

## POLICY REGISTER

# CONSTRUCTION IN THE VICINITY OF AND PROTECTION OF COUNCIL UNDERGROUND ASSETS POLICY

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## DOCUMENT CONTROL

Issue	Prepared/Revised by and Date	Action/Amendment Description	Approved By and Date
1.0	Kerry Jones Town Services Manager	First Edition	Council Minute No. 214.9.18 (27th September 2018)
2.0	Sylvester Otieno, Divisional Manager Engineering Services	Added Policy Review/ Second Edition	Council Minute No. 114.4.25 (24th April 2025)

## 1 PURPOSE

Under Section 59A of the Local Government Act 1993 (the Act), Council is the owner of all works of water supply, sewerage and stormwater drainage installed in or on land by council (whether the land is owned by council). The Act provides council access to any land required to operate, repair, replace, maintain, remove, extend, disconnect, improve or do any other things that are necessary or appropriate to any of its works to ensure that, in the opinion of council, the works are used in an efficient manner for the purposes for which the works were installed.

Unrestricted building of structures or other construction activities close to underground assets can increase the probability of damage to those assets, restrict access to those assets and increase the cost of their maintenance and repair. This policy details the requirements for performing private construction activities in vicinity to public underground assets in various circumstances.

## 2 POLICY

To protect Council's underground assets, the following applies:

- The construction and erection of structures in the vicinity of Council's underground assets may be possible.
- Prior approval to build or carry out work in the vicinity of Council's underground infrastructure is required. This approval is a condition to any Development Approval or Construction Certificate.
- If Council approves the erection of a new structure in the vicinity of an underground asset, it will require measures set out in the policy and procedure to safeguard the integrity of the asset and the structure.
- The proponent shall provide to Council's with a report and plans from a Certified Practising Structural Engineer certifying that the design of the proposed structure does not place additional loading on Council's underground assets.
- Reports and plans from building designers/contractors will not be accepted.
- The construction and erection of structures **OVER** sewer rising mains, major sewer trunk mains, stormwater mains, water mains, Council optic fibre conduits, sewer junctions, inspection shafts, manholes, pits or in easements is prohibited.
- Where construction activities are carried out on public land the procedure outlines the requirements to locate and protect Council's underground assets.
- This policy and procedure apply to works issued by Private certifiers.

This Policy will be applied by following Council's *Construction in the Vicinity of and Protection of Council Underground Assets Procedure* which specifies in detail the processes and matters to be considered.

## 3 DEFINITIONS

**Underground Asset:** Any underground pipe, valve, pit, main, shaft or structure etc. owned by Council.

**Sewer Pipes:** Any pipes that convey sewage by gravity.

**Sewer Rising Mains:** Pipes that convey sewage under pump pressure.

**Water Mains:** Pipes that convey drinking water under pressure.

**Recycled Water Mains:** Pipes that convey recycled water under pressure.

**Council Optic Fibre Conduits:** Conduits that carry Council’s optic fibre network

**Stormwater Pipes:** Any pipes that convey stormwater by gravity.

**Inspection Shaft:** This is the pipe rising to ground level that defines the connection point between the owner’s pipes and Council’s assets.

**Manhole:** Used to provide direct access to the sewer system for maintenance activities. Manholes are located where sewer pipes change direction or approximately every 120 metres on straight sections. Manholes are usually constructed of concrete and are level and 50mm above the surrounding finished surface so that groundwater or surface water does not drain through the manhole lid.

**Construction Activities:** Any structures (e.g. buildings, houses, outbuildings, carports, garden sheds, retaining walls, pools, fences, driveways etc.), earthworks (e.g. cutting and/or filling, directional drilling etc.) or any other works that may have the potential to impact Council’s underground assets.

**Easement:** Land dedicated for water supply, sewerage, drainage and Council optic fibre assets. Not all land has easements, and not all assets are located in easements. If land has an easement, it will be shown on the Deposited Plan and described in the Section 88b Instrument attached to the land title.

**Private Certifier:** As defined by the Building Professional Board and relevant legislation.

#### 4 KEY RESPONSIBILITIES

**General Manager**

To lead staff through delegated authority in their understanding of this Policy.

**Divisional Manager Engineering Services**

To ensure the commitment made within this Policy is implemented and met.

**Manager Health and Development Services**

To ensure the commitment made within this Policy is implemented and met.

**Town Services Manager**

To oversee compliance with, and coordination of the Policy.

**Council Officers**

To promote the use of, and knowledge of this Policy.

#### 5 REFERENCES

- *Local Government Act 1993;*
- *Local Government (General) Regulation 2005;*
- *AS/ NZS 3500 National Plumbing and Drainage Code;*
- *National Construction Code 2016 – Volume 3 – Plumbing Code of Australia*

#### 6 POLICY REVIEW

This Policy should be reviewed every 4 years or within 12 months following an election of Council. The Policy may be reviewed and amended at any time at Council’s discretion (or if legislative changes occur).