

COUNCIL POLICY

**Policy Name**

Building Over Sewers

Abstract

It is Council's policy not to allow erection of structures over sewers unless all other options relating to location or layout of the structure have been ruled out to the satisfaction of Council, taking into account reasonable expectations of use and facility of the proposed structure on the land in question.

Dates	Policy or amendment approved	13 December 2023
	Policy or amendment takes effect	13 January 2024
	Policy is due for review (up to 4 years)	13 December 2027
Endorsed by	Executive Leadership Team at its meeting held 28 November 2023	
Approved by	Gunnedah Shire Council, at its Ordinary Meeting of Council held 13 December 2023 Resolution number: 6.12/23	
Policy Custodian	Manager Water Services	
Relevant to	Gunnedah Shire Council Staff	
Superseded Policies	Gunnedah Shire Council at its Ordinary Meeting held on 18 Jun 1997 Resolution number: 337.5	
Related documents	Nil	
Related legislation	Nil	

Erection of structures over sewers on properties will be permitted only under the following circumstances.

1. There is no easement covering the sewer. No structure is to be constructed over a sewer in an appropriate easement.
2. If the property is inside the CBD of Gunnedah, which is defined for this purpose as bounded by Barber, Bloomfield, Tempest and Henry Streets, any sewer it is proposed to build over is to be relined, to Council's standards and at full cost to the Owner/developer:
 - a) regardless of its condition where the sewer is more than 15 years old,
 - b) where the sewer is less than 15 years old, if, in the opinion of the appropriate manager in Council, there are any defects in the pipe that could adversely affect the normal life expectancy of the main.

The CBD area will be reviewed from time to time in accordance with future Local Environment Plans (LEPs).

3. The sewer in question does not have more than 200 equivalent tenements (ET) connected to sewers upstream of and discharging into it, or have a carrying capacity of more than 200 ET and a potential area of future development, as identified in the LEP, that is likely to discharge into the sewer and increase the load on the sewer to more than 200 ET.
4. The sewer is investigated by Council, at Council's discretion, using the AI data supplied by Vapar, any condition assessments of 4 or 5 will need to be relined prior to approving the building application to determine whether the condition of the pipe would normally require its replacement/ reline within the next 10 years or whether there is any damage to or defect in the main that would require repair in the near future. If the need for replacement/reline or repair is indicated, the main will be replaced/ relined or repaired at the property owner's cost. The building approval will be rejected unless the applicant agrees in writing to pay for the cost of the replacement/reline or repair.
5. In assessing the need for replacement/reline or repair of the main, consideration will only be given to the normal service conditions of the main. No consideration will be given to service conditions imposed by consideration of a structure over the main. The latter condition is entirely at the property owner/occupier's risk.
6. Notwithstanding any inspections, repairs or replacements/relines carried out,

Council will not be liable in any way for damage to the structure caused by collapse or subsidence of the ground adjacent to the sewer or any other damage resulting from the presence of the sewer under the structure at any time in the future.
7. Council will take all care in carrying out excavations and other repair work on its sewers, however the property owner and/or occupier is to indemnify Council against any claims relating to the presence of the sewer or damages resulting from any work required on the property relating to maintenance or replacement/reline of the sewer, carried out with due care and responsibility.
8. Notwithstanding whether a proposed structure is located over or adjacent to any sewer, the foundations of the structure are to be such that no load is transferred to the pipe via a zone of influence of 45*, and that the foundation will support the structure in the event of an excavation under the structure to 100 mm below, and 300 mm on either side of the pipeline being required for maintenance or repair of the pipe.

9. A Certified Practicing Structural Engineer’s certificate will be required to attest to item 7.
10. No point on the sewer will be more than 6 meters, measured along the pipe, from a point of reasonable access for the purpose of excavating under the structure for maintenance or repair of the pipe.
11. Sewer junctions may not be built over under any circumstances:

If an application requires building over a junction the following conditions apply:
 - a) A new junction will need to be installed outside the building footprint and all internal sewer lines will be connected to the new junction at full cost to the developer/owner.
 - b) The original junction will need to be excavated and removed and replaced with a straight through pipe piece prior to approving the building application.
12. The clearance, along the centre of, and 0.5 m either side of the main, between the underside of any permanent part of the structure and the top of the main is no less than 1 meter.
13. Council is to be guaranteed access to the sewer for the purpose of maintenance and repair, by removal of any improvements on the property, not a structural part of the main structure on the property, at the owners risk and expense.
14. No swimming pool of any kind is to be built over a sewer. Pools are to be located such that no structural part of the pool is located closer than 1.8 m from the centre of the sewer. The pool is to be designed such that a trench can be excavated up to 300 mm either side of the pipeline without structurally affecting the pool.

Version Control and change history

Date	Version	Approved by & Resolution No.	Amendment
Feb 2020	1	Ordinary Meeting 18 Jun 1997 Resolution 337.5	
Dec 2023	2	Ordinary Meeting 13 Dec 2023 Resolution 6.12/23	