

BARCALDINE REGIONAL COUNCIL POLICY

SYSTEM:	Engineering Services
POLICY TITLE:	Building Adjacent to and Over Council Services (Sewer, Stormwater, Water) Infrastructure
POLICY NUMBER:	I004
ADOPTED:	20 July 2011
AMENDED:	19 October 2011 28 May 2014

1. RELEVANT LEGISLATION

The legislative basis for the implementation of this Policy resides within:

- *Water Supply (Safety and Reliability) Act 2008 (including sections 40 and 192).*
- *Building Regulations 2006*
- *Queensland Development Code MP1.4 – (Building Over or Near Relevant Infrastructure).*

There are associated requirements under:

- *Plumbing and Drainage Act 2002 (including section 78-90)*
- *Work Health and Safety Act 2011*

This policy also draws upon the:

- *Water Services of Australia Build Over (and adjacent) Sewers ≤DN 225 Guidelines*
- *Standards relevant to this policy are:-*
 - *AS/NZS 3500 (Set): 2003 – Plumbing and Drainage Set*
 - *AS/NZS 1477 – 1996 – PVC pipes and fittings for pressure applications..*

2. PREAMBLE

This Policy will include all Sewer, Stormwater and Water Infrastructure. Property owners and developers occasionally want to build new or temporary buildings or structures over or near Council Services Infrastructure. Council wishes to ensure that any works taking place near Council Services 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.

3. SCOPE

This Policy applies to all private property upon which Council Services Infrastructure is situated. This policy shall apply unless Council adopts a plan or other policy that supersedes this policy.

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4. PRINCIPLES

Council's approach to managing the issue of building over or near Council Services Infrastructure is guided by the following principles:-

- Where possible, locate Council Services Infrastructure on public land (see note 8.1)
- Where (see note 8.1) is not possible, acquire easements over Council Services Infrastructure on private land (see note 8.2)
- Where (see note 8.1-8.2) are not possible, require that the building/structure be located elsewhere on the property (see note 8.3)
- Where (see note 8.1-8.3) are not possible, relocate Council Services Infrastructure to alternative land that Council can use (e.g. road reserve) (see note 8.4), providing the hydraulic performance of Council's Services (as a whole) will not be degraded by relocating the infrastructure (see note 8.5)
- Where (see note 8.1-8.4) are not possible, relocate Council Services Infrastructure around new building/structure providing the performance of Council's Services (as a whole) will not be degraded by relocating the infrastructure (see note 8.5)
- Where (see note 8.1-8.5) are not possible, permit building over or near Council Services Infrastructure with conditions providing an inspection shows the structural condition of the infrastructure is suitable for building over or near, or that it can be sufficiently improved (e.g. by relining or reconstructing) to make the structural condition suitable, and that no additional costs will be incurred for future maintenance (see note 8.6).

5. DEFINITIONS

Angle of Repose – the steepest angle of descent or dip of the slope relative to the horizontal plane when material on the slope face is on the verge of sliding.

Associated Structure - sewer manholes, access holes, connection points, water meter, valve boxes or supporting concrete works

BONCSIP - A Building Over or Near Council Services Infrastructure Permit

Building – as defined by the Building Act 1975.

1. A building is a fixed structure that is wholly or partly enclosed by walls or is roofed.
2. The term includes a floating building and any part of a building.

Centreline – of relevant infrastructure, means a notional line running through the centre of the infrastructure along its length.

Clear zone – for relevant infrastructure, means a three dimensional space, free of –

- Overhanging parts of a building or structure; and
- Other objects that would impede access to the relevant infrastructure required by the relevant service provider for the purpose of inspecting, maintaining or replacing the infrastructure, as required.

Council Services Infrastructure - includes sewers, stormwater drains, water mains and associated structures

DEHP – Department of Environment and Heritage Protection.

DEWS – Department of Energy and Water Supply.

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Policy - the Barcaldine Regional Council “*Policy - Building adjacent to and over Council Services (Sewer, Stormwater, Water) Infrastructure*”.

MP 1.4 – (QDC) *Building Over or Near Relevant Infrastructure*.

PSP - A “planning scheme policy” as that term is defined in SPA.

QDC – Queensland Development Code.

Relevant infrastructure – means any of the following –

- A sewer operated by or for a *sewerage provider*;
- For a *water main* operated by or for a *water service provider*;
- A *stormwater drain* operated by or for local government;
- A *combined sanitary drain*.

Relevant service provider

- For a sewer – the *sewerage service provider* for the sewer; or
- For a *water main* – the *water service provider* for the *water main*; or
- For a *stormwater drain* - the owner of the *stormwater drain*.

RPEQ - Registered Professional Engineer of Queensland.

Sewer - includes sanitary drain jump-ups and capped slope junctions and manholes.

Service - includes sewers, stormwater drains and water mains. Its meaning is interchangeable with “Council Services Infrastructure”.

Sewerage service provider – see the *Water Supply (Safety and Reliability) Act 2003, Schedule 3*.

SPA - Sustainable Planning Act 2009.

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 - Barcaldine Regional Council *Technical Guidelines – Building Over or Near Council Services (Sewer, Stormwater, Water) Infrastructure Policy* and all attachments to same including the technical requirements. (see Appendix 1)

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. (Figure 1 provides an illustration of the approximate zone of influence)

6. PERFORMANCE CRITERIA

The following four performance criteria (modified from MP 1.4 of the QDC) identify the specific objectives Council aims to achieve, in order to achieve the purpose of this Policy. They are:

The carrying out of building work near or over a sewer, stormwater drain or water main or associated structure (i.e. Council Services Infrastructure) must not:

- Interfere with or adversely affect the function of the Service; or
 - place any additional load on the Service; or
 - unduly increase future maintenance costs.
- Adequate access must be provided to the sewer or stormwater drain or water main for future maintenance.
- Adequate access must be provided to any access covers associated with a sewer or stormwater drain or water main.
- Access must be maintained to a sewer connection point at all times.

7. GENERAL INFORMATION

The following provisions allow for the administrative tools and actions needed to implement this Policy.

7.1 Technical Guidelines (see Appendix 1)

The Technical Guidelines support the implementation of this Policy. The Policy and the Technical Guidelines should be read together. The Technical Guidelines have been developed to provide specific technical specifications for application by Council to a variety of works situations. The application of the Technical Guidelines will ensure decisions are consistent and in line with the purpose of this Policy.

The Technical Guidelines are not intended to be binding upon Council. Rather they are to be used as a guide with Council having the ability to impose different requirements depending on the nature of the works proposed. The guidelines may be amended from time to time.

7.2 Application and Approval Process

Where the proposed works are regulated by *SPA*, there is a statutory application and approvals process. A development permit will need to be obtained for the works near Council Services Infrastructure (e.g. operational works approval or building permit under *SPA*).

Where no such statutory approvals are required, an owner/developer will still need to obtain Council's written consent to works over or near Council Services Infrastructure, in accordance with section 192 of the *Water Supply (Safety and Reliability) Act 2008*.

Therefore, the Policy and Technical Guidelines have been prepared:

- a) for partial adoption for the purposes of conditioning any statutory development approval that may apply to works near Council Services Infrastructure (e.g. operational works approval or building permit under *SPA*);
- b) where a private certifier is involved and Council is therefore not the assessment manager for a development approval, for partial adoption for the

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purposes of conditioning any written consent in accordance with section 192 of the *Water Supply (Safety and Reliability) Act*; or

- c) for application as a stand alone requirement where no such SPA development approval need be obtained.

7.3 SPA applications

Broadly, in the case of SPA applications involving building near or over Council Services Infrastructure, the application and approval process involves the following steps:

- a) Submission of a SPA application by the applicant. This Policy will then become relevant in certain circumstances, including but not limited to:
- For any building or structure that is deemed to be within the Zone of Influence of Council Services Infrastructure.
 - Where earthworks are directly over or will affect the structural integrity of the Council Services Infrastructure.
 - Where driven piles or piers are within 10m of Council Services Infrastructure.
 - Where bored excavations for piers or footings are located within the Zone of Influence of Council Services Infrastructure.
 - Where the width of the access path from the front boundary to any access hole or sewer property connection located on the property is less than 3m.
- b) Where Council is the assessment manager, assessment by Council using the Policy to guide decisions and provide advice to the applicant.
- c) Where Council is not the assessment manager but is requested to provide consent in accordance with section 192 of the *Water Supply (Safety and Reliability) Act*, application of the Policy to guide decisions as to the conditions of such consent.
- d) Grant of the development permit.
- e) Construction works by the applicant.
- f) Inspections/acceptance of the works by Council.
- g) If required by Council, submission of "As Constructed" drawings by the applicant to Council.

7.4 Non-SPA applications

Broadly this process involves the following steps:

- a) Submission of a request/application by the applicant for Council's written consent to works over or near Council Services Infrastructure, in accordance with section 192 of the *Water Supply (Safety and Reliability) Act*. Applications must be submitted in certain circumstances, including but not limited to:
- For any building or structure that is deemed to be within the Zone of Influence of Council Services Infrastructure;
 - Where earthworks are directly over or will affect the structural integrity of

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Council Services Infrastructure;

- Where driven piles or piers are within 10m of Council Services Infrastructure;
 - Where bored excavations for piers or footings are located within the Zone of Influence of Council Services Infrastructure;
 - Where the width of the access path from the front boundary to any access hole or sewer property connection located on the property is less than 3m.
 - Applications must include:
 - Completed application form
 - Application fee
 - Site building plan
- b) Assessment by Council
- c) At Council's discretion, the provision of an easement by Council and the owner of the property. This must occur before construction can commence.
- d) Construction works by the applicant.
- e) Inspections (if required) by Council.
- f) If required by Council, submission of "As Constructed" drawings by the applicant to Council.

Generally, the process for both *SPA* and non-*SPA* applications is outlined in Appendix 2 which identifies both the Council's responsibilities and the applicant's responsibilities.

7.5 Construction

Council may require a certified RPEQ to design and/or approve the proposed building or structure.

Works to reline any Council Services Infrastructure must be performed by Council or by a Council approved contractor. Works to relocate any Council Services Infrastructure must be carried out in accordance with the Integrated Development Assessment System for Operational Works as specified in the *SPA*. Construction of any such works shall be in accordance with Council's requirements.

A certified engineer or licensed surveyor may be required to prepare "As Constructed" drawings in accordance with Council's requirements. The Technical Guidelines identify when this is required.

7.6 Certification of Works

- a) Design

The design of any works near or over Council Services Infrastructure must be prepared and certified by an RPEQ and submitted to and approved by Council prior to commencement of works.

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b) Preconstruction inspections

Council may require the structural condition of the Council Services Infrastructure to be inspected prior to approval of any application to build near or over the infrastructure (such as identified in the Technical Guidelines).

The applicant is to liaise with Council regarding the type of inspection to be conducted (for example, CCTV, open trench, etc). The costs of any such inspections are the responsibility of the applicant.

c) Construction inspections

Council must be given the option to conduct inspections at the following stages of construction of the proposed works:

- All footing systems located within 2 metres of any of Council Services Infrastructure shall be inspected and certified by the Building Certifier or a RPEQ once excavated and prior to placement of the footing material.
- All exposed sewer, stormwater and water mains - prior to backfilling Council shall first be given the option of an inspection. A minimum of 2 working days notification of inspection is required.
- All replaced/relocated sewers, stormwater and water mains must be inspected and approved by Council, at the applicant's expense, prior to backfilling. A minimum of 2 working days notification of inspection is required.
- Access holes that are newly installed or moved - Council shall first be given the option of an inspection. A minimum of 2 working days notification of inspection is required.

d) Permits

Where no easement exists over the land upon which the Council Services Infrastructure is situated, Council will generally require an easement from a landowner where he/she is proposing to undertake works over or near such infrastructure.

However, if Council has not imposed a requirement for an easement, then prior to any works being undertaken, the applicant must execute a BONCSIP. The BONCSIP will contain the terms upon which the applicant may construct and keep the works in the relevant location.

Once Council issues a BONCSIP it will attach a notation to Council's land record for the relevant land as follows:-

"A Building Over or Near Council Services Infrastructure Permit has been issued to authorise works over or near Council Services Infrastructure existing on this property. A copy of the Permit is in the property file for this land."

e) Enforcement

In circumstances where a person does not obtain the relevant approvals for proposed works under this Policy (including satisfaction of a requirement for an easement or BONCSIP), it may be in breach of the *Water Supply (Safety and Reliability) Act 2008* and, if so, shall be subject to prosecution under that

Act at the discretion of Council.

7.7 Construction Methods

a) Site Works

The approximate location and depth of Council Services Infrastructure may be obtained from Council's records relevant to the building site. It is noted that Council Services Infrastructure may deviate in line and level from the positions shown on the Council plans and that the applicant/builder must ensure it makes itself aware of the location of the infrastructure on the building site prior to the commencement of any earthworks or construction.

Adequate measures shall be taken to ensure Council Services Infrastructure is protected from damage at all times. In particular, heavy earthmoving equipment and driven piles shall not be used near Council Services Infrastructure, and earth or other materials shall not be stockpiled in the Zone of Influence of Council Services Infrastructure. In the event that Council Services Infrastructure is damaged, Council must be notified immediately.

b) Trenchless Technologies

Council may require the use of trenchless technology to install, maintain, inspect, rehabilitate and renew pipelines without disturbing the natural surface of existing structures.

7.8 Remedial and Other Works

Council may require remedial or other works to Council Services Infrastructure prior to or during construction work.

Where preconstruction inspections and/or assessments have identified that the structural condition of infrastructure is inadequate to support the proposed building/structure, then Council may require remedial or other works to the relevant infrastructure. Remedial works may include replacement or relining of the pipe. The applicant shall liaise with Council to determine the further actions that are needed. Any works required to be carried out on Council Services Infrastructure must be carried out by Council or a contractor approved by Council.

Where Council requires the sewer or stormwater drainage to be relined, it will be relined in its entirety from the existing upstream and downstream manhole at the applicant's cost according to the Barcaldine Regional Council Fees and Charges.

A manhole may be required as directed by the Council within the applicant's property immediately downstream and/or upstream of the structure but adequately clear of the structure. In extremely limited and unusual circumstances the Chief Executive Officer may approve for a manhole to be constructed in the floor of a structure. Such a manhole shall have a bolt-down cast iron cover.

7.9 Cost of Works

All costs associated with the construction of the proposed building/structure are the sole responsibility of the applicant. This includes, but is not limited to:

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- materials and labour for the building.
- engineering designs.
- inspections by engineers, Council or other agents of the Council.
- relocation of, or remedial works to, an existing service.
- In the event that Council Services Infrastructure is damaged prior to, during or after construction, Council must be notified immediately.
- All costs associated with rectification of damage to Council Services Infrastructure must be borne by the applicant unless otherwise agreed by Council. In some circumstances, cost sharing arrangements may be negotiated between Council and the applicant.

7.10 Bonds and Deposits

As a condition of the approval Council may require the lodgement of a security in the form of cash bond or unconditional bank guarantee, in a form suitable to the Chief Executive Officer, prior to any construction or associated works. The security will be refunded/released 3 months after the works have been completed if Council is satisfied there has been no damage to Council Services Infrastructure, or if damage is detected, the security will be refunded/released 3 months after all remedial action has been completed and Council is satisfied there has been no damage to Council Services Infrastructure. The Technical Guidelines identify situations where a security may be required.

All charges will be relevant as per the Barcaldine Regional Council Fees and Charges schedule.

7.11 Ownership

Regardless of whether the applicant has contributed to the costs of Council Services Infrastructure (such as relining, relocating, installing maintenance holes etc), all Council Services Infrastructure will remain the property of Council.

7.12 Access and Maintenance

Council requires access to Council Services Infrastructure to perform maintenance or remedial works.

Whilst Council will not damage or destroy the land or any structure on the land more than is necessary to ensure proper exercise of its entitlements under the easement/BONCSIP, it accepts no responsibility or liability for damage caused to a building or structure in order to access Council Services Infrastructure for purposes allowed under the easement or BONCSIP, whether the damage arose as a result of the negligence of Council or otherwise.

Any easement or BONCSIP will reflect this position.

7.13 Indemnity

The applicant shall provide a comprehensive indemnity to Council (in the BONCSIP or easement) for all loss or damage that may occur as a result of the works being undertaken and remaining on the property. If a BONCSIP is entered, the owner must not dispose of the owners' interest in the land without obtaining from the transferee an identical indemnity (by novation of the BONCSIP) in favour of Council. The BONCSIP will reflect this position.

7.14 Easement or BONCSIP

Wherever possible, Council will require an easement instead of a BONCSIP.

8. NOTES

- 8.1** Wherever possible, new Council Services Infrastructure should be located on land (including reserve land) owned or controlled by Council. Existing infrastructure may be relocated to such land as part of Council's ongoing works program or as part of conditions associated with an approval to build near Council Services Infrastructure. Importantly, DEHP and/or DEWS must be consulted as to the proposed use of reserve land prior to any construction or relocation of infrastructure on that land. Depending on the nature of the infrastructure DEHP and/or DEWS may require that councils either purchase (after excision from the reserve and subsequent free-holding) or lease the area of the reserve upon which the infrastructure is situated. The purchase or lease is generally required by and/or DEWS to be at 'market value'. If this occurs then the landowner/developer is generally required to bear the costs of same.
- 8.2** The advantages of obtaining an easement include that it is registered on the title and runs with the land. The easement terms will invariably confer a much broader power of entry than that conferred under the Local Government Act 2009. The easement may also contain agreed terms and conditions governing matters such as the respective responsibilities of the parties in relation to damage or disturbance to the land when Council exercises its rights. Finally, an easement will address the issue of compensation (for the loss, if any, to the value of the land) on a once and for all basis.
- 8.3** The landowner/developer is required to investigate alternative locations for the building or structure before making an application for, or otherwise requesting Council's consent, to enable building over or adjacent to Council Services Infrastructure. Council may discuss this requirement with the applicant to confirm all alternative options have been explored.
- 8.4** Relocating a Service to the road reserve would provide a long term solution to managing building near Council's Infrastructure, providing it is not cost prohibitive, or the present costs can be offset against future costs associated with the alternative options. This may be particularly relevant where much of Council's infrastructure currently runs through private lands in areas where many adjacent or close to properties are, or are likely to, develop additional buildings/structures on their properties.
- 8.5** Although relocating Services to the road reserve or within the boundaries of a property to avoid building over or near them may be appropriate on a case-by-case assessment, it may result in reduced performance of the whole Service. For example, where this option is implemented for several adjacent properties, in particular for Services that rely upon pressurised systems to operate effectively, diverting the system around new buildings will probably increase the number of bends and access points required – this will decrease the performance of the whole service.
- 8.6** The application approval will detail conditions that are associated with an approval to build over or near Council Services Infrastructure, such as those conditions outlined in this Policy and the Technical Guidelines, which may include a requirement for a BONCSIP or easement.

APPENDIX 1

TECHNICAL GUIDELINES

1. Purpose

The purpose of these Technical Guidelines is to assist Council to implement the *Policy – Building Over or Near Council Water (Water, Sewer, Stormwater) Infrastructure*. That Policy specifies four performance criteria. The performance criteria are:

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

These Technical Guidelines provide details of situations that allow all four of these performance criteria to be achieved. However, there may be alternative options to achieve these criteria, and Council may use its discretion to apply an alternative option.

These Technical Guidelines were developed by drawing upon current industry practices, the QDC MP1.4 and the Water Services of Australia *Build Over (and adjacent) Sewers ≤DN 225 Guidelines*.

These Technical Guidelines are drafted to:

- a) Assist Council officers to assess applications to build near Council Services Infrastructure and make the following determinations:-
 - Approve an application to construct as proposed (possibly with additional conditions specified in the approval/consent)
 - Approve an application to construct, but with modifications to the proposed construction (and possibly with additional conditions specified in the approval).
 - Request modifications to the application in order to comply with the Policy and Technical Guidelines
 - Reject an application.
- b) Provide applicants and advising engineers with details of Council's requirements regarding building over or near Council Services Infrastructure.

Assessing officers/engineers can work through the guidelines using the information contained in an application and produce an approval containing necessary conditions or

requirements.

2. Scope

These Technical Guidelines apply to all buildings or structures, including buildings class 1-10 (as defined in the Building Code of Australia). However, Council may impose alternative requirements for large commercial or multi-level (Class 2-9) buildings.

Allowances or alternatives to some requirements exist for minor structures. Where these exist they are identified in these guidelines. Otherwise, they are as determined by Council on a case by case basis.

- Minor structures may include structures or activities such as:-
- Buildings class 10 (except in-ground swimming pools) e.g. carports, garden sheds, above ground swimming pools, tennis courts;
- Fill/excavation and landscaping (not plants);
- Others as determined by Council.

Non load-bearing, or to non load-bearing minor structures may include timber/steel fences, garden sheds on unconsolidated ground and open carports.

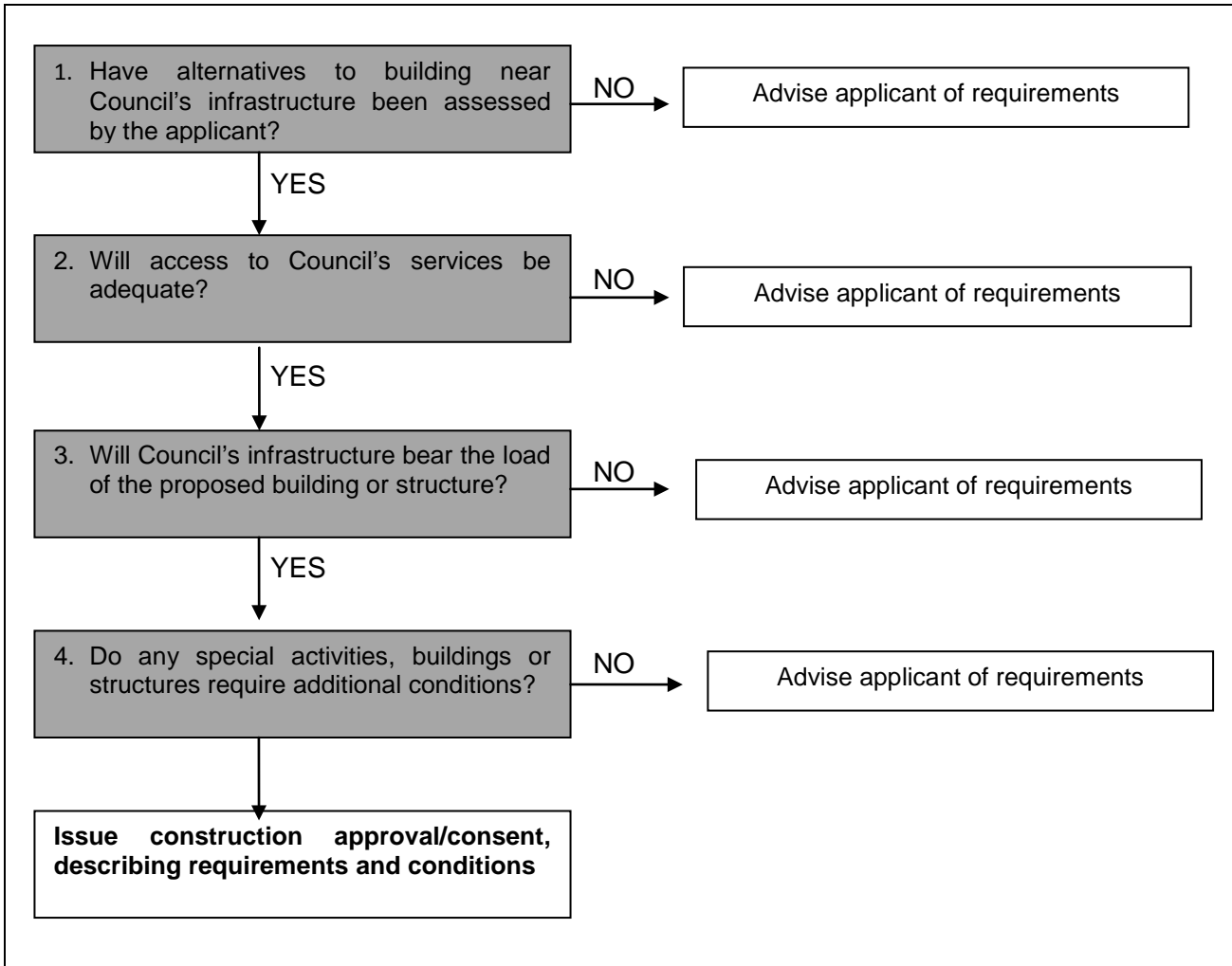
With respect to Council Services Infrastructure these Technical Guidelines apply to sewer mains and stormwater drains up to and including 225 mm in diameter and water mains up to and including 150mm diameter. Pipes that are greater than these dimensions may require more stringent conditions and should be determined on a case by case basis by a qualified engineer.

The recommendations provided in these Technical Guidelines are a guide only. The Manager, Engineering Services, may require additional or alternative conditions on the approval/consent to construct.

3. Using these Technical Guidelines

These Guidelines are formatted as a decision tree: start at the top of the table following the italicised instructions and the yes or no options. The graphic below provides an overview of the steps in the assessment process. The question numbers in the graphic below correspond with the numbered tables in the attached Technical Requirements document. When prompted to “advise the applicant of the requirements”, Council officers should refer to the attached Technical Requirements document.

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Definitions

Where words have been defined in the Policy they have the same meaning in these Technical Guidelines, and the following words are defined solely for these guidelines:

Connection point – as defined in the Standard Plumbing and Drainage Regulation 2003, schedule 6.

Horizontal distance – the minimum distance between the outermost edge of the walls, slab, footing, driven pile, bored pile and any integral parts of the building and the outside face of the infrastructure (the closest face is taken as the closest face in the vertical plane or the closest face at the lowest most point of the building or structure whichever is the most adverse).

Technical Requirements - the below document labelled “*Technical Requirements: Building near Council Services (Sewer, Stormwater and Water) Infrastructure*”.

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TECHNICAL REQUIREMENTS: BUILDING NEAR COUNCIL SERVICES (SEWER, STORMWATER AND WATER) INFRASTRUCTURE

Assess whether proposal meets ALTERNATIVES TO BUILDING NEAR COUNCIL'S INFRASTRUCTURE requirements. The applicant needs to provide evidence that alternatives have been self-assessed and are not feasible.

1	ALTERNATIVES TO BUILDING NEAR COUNCIL'S INFRASTRUCTURE	REQUIREMENTS (ALL PROPOSED BUILDINGS OR STRUCTURES)
1.1	Relocate proposed building/structure	Any footing of the proposed building or structure is relocated to at least 2m clear of a sewer, stormwater drain or water main
1.2	Relocate Council's Infrastructure	Any of Council's infrastructure is relocated to at least 2m clear (measured horizontally) of any building or structure, provided the Manager, Engineering Services deems that the hydraulic integrity of the Council's services will not be compromised, and relocation of any of Council's infrastructure must comply with the Council requirements.

Alternatives to building near Council's water infrastructure have been adequately addressed

Yes

Assess whether proposal meets ACCESS TO SERVICES requirements

No

Advise the applicant to examine ALTERNATIVES TO BUILDING NEAR COUNCIL'S INFRASTRUCTURE (such as those listed at 1.1 and 1.2 above)

All items (2.1, 2.2, 2.3, 2.4) must be satisfied either by the suggested Requirements or another solution acceptable by the assessing officer. Continue assessment (Section 2)

2	ACCESS TO SERVICES	REQUIREMENTS (ALL PROPOSED BUILDINGS OR STRUCTURES)	ALTERNATIVES OR ALLOWANCES FOR MINOR BUILDINGS OR STRUCTURES (See Note 5)
2.1	Access to services between proposed building or structure and existing buildings or property boundary	The horizontal distance between any wall, footing or floor of the proposed building or structure and existing buildings or the property boundary must be at least 3m to provide a permanent suitable access pathway from the front boundary to the location of access holes and property connections without having to go through the buildings.	Discretionary allowances may exist for some minor structures (e.g. carports and class 10 structures with a flooring of gravel or other removable material) contact Council
2.2	Access to manholes and access covers	Access covers must: (a) not have fill placed over it; and (b) have a clear area maintained around it of 1.5m horizontal distance in any direction from the edge of the access cover; and (c) have a unobstructed vertical clearance of ∞m; and (d) be a minimum of 50mm above the surrounding finished surface level (where fill is to be placed adjacent to access covers) (e) The area surrounding access covers shall be free draining to prevent ponding of water over the access cover	Discretionary allowances may exist for some minor structures where the access cover can be moved to be 50mm above the finished surface.
2.3	Access to connection points (Council infrastructure with household infrastructure)	Sewer connection points and jump ups and slope downs must have: (a) a clear area of at least 1.5m horizontal in any direction above ground from the connection point; and (b) a minimum unobstructed vertical clearance of ∞m directly above the connection point.	Requirements as for major buildings or structures.
2.4	Access to pipes under proposed building or structure	If Council approves building over water infrastructure, and if the span of pipe between existing access holes is greater than 80m: (a) one access hole must be installed between 1.5-3m of the outside of the proposed building or structure, and (b) the design of access holes is to be provided by a qualified engineer and approved by Council engineers, and (c) the cost of the construction of the access holes will be the responsibility of the applicant.	Discretionary allowances may exist for some minor structures (e.g. carports and class 10 structures with a flooring of gravel or other removable material) contact Council.

The proposal complies with ACCESS TO SERVICES requirements

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Yes

Assess whether proposal meets LOAD-BEARING OF PROPOSED BUILDING OR STRUCTURE requirements. Each footing of the proposed structure should be assessed against the relevant item (3.1, 3.2, 3.3). The proposal must either comply with the suggested requirement or provide another solution acceptable by the assessing officer. Continue assessment (section 3)

No

The assessing officer should respond to the applicant advising of the failure to comply with any of these items. If they wish to proceed with the construction, the applicant is required to modify and resubmit their proposal, either to comply with the requirements specified in these guidelines, or other acceptable solutions as determined by the assessing officer. The assessing officer should complete the assessment to determine and advise of any other failures to comply.

3	LOAD-BEARING OF PROPOSED BUILDING OR STRUCTURE	REQUIREMENTS (ALL PROPOSED BUILDINGS OR STRUCTURES)	ALTERNATIVES OR ALLOWANCES FOR MINOR BUILDINGS OR STRUCTURES (see Note 5)
		Sewer & Stormwater mains pipes	Water mains pipes
		Sewer & stormwater mains pipes	Water mains pipes
3.1	If horizontal distance between proposed footings and Council's infrastructure is greater than 2m	<p>3.1.1 If pipes will be underneath proposed building or structure</p> <p>(a) there must be a vertical clearance of a minimum of 600mm between the top of the pipes and the underside of the proposed building or structure</p>	<p>Construction of major buildings or structures is not permitted near to or over water mains</p> <p>If Council deems the proposed building or structure to be suitably less load-bearing than a major structure then:</p> <p>(a) there must be a vertical clearance of a minimum of 300mm between the top of the pipes and the underside of the proposed building or structure</p> <p>(b) the base of the footings must be outside the zone of influence</p>
		<p>3.1.2 If pipes are external to the proposed building or structure</p> <p>No additional load-bearing requirements</p>	No additional load-bearing requirements
3.2	If horizontal distance between proposed footings and Council's infrastructure is 1 – 2m	<p>3.2.1 If pipes will be underneath proposed building or structure</p> <p>(a) There must be a vertical clearance of a minimum of 600mm between the top of the pipes and the underside of the proposed building or structure, and</p> <p>(b) the base of the footing must extend >300mm below the zone of influence and</p> <p>(c) Footings are designed by a qualified engineer who certifies that the proposed building or structure will not impose any additional load onto Council's infrastructure (provided with application) and</p> <p>(d) A cash bond or unconditional bank guarantee, in a form suitable to the Manager, Engineering Services, to a value of 10% of the estimated replacement cost of Council's infrastructure, or \$5,000, whichever is greater, is lodged by the applicant prior to construction.</p>	<p>Construction of major buildings or structures is not permitted near to or over water mains</p> <p>If Council deems the proposed building or structure to be suitably less load-bearing than a major structure, then</p> <p>(a) There must be a vertical clearance of a minimum of 300mm between the top of the pipes and the underside of the proposed building or structure, and</p> <p>(b) The base of footings must be outside the zone of influence and</p> <p>(c) A cash bond or unconditional bank guarantee, in a form suitable to the Manager, Engineering Services, to a value of 10% of the estimated replacement cost of Council's infrastructure, or \$5,000, whichever is greater, is lodged by the applicant prior to construction</p>
		<p>3.2.2 If pipes are external to the proposed building or structure</p> <p>(a) the base of the footing must extend >300mm below the zone of influence</p> <p>(b) Footings are designed by a qualified engineer who certifies that the proposed building or structure will not impose any additional load onto Council's infrastructure (provided with application)</p>	<p>(a) The base of the footing must be outside the zone of influence</p> <p>As for major structures</p>
3.3	If horizontal distance between proposed footings and	<p>3.3.1 If pipes will be underneath proposed building or structure</p> <p>(a) there must be a vertical clearance of a minimum of 600mm between the top of the pipes and the underside of the</p>	<p>Construction of major buildings or structures is not permitted near to or over</p> <p>If Council deems the proposed building or structure to be suitably less load-bearing than a major structure then:</p> <p>Construction not permitted.</p>

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<p>Council's infrastructure is less than 1m</p>			<p>proposed building or structure</p> <p>(b) Council's pipes must be covered with a compressible material and 75mm compacted sand, and</p> <p>(c) Footings must be supported on bored piers/piles that are >1m horizontal distance from Council's pipes and that extend 300mm below the invert of the pipe, or other solutions designed by an engineer and approved by Council, and</p> <p>(d) Footings are designed by a qualified engineer who certifies that the proposed building or structure will not impose any additional load onto Council's infrastructure (provided with application) and</p> <p>(e) A cash bond or unconditional bank guarantee, in a form suitable to the Manager, Engineering Services, to a value of 10% of the estimated replacement cost of Council's infrastructure, or \$5,000, whichever is greater, is lodged by the applicant prior to construction.</p>	<p>water mains</p>	<p>(a) the footings must extend 300mm below the zone of influence of Council's pipes and</p> <p>(b) Footings are designed by a qualified engineer who certifies that the proposed building or structure will not impose any additional load onto Council's infrastructure (provided with application) and</p> <p>(c) There is a minimum 300mm vertical clearance between the underside of the proposed building or structure and the pipes, which have either been replaced or a condition assessment of the pipes by Council (or its agents) has indicated their condition is suitable to build the proposed building or structure over.</p>	
	<p>3.3.2 If pipes are external to the proposed building or structure</p>		<p>(a) Council's pipes must be covered with a compressible material and 75mm compacted sand, and</p> <p>(b) Excavation is not carried out within 600mm of the outer wall of the <i>relevant infrastructure</i>; and</p> <p>(c) the base of the footing must extend >300mm below the zone of influence; and</p> <p>(d) the footings are designed by a qualified engineer who certifies that the proposed building or structure will not impose any additional load onto Council's infrastructure (provided with application)</p>	<p>Construction of major buildings or structures is not permitted near to or over water mains</p>	<p>If Council deems the proposed building or structure to be suitably less load-bearing than a major structure then:</p> <p>(a) the footings must extend 300mm below the zone of influence of Council's pipes and</p> <p>(b) Footings are designed by a qualified engineer who certifies that the proposed building or structure will not impose any additional load onto Council's infrastructure (provided with application) and</p> <p>(c) There is a minimum 1200mm vertical clearance between the underside of the proposed building or structure and the pipes, which have either been replaced or a condition assessment of the pipes by Council (or its agents) has indicated their condition is suitable to build the proposed building or structure over.</p>	<p>Construction not permitted</p>

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The proposal complies with the LOAD BEARING requirements

Yes	No
Continue assessment (section 4)	The assessing officer should respond to the applicant advising of the failure to comply with any of these items. If they wish to proceed with the construction, the applicant is required to modify and resubmit their proposal, either to comply with the requirements specified in these guidelines or other acceptable solutions as determined by the assessing officer. The assessing officer should complete the assessment to determine and advise of any other failures to comply

If the proposal involves a special structure or activity (listed at 4.1, 4.2, 4.3, 4.4, 4.5), assess whether the proposal meets the respective requirements.

4 SPECIAL STRUCTURES, BUILDINGS OR ACTIVITIES		
4.1	In ground swimming pools	In addition to requirements relating to access (a) the horizontal distance between the edge of the pool and Council's infrastructure must be a minimum of 2m (b) pools are not permitted to be constructed over Council's infrastructure
4.2	Utilities (Gas, electricity, telecommunications)	Proposed utilities (a) traversing Council's infrastructure must traverse at 90° (+-15°) and maintain a vertical clearance of 150mm between the service and the outside edge of Council's infrastructure, except for electrical conduits and cables which must be 225mm clear, and (b) parallel to Council's infrastructure must maintain a minimum horizontal clearance of 300mm between the service and the outside edge of Council's infrastructure, except for electrical conduit cables which must be 500mm clear, and (c) must be protected, and (d) place no additional load on Council's services, and (e) comply with the access requirements.
4.3	Property sewers	Proposed property sewer, stormwater and water supply pipes (a) traversing Council's infrastructure must traverse at 90° (+-15°) and maintain a vertical clearance of 150mm between the service and the outside edge of Council's infrastructure, and (b) parallel to Council's infrastructure must maintain a minimum horizontal clearance of 300mm between the service and the outside edge of Council's infrastructure, and (c) place no additional load on Council's services, and (d) comply with the access requirements.
4.4	Driven piles	Driven piles are not permitted within 6m of any of Council's water infrastructure
4.5	Earth moving equipment	Earth moving equipment must not traverse Council sewer or stormwater mains

The proposal complies with any relevant requirements for SPECIAL STRUCTURES OR ACTIVITIES

Yes	No
The proposal complies with the Building Near Council Infrastructure technical guidelines, and the assessing officer's discretion, a Construction Permit can be issued. The assessing officer may add other conditions, such as inspections and bonds/guarantees to the construction permit.	The assessing officer should respond to the applicant advising of the failure to comply with any of these items. If they wish to proceed with the construction, the applicant is required to modify and resubmit their proposal, either to comply with the requirements specified in these guidelines, or other acceptable solutions as determined by the assessing officer.

NOTES

1. Building over = building directly over or within 2m (horizontal distance) of Council's infrastructure
2. For structures such as fences, retaining walls, pipes are considered to be external
3. Qualified engineer = Registered Professional Engineer of Queensland (REPQ) (Civil)
4. Zone of influence: as outlined in the definitions, this shall be exactly determined by a qualified engineer (see figure 1)
5. These do not automatically apply. Council must first approve the proposed building or structure as minor
6. Relocating Council's sewer and water pipes must be conducted by Council officers or a qualified plumber nominated by Council. The design, materials and construction methods must be approved by Council. Council will inspect all open trenches prior to backfilling.

COST ARRANGEMENTS

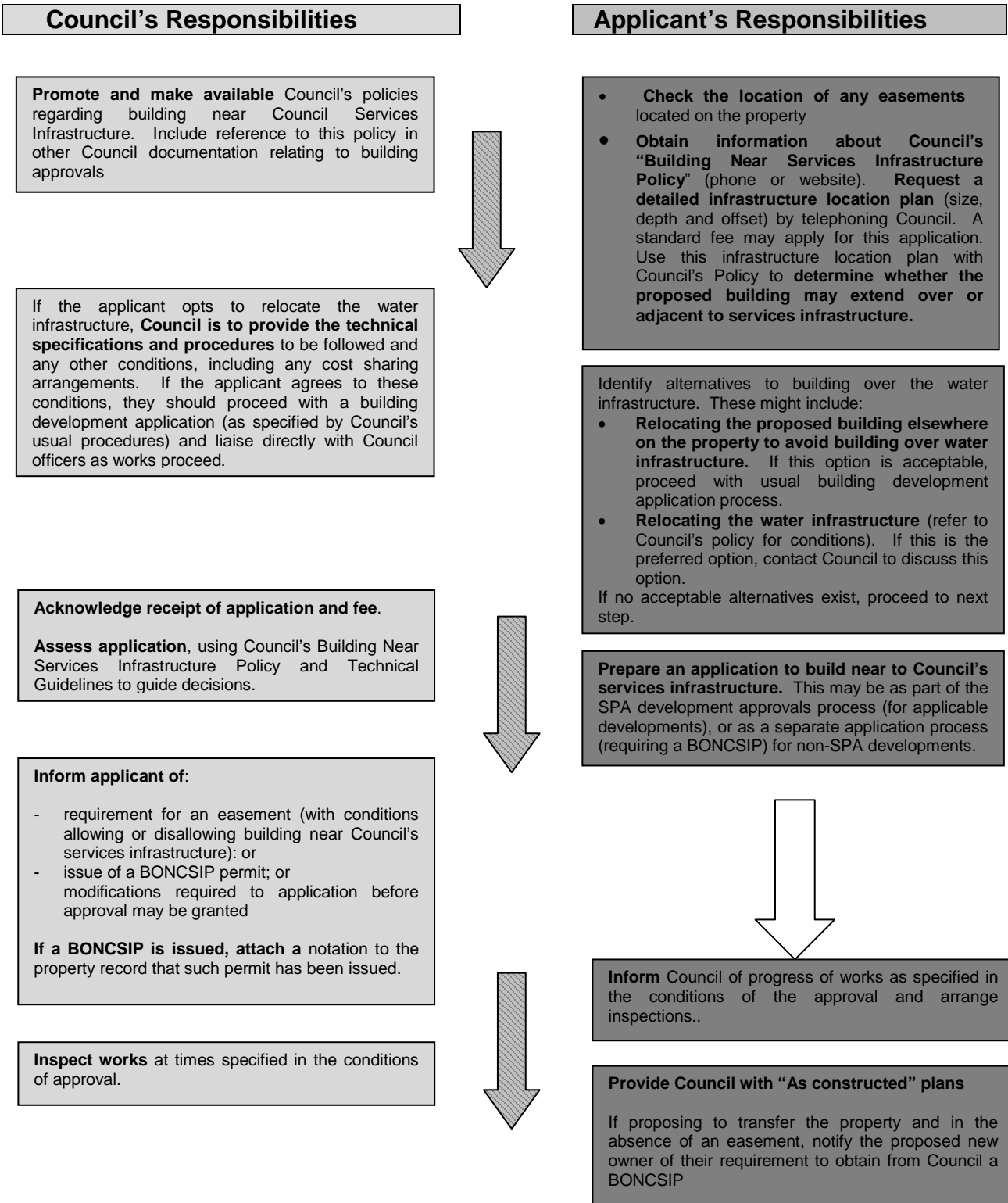
When Council requires the asset to be relined or reconstructed on the existing alignment, the cost of the required relining will be borne by the applicant.

When the asset is required to be moved or reconstructed on an alternative alignment the applicant shall bear 100% of the cost.

All charges will be relevant as per the Barcaldine Regional Council Fees and Charges Schedule.

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Appendix 2 – Application and approvals process



BARCALDINE REGIONAL COUNCIL
POLICY

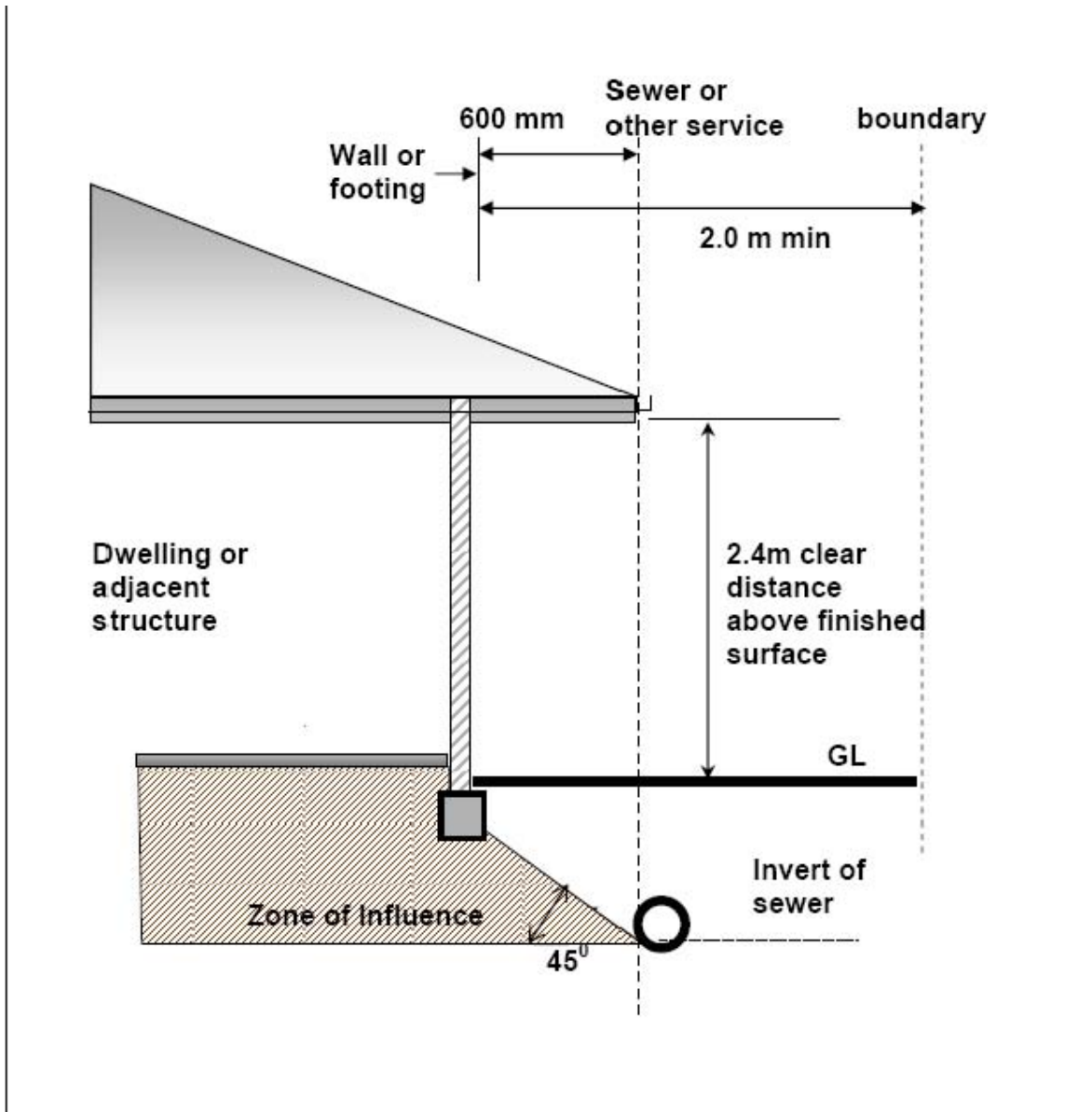


Figure 1. Technical requirements when footings are between 1 and 2 m from Council water, stormwater or sewer pipes. For requirements when footings are less than 1m or greater than 2m from Council infrastructure, please refer to the Technical Guidelines.

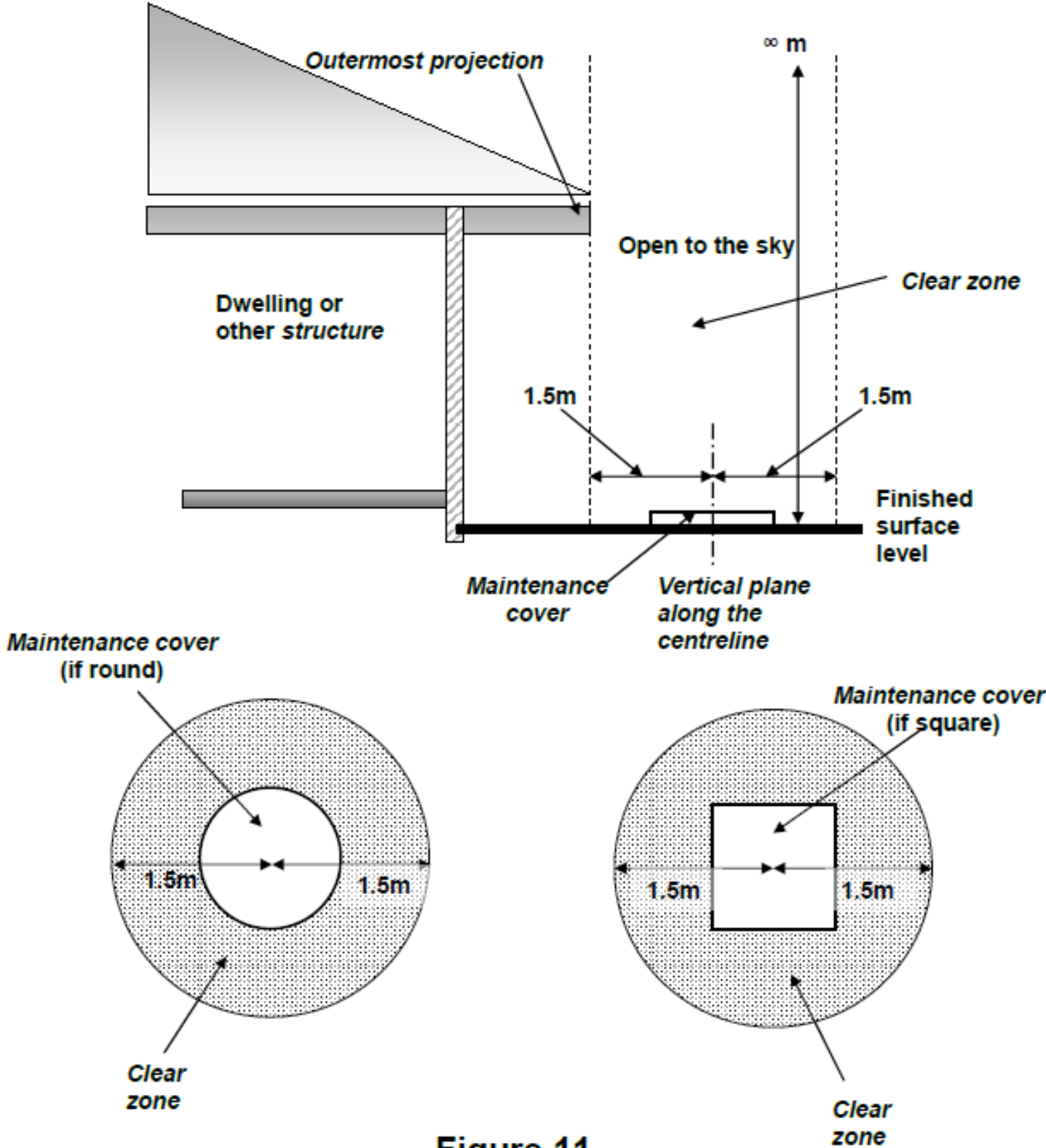


Figure 11
Example for A2(2)(e)

**BARCALDINE REGIONAL COUNCIL
POLICY**



PO Box 191
BARCALDINE Q 4725
Phone (07) 4651 5600
Fax (07) 4651 1778
Email admin_office@barcaldinerc.qld.gov.au
Website www.barcaldinerc.qld.gov.au

**APPLICATION TO BUILD NEAR COUNCIL'S INFRASTRUCTURE
(WATER, SEWER OR STORMWATER)**

1. **APPLICANT'S NAME:**

2. **APPLICANT'S POSTAL ADDRESS:**

3. **OWNER'S NAME:**

4. **OWNER'S ADDRESS:**

5. **SITE ADDRESS WHERE WORK IS TO BE CARRIED OUT:**

6. **DESCRIPTION OF PROPOSED WORKS TO BE CARRIED OUT**
(attach a separate description if more space is required) (Feasibility report to be attached)

7. **PLEASE ATTACH A SITE PLAN IDENTIFYING:**

- 7.1 property boundaries
- 7.2 location of existing built structures
- 7.3 location of proposed building/structure
- 7.4 location of all existing Council Services Infrastructure (including house connection points, access points)
- 7.5 details of footing design (these must be designed by a registered (RE PQ) engineer.

8. **APPLICATION FEE:**

Please attach a cheque for the application fee, made out to Barcaldine Regional Council, or contact the Administration Office for details of other payment options (e.g. Credit Card, EFT)
Note: There will be no refund of the application fee once the application has been receipted.

9. **AUTHORITIES AND AGREEMENT:**

I agree to abide by:

- The Building Over or Near Council Services Infrastructure Policy which was provided with this application and which I have read, and
- Any additional conditions Council may require

SIGNATURE OF OWNER: _____ DATE: _____

SIGNATURE OF APPLICANT: _____ DATE: _____

CONTACT PHONE NUMBER: _____

FOR COUNCIL USE ONLY

Date Received: _____ Receipt No. _____ Amount Paid _____ Initials _____

PERMIT NO _____ DATE ISSUED _____ ASSESSING OFFICER _____