

Building in the vicinity of Council's underground infrastructure

Guidelines for acceptable construction over or near underground infrastructure

Why does this apply?

Byron Shire Council has placed a development consent condition or a requirement on your development proposal that compliance with the Policy – Building in the Vicinity of Underground Infrastructure must be satisfied before issue of a Development Certificate (CC/CDC/OC).

Council's website contains the current version of the Building in the Vicinity of Underground Infrastructure Policy at: www.byron.nsw.gov.au/buildingnearinfrastructure.

The following steps will assist you in what to do:

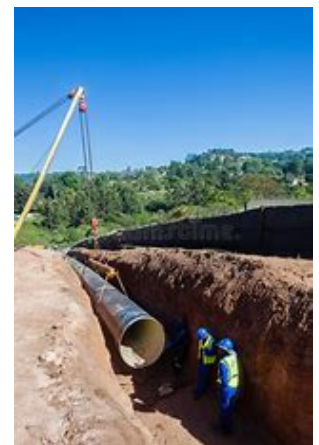
Step 1 - Identifying Existing Pipelines and other underground Structures

Establish the location and depth of any underground services (pipelines) that your development may affect. This can only be achieved by providing survey accurate plans of the pipeline for Council's Water and Sewer Team. Once identified, your development design may need to be altered so there is no impact on Council's underground pipeline. Minimum setbacks of the proposed development from Council pipeline apply. (see step 2 easement requirements below for minimum setbacks).

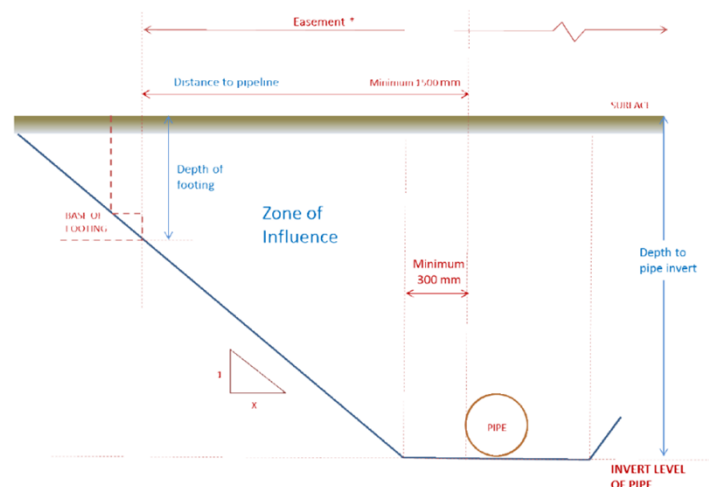
DA plans showing the proposal has no impact on Council's underground pipelines will be required before DA determination.

Remember:

- the deeper the pipeline is underground, the wider the building setback needs to be from the pipe line and wider the easement required.
- Developments close to side or rear boundaries may be affected by underground pipelines on adjoining properties.



- Once the location of the development to Council pipelines is accepted and the DA is approved you may have conditions on the consent requiring an easement being placed on the title of your property and/ or requiring engineering designs that show the development is not loading on to the Council pipeline.



* Existing Easement OR Easement to be created, compliant with Section 5 of this Policy

Figure 1: Zone of Influence assessment

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Step 2 - Pipeline Easement:

The development site has a Council pipeline (Sewer main, water main, stormwater main) that is currently not protected by an easement on title of the development site.

Pipelines should in general be located centrally in proposed easements. A limited offset may be considered by Council if a centrally located easement significantly impacts the development potential of a lot. Note that zone of influence and minimum clearance requirements apply.

Easements must be provided as follows:

Depth to pipe invert	Minimum width of easement
Up to 1.5m	3 m plus outside dimensions of pipe.
1.5m to 2.5m	4m plus outside dimensions of pipe.
Greater than 2.5m	To be determined by Director.
Low pressure sewer systems	1.0m minimum or twice the depth to invert which ever is greater/or determined by Director.

- You will need to engage the services of a registered land surveyor to prepare a plan for easement.
- You will need to engage the services of a solicitor or conveyancer to prepare legal documentation for endorsement by Council for registration on title.

For endorsement of the easement see link:
www.byron.nsw.gov.au/Services/Building-development/Plans-maps-and-guidelines/Other-Guidelines

Note: fees applicable as per Council fees and charges

Step 3 - Developments footing design

If conditioned: Your Structural Engineer will be required to provide footing designs that show the base of the footing is not affecting (zone of influence) the Council pipelines. This will be required before issue of the Construction Certificate.

Step 4 - Indemnifying Council

In certain circumstances existing structures may have been constructed over Councils underground pipelines. When this occurs you may be required to indemnify Council from damage to your structure if Council undertakes repairs or replacements of its pipeline. The indemnification is a legally binding agreement and also registered on title.

For endorsement of the indemnification contact Council Utilities - Principal Engineer on 02 6685 9305

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