

OP9692 - Building Over and Adjacent to Assets Policy

Document Owner	Executive Manager Customer Experience
Document Author	Principal Policy Advisor
Supporting Legislation and Documents	<p>Water Supply (Safety and Reliability) Act 2008 (Qld) South-East Queensland Water (Distribution and Retail Restructuring) Act 2009 (Qld) Planning Act 2016 (Qld) Planning Regulation 2017 (Qld)</p> <p>South East Queensland Water Supply and Sewerage Design and Construction Code</p> <p>Queensland Development Code Mandatory Part 1.4 – Building over or near relevant asset</p>
Documents Directly Related	<p>Pr9691 - Building Over and Adjacent to Unitywater Assessment Manual</p> <p>Pr9688 - BOAA Technical Standard Category A – Guidelines for the Assessment of Proposed Structures/Works Over and Adjacent to Unitywater’s Sewers (up to and including 225 mm) on Private Properties (not Roads)</p> <p>Pr9689 - BOAA Technical Standard Category B – Guidelines for the Assessment of Proposed Structures/Works Over and Adjacent to Unitywater’s Pressure Mains on Private Properties (not Roads)</p>

1. Policy Statement

Unitywater will utilise a consistent, evidence-based and pragmatic approach to authorising building over and adjacent to our water supply and sewerage infrastructure. This approach will assure buildings and structures are constructed and maintained in such a manner as to protect the integrity of Unitywater infrastructure, allow its operation without adverse effect from such buildings or structures and facilitate its on-going maintenance.

2. Purpose and Objectives

Proposed building work over and adjacent to water supply and sewerage infrastructure must be assessed against the *Queensland Development Code Mandatory Part 1.4 ‘Building over or near relevant infrastructure’* (QDC MP1.4). The QDC MP1.4 can be found at <http://www.hpw.qld.gov.au/construction/BuildingPlumbing/Building/Pages/BuildOverInfrastructure.aspx>.

Where building work proposed within Unitywater’s service region does not comply with an acceptable solution under the QDC MP1.4 or the proposed work will not maintain clearances between the work and Unitywater infrastructure as outlined in the QDC MP1.4, the proposal will need to be referred to Unitywater for concurrence assessment.

This Policy underpins the assessment framework that allows homeowners, developers, other proponents and (public) entities to build or carry out improvements on their properties without damaging Unitywater’s infrastructure or restricting the operation or access of that infrastructure.

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3. Policy Scope/Coverage

This Policy applies to all persons proposing to build over and adjacent to Unitywater water supply and sewerage infrastructure, whether on private or public land, including public open space and public roads.

3.1. When Unitywater consent is NOT required for building over and adjacent to a Unitywater asset

The QDC MP1.4 does not apply to situations where protection of Unitywater's infrastructure is already provided for by means other than the requirements of QDC MP1.4, i.e.:

- work within an easement, or
- work that does not involve an increase to a building's floor area or affecting footing systems or sub-structure, or
- building work that is self-assessable and that does not involve continuous concrete footings.

Therefore, the building development application can continue without seeking consent from Unitywater.

3.2. When Unitywater consent is required for building over and adjacent to a Unitywater asset

When an accredited building certifier assessing a building development application advises (the applicant) that the proposed building works do not comply with the acceptable solutions under the QDC MP1.4, alternative solutions may be considered.

These alternative solutions must be referred to Unitywater for assessment and consent.

Upon issuing consent, Unitywater will add a notation to the property records of the property on which it issues an approval to build over and adjacent to Unitywater's infrastructure. This is to ensure subsequent owners are aware of the consent issued by Unitywater for building over and adjacent to its infrastructure.

3.3. Public entity building over and adjacent to a Unitywater asset in a road or on other public land

A public entity proposing to undertake work over and adjacent to Unitywater infrastructure located in a publicly controlled place is not required to seek consent for that work from Unitywater under the provisions of the sustainable planning legislation relating to exempt development on designated land.

However, in accordance with the provisions of the *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009* (Chapter 2B, Part 3), the public entity must provide Unitywater with notice of such work and consider any written submission from Unitywater where the work may affect the safety, location or operation of Unitywater's infrastructure.

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4. Roles and Responsibility

Executive Manager Customer Experience as Document Owner is responsible for:

- Conducting and/or delegating regular reviews to ensure this policy and related resources (e.g. procedures, forms, website content) remain fit for purpose, consistent and current.
- Approving this policy for publication (and/or seeking Board approval where required).
- Ensuring all relevant stakeholders and team members have been consulted and feedback is captured and actioned (where applicable).
- Ensuring appropriate communication and/or training is provided to relevant team members when implementing a new, amended or obsolete document (where applicable).
- Monitoring compliance with internal/external requirements (e.g. monitor legislation changes and assess/update this policy when required).

The applicant will complete a BOAA application form (available on Portal) and submit it to the designated email address for input by Development Services. The applicant will then be sent a notification to pay the BOAA application fee through the Development Portal.

The **Responsible Officer** in Development Services will be allocated the submitted BOAA application to action.

The **Development Services Team** is responsible for policy implementation, including all enquiries, assessment, approval (or otherwise), conditioning (where relevant) and compliance assurance of the Building Over and Adjacent to Unitywater Assets Applications.

Team members are responsible for:

- Working in accordance with this policy.
- Advising the Document Owner if this policy is not consistent with current practices.
- Where possible, minimise printing and/or avoid creating duplicate copies of this policy.
- Ensure current versions are sourced from the [Document Centre](#).



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5. Definitions

To access the Unitywater Definition library click [here](#). If definitions are provided below, it means either the word and/or acronym is:

- not contained within the definition library, or
- has a different meaning in the context of this document.

Term	Meaning
Building or building work	Has the meaning defined under the <i>Planning Act 2016</i> Schedule 2 and includes the construction of buildings, other structures, footings (including bored/screw piers and ground anchors), slabs (including driveways) and the filling or excavation of land.
Building Certifier	A building certifier who has development approval endorsement in accordance with the <i>Building Act 1975</i> (Private Certifier (Class A)).
Easement	A public utility easement created in favour of Unitywater under the <i>Land Act 1994</i> .
Person	Includes an individual or an entity which is recognised as having a legal personality such as a company.
Private land	Real property that is held by an individual or entity as freehold or leasehold and is used for living purposes or for business and to which the Public does not have access or has access only on limited conditions with the consent of the owner/occupier.
Public Entity	Has the meaning in the <i>South-East Queensland Water (Distribution and Retail Restructuring) Act 2009</i> and includes, but is not limited to, a local government, a State department, State instrumentality and State authority.
Public land	Means land dedicated to public use as defined in the <i>Land Act 1994</i> .
Unitywater Infrastructure	All water and sewerage infrastructure owned, operated and maintained by Unitywater whether above or below ground, including water mains, sewage mains, pumping stations and recycle mains. The term includes maintenance holes and house connection branches.