soil with zone of influence of 1H:1V.
- d) Driveways, however:
 - where it will be impacting Stop valves, Hydrants, service connection points of opposite lots, and Sewer maintenance structures. SW should be contacted immediately for appropriate action.
 - where clearance between underneath the slab and the SW asset is not achieved as per the Shoalhaven Waters “Building over and adjacent to assets technical guide” and Water Services Association of Australia NSW Regional Water Supply and Sewerage Codes, SW should also be contacted

In general, each case will be assessed on its merits after lodgement of a Development Application/Certificate of Compliance with consideration being given (but not limited to) the loads imposed on the assets, access to the assets, and the criticality of the asset.

For more technical guidance regarding building over or near Councils assets please refer to Shoalhaven Waters “Building over and adjacent to assets technical guide”

4.2 Implementation

The Water Asset Planning & Development Section of Shoalhaven Water has responsibility to implement this policy.

5 Related Legislation, Policies or Procedures

This policy should be read in conjunction with the following documents

- Water Management Act and Regulations
- POEO Act
- EP&A Act
- Shoalhaven Waters “Building over and adjacent to assets technical guide”
- Water Services Association of Australia NSW Regional Water Supply Code

- Water Services Association of Australia NSW Regional Gravity Sewerage Code

6 Risk Assessment

Risk Category	Risk	Notes
Reputation	Failure to manage structures being built over or near water and sewer pipes could result in safety incidents, soil contamination, or delays. This could result in negative media and reputation damage to Council.	This policy provides a guidance to developers/builders where approval is required from Shoalhaven Water for building over or adjacent Council's water and/ or sewer pipes and allows our staff to communicate with our stakeholders accordingly.
Financial	Structures built without Shoalhaven Water approval can foresee the needs for redesigning, or non-compliance from Council leading to increased costs for the developers.	This policy provides a guide to how proposed developments to be built over or near Council's assets can be assessed and a proper procedure to follow for approval to avoid any financial turmoil to the developer/ owner.
People	Difficult for community and staff to calculate the impact on SW assets. Damage to asset could lead to contamination causing harm to occupants of a property and people around.	The policy provides a framework and reference to a guideline to calculate if a proposed structure would impact any assets and provides list of restrictions/ exemptions for structures built near or over Council assets.
Environment	Building near or over Council's assets without Shoalhaven Water approval could lead to damage to water and sewer pipes and can cause significant environmental consequences,	This policy is implemented to ensure that Council's assets are protected, and adequate clearance is provided to those assets, also ensuring appropriate approvals are obtained prior to building to avoid accidents leading to environmental damage.

Risk Category	Risk	Notes
	including contamination to water source, soil or surroundings.	
Property and Infrastructure	Building over or near water and sewer pipes can cause damage to both the proposed development and existing underlying infrastructure, leading to costly repairs, damage to development and service disruptions.	This policy outlines that a detailed assessment be prepared and demonstrate all options have been investigated for the development prior to proposing building over or near water and sewer pipes.
Governance (probity, transparency, resilience to scrutiny)	Lack of a clear policy would increase the risk of structures being built over or near SW assets and causing further damage and delays in completion of works.	Policy provides guidance for proposed development/s building near or over Council assets and ensure due consideration and care to protect Council's water and sewer assets and ensuring access for operation and maintenance purposes.

7 Data and Reporting

N/A

8 Monitoring and Review

This policy will be reviewed within one year of the election of every new Council, or earlier should circumstances change to warrant a review.

9 Ownership and Approval

Responsibility	Responsible Owner
Directorate	Shoalhaven Water – Water Asset Planning & Development
Endorsement	CEO
Approval/Adoption	Council