

Council Policy

Building Over or Adjacent to a Drainage Easement

Version 5 - 25 October 2021

Policy - external Building Over or Adjacent to a Drainage Easement

Introduction

Purpose

This Policy aims to protect and maintain the functional use of drainage infrastructure from damage during construction works and imposed loads.

Scope

This Policy applies to applicants wishing to build over or adjacent to a drainage easement.

Policy statement

Council will consider the approval of building over or adjacent to drainage easements under the following conditions:

- Structural damage due to construction works or imposed loads are prevented.
- Access for maintenance of Council's assets in drainage easements is available.
- Consequential damage to the land owner's structures is prevented.
- Council's costs and liabilities are minimised when constructing, replacing, maintaining or obtaining emergency access to Council owned stormwater infrastructure within private property.
- Amenity (functional use) of land affected by drainage easements is maintained, and allows the occupant to use the land without unnecessary constraints.

Principles

Council's Building Over or Adjacent to a Drainage Easement Guidelines are used when assessing Development Applications including construction on Council's drainage easements.

Objectives

To minimise the risk of avoidable damage to both Council assets and privately-owned infrastructure in or over Council drainage easements.

Review and Evaluation

This policy will be reviewed and evaluated in four years.

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Controlled Document Information

Authorisation Details

Folder No:	F2005/02222	TRIM Record No:	D09919310
Audience:	External		
Department:	Asset Management	Officer:	Infrastructure Asset Management Coordinator - Dean Chapman
Key focus area(s):	Protect and maintain drainage infrastructure		
Review Timeframe: Max < 4 years	4 years	Next Scheduled Review Date:	25 October 2025
Authorisation:	Adopted by Council - 25 October 2021		
Authorisation - Council Adoption Date:	25 October 2021		

Related Document Information, Standards & References

Related Legislation:	(Legislation Name) Roads Act 1993 Water Management Act 2000 Protection of the Environment Operations Act 1997 Fisheries Management Act 1994 NSW Catchment Management Authorities Act 2003 NSW Coastal Policy 1997 Local Government Act	(Relationship/Context) Section 124
Related Policies:	(Policy Name)	(Relationship/Context)
Related Procedures, Guidelines, Forms, WHS Modules/PCD's, Risk Assessments, Work Method Statements:	(Document Name)	(Relationship/Context)
Standards, COP's & Other References	(Standard, COP or Other References) Building Over or Adjacent to Drainage Easement Guideline - D09919070	(Relationship/Context)

Definitions

Term / Abbreviation	Definition

Consultation (update for each version created)

Key Departments, Teams, Positions, Meetings:	Infrastructure Asset Management Team
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Version History

Version No	Date Changed	Modified By	Details and Comments
1	July 1987	City Engineer	New Policy
2	February 2010	H Thomson	Document format updated
3	June 2012	Rod Keft	Updated to latest template, replaced references to City Engineer with Manager Asset Management, no other changes
4	October 2014	Brent Wellham	Updated template. Complete review of policy to separate technical guidelines from policy document.
5	June 2020	Rebecca Bower	Updated template. Streamlined document. Legislation reviewed.
5	October 2021	Dean Chapman	Submit to Council for adoption.