
BUILDING OVER OR NEAR LOCAL GOVERNMENT SERVICE (WATER, WASTEWATER, RECYCLED WATER AND STORMWATER) INFRASTRUCTURE

APPROVALS

POLICY NUMBER	WW-POL-14	DOC.ID	4584792
CATEGORY	Administrative		
POLICY OWNER	Water and Waste		
APPROVAL DATE	26 August 2020	RESOLUTION NUMBER	6807

OBJECTIVE

Property owners and developers may want to build new or temporary buildings or structures over or near Council Service Infrastructure. Council requires that any works taking place near Council Service Infrastructure does not:

- Impede Council's current and future ability to provide and maintain the services dependent on that infrastructure.
- Cause unnecessary expense or risk of damage to either Council's or privately-owned infrastructure.

The legislative basis for the implementation of this Policy is documented in:

- Water Supply (Safety and Reliability) Act 2008 (including sections 40 and 192).
- Building Act 1975

There are associated requirements under:

- Plumbing and Drainage Act 2018

This policy also draws upon requirements under The Queensland Development Code:

- The Queensland Development Code MP1.4 – 'Building over or near relevant infrastructure' (2014).

The implementation of this policy is assisted by the Building Over or Near Local Government Service (Water, Wastewater, Recycled Water and Stormwater) Infrastructure Procedure and Technical Guidelines.

SCOPE

This policy applies only to building work proposed to be carried out over or near to a council service or underground council assets where QDC MP 1.4 – 'Building over or near relevant infrastructure' (2014) does not apply, in instances such as:

- a. Where the Acceptable Solutions stated in QDC MP 1.4 cannot be met.
- b. The proposed building work involves a class 2-9 building as defined in the Building Code of Australia and will be less than 5m from Council Service Infrastructure.
- c. The proposed building work involves a Class 1 or Class 10 building/structure as defined in the Building Code of Australia and will be less than 3m from Council Service Infrastructure that is pressurised.

This policy shall apply unless Council adopts a plan or policy that supersedes this policy.

Without written authorisation from council, building any structure over or near the following will not be permitted:

- a. Sewer pressure mains and overflow pipework
- b. Gravity sewer trunk mains

- c. Sanitary drainage connections points
- d. Water supply mains
- e. Stormwater drainage conduits (pipes or culverts)
- f. Open drainage channels or overland drainage paths

DEFINITIONS

TERM / ACRONYM	MEANING
Associated Structure	Sewer manholes, access holes, connection points, water meter, valve boxes or supporting concrete works.
BONLGSIP	A Building Over or Near Local Government Service Infrastructure Permit.
Building	A “building” or “structure” as those terms are defined in the Building Act 1975, and, where the context requires, the act of constructing or installing same.
Local Government Service Infrastructure	Includes Water, Wastewater, Recycled Water and Stormwater and associated structures.
Development Application (DA)	In order to carry out certain types of developments, a DA may need to be made for a development permit. The development application provides information to the assessment manager about the proposed development to enable the assessment manager to properly assess the application. DA’s shall be assessed under new planning legislation – the Planning Act 2016.
Non DA	Where the works do not trigger a DA (Development Application), such as minor excavation works under a certain volume.
PA	Planning Act 2016, an Act providing for an efficient, effective, transparent, integrated, coordinated and accountable system of land use planning and development assessment to facilitate the achievement of ecological sustainability.
PSP	A “planning scheme policy” as that term is defined in PA.

Policy	The Isaac Regional Council “Policy - Building Over or Near Local Government (Water, Wastewater, Recycled Water and Stormwater) Infrastructure”.
RPEQ	Registered Professional Engineer of Queensland.
Sewer	Includes sanitary drain jump-ups and capped slope junctions and manholes.
Service	For the purpose of this Policy and Technical Guidelines includes sewers, stormwater drains and water mains. Its meaning is interchangeable with “Local Government Service Infrastructure”.
Structure	Includes a wall or fence and anything fixed to or projecting from a building, wall, fence or other structure (e.g. deck, pergola, swimming and spa pool, satellite dish and water storage tank).
Technical Guidelines	Isaac Regional Council “Technical Guidelines - Building Over or Near Local Government Service (Water, Wastewater, Recycled Water and Stormwater) Infrastructure” and all attachments to same including the Technical Requirements.
Zone of influence	The zone of influence is that area of strata likely to be affected by superimposed building loads. The boundary of the zone of influence is nominally defined as a line projected at a 45° angle from the invert of the sewer to the natural surface. The actual boundary of the zone of influence may be affected by factors including groundwater and soil type and must be calculated by a RPEQ.

POLICY STATEMENT

This policy aims to:

- ensure protection is provided against structural damage to Council Service Infrastructure from construction works and erected structures, or imposed loads from those works and structures;
- ensure access is available for future maintenance of the Council Service Infrastructure;

- c. prevent damage to the property owner's structures arising from construction works and erected structures, or imposed loads from those works and structures; and
- d. allow the occupant use of the property without unnecessary constraints.

This policy identifies criteria that will assist Council to achieve the purpose. The Procedure and Technical Guidelines provide further advice on actions required to achieve suitable outcomes.

PERFORMANCE CRITERIA

The following four performance criteria (modified from QDC MP1.4 – 'Building Over or Near Relevant Infrastructure') identify the specific objectives Council aims to achieve:

1. The carrying out of building work near or over a sewer, stormwater drain, recycled water main or potable water main or associated structure (i.e. Council Service Infrastructure) must not:
 - a. interfere with or adversely affect the function of the Service; or
 - b. place any additional load on the Service; or
 - c. unduly increase future maintenance costs.
2. Adequate access must be provided to the sewer or stormwater drain or water main for future maintenance.
3. Adequate access must be provided to any access covers associated with a sewer or stormwater drain or water main.
4. Access must be maintained to a sewer connection point at all times.

APPLICATION PROCESS

Council considers it highly undesirable for any Building or Structure to be constructed over or adjacent to Council Service Infrastructure and fill or excavation works to be carried out in the vicinity of Council Service Infrastructure. An application for works that complies with this policy can be made as follows:

- a. Complete the 'Application To Build Over or Near Local Government Service (Water, Wastewater, Recycled Water and Stormwater) Infrastructure' form;
- b. Submit proposed drawings showing correct location of Council Infrastructure and proposed location of Buildings/ Structures or proposed extent of fill or excavation works with the Application Form;
- c. Provide, design drawings with the application form; and
- d. Pay the required application fee in accordance with Isaac Regional Council's Schedule of Adopted Fees and Charges.

The request will then be assessed by Council. If the application is approved (whether with or without relevant conditions) the applicant will be asked to enter into a Permit for the 'Provision of Indemnity for Structures Built Over or Near Local Government Controlled Infrastructure'.

An approved Permit is required to be in place with Council prior to a development approval being issued for the proposed building/structure or the proposed fill or excavation works.

LEGISLATIONS AND RELATED GUIDELINES

- Water Supply (Safety and Reliability) Act 2008
- Building Act 1975
- Plumbing and Drainage Act 2018
- Capricorn Municipal Development Guidelines (CMDG)
- The Queensland Development Code MP1.4 – ‘Building over or near relevant infrastructure’ (2014)

REFERENCES

TYPE	DOCUMENT ID/NAME
POLICY	Building Over or Near Local Government Service (Water, Wastewater, Recycled Water and Stormwater) Infrastructure - Procedure
TECHNICAL GUIDELINES	Building Over or Near Local Government Service (Water, Wastewater, Recycled Water and Stormwater) Infrastructure - Technical Guidelines
FORMS	Application To Build Over or Near Local Government Service (Water, Wastewater and Recycled Water) Infrastructure Application To Build Over or Near Local Government Service (Stormwater) Infrastructure
PERMIT	Building Over or Near Local Government Service (Water, Wastewater, Recycled Water and Stormwater) Infrastructure Permit