

## Details of advertisement

### PUBLIC NOTIFICATION

#### **DRAFT PIPES ACROSS AND ALONG ROADS – WATER, DRAINAGE & IRRIGATION POLICY**

At the Ordinary Meeting of Council held 22 January 2019, it was resolved that the draft Pipes Across and Along Roads – Water, Drainage & Irrigation Policy be placed on public exhibition for a minimum of 28 days. Council is required to notify the public and provide the opportunity for submissions regarding this policy.

The draft policy may be viewed at the Council Chambers, 1 Benerembah Street Griffith, the Griffith City Library and on Council's website at [griffith.nsw.gov.au](http://griffith.nsw.gov.au).

Anyone wishing to make comment on the draft Pipes Across and Along Roads – Water, Drainage & Irrigation Policy can do so in writing addressed to the General Manager, Griffith City Council, PO Box 485, GRIFFITH NSW 2680. Comments or submissions will be received up to **4.00 pm, Friday, 1 March 2019.**

**CLAUSE**      **CL09**

**TITLE**            **Policy - Pipes Across and Along Roads - Water, Drainage & Irrigation**

**FROM**            **Daphne Bruce, Corporate Property Officer**

**TRIM REF**      **19/2067**

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### **SUMMARY**

There has been an increase in request for laying of private pipelines on and under Council road reserves for the purpose of conveying water, drainage and irrigation.

Council does not have a current policy in place which sets out the guidelines to ensure that all private pipelines and infrastructure on/under public road reserves are carried out to a standard as required by Council. The attached policy has been developed for this purpose.

### **RECOMMENDATION**

- (a) Council place the policy “Pipes Across and Along Roads – Water, Drainage & Irrigation” on public exhibition for 28 days.**
- (b) If any submissions are received, a further report be presented to Council.**
- (c) Should no submissions be received, the policy be considered adopted by Council at the conclusion of the exhibition period.**

### **REPORT**

Continued request for the placement of pipelines and associated infrastructure across and under Council's road reserves has resulted in the development of the policy (Attachment (a)), “Pipes Across and Along Roads – Water, Drainage & Irrigation”, which sets out guidelines to ensure the works are carried out to a high standard as required by Council.

The development of the policy is also to ensure that any infrastructure placed across/under Council's road reserve is captured on Council's mapping system by way of survey and the pipelines do not become a burden to the community in the future.

### **OPTIONS**

#### **OPTION 1**

As per the recommendation.

#### **OPTION 2**

Council may determine an alternate option.

### **POLICY IMPLICATIONS**

This is a new policy.

### **FINANCIAL IMPLICATIONS**

There will be advertising cost for placing the policy on public exhibition. Legal fees will also be incurred in preparing a standard licence template.

### **LEGAL/STATUTORY IMPLICATIONS**

As part of the policy, a licence agreement will be entered into by an applicant to place infrastructure on/under Council's road reserve.

### **ENVIRONMENTAL IMPLICATIONS**

As part of the policy an assessment of environmental effects for the proposed pipeline is to be prepared by the applicant in accordance with the Environmental Planning & Assessment Act, and submitted to Council, together with engineering plans.

### **COMMUNITY IMPLICATIONS**

The community would expect Council to support development of land within the Griffith area whilst not creating a future burden on the community to maintain the infrastructure.

### **LINK TO STRATEGIC PLAN**

This item links to Council's Strategic Plan item 3.1 Undertake Council activities within a clear framework of strategic planning, policies, procedures and service standards.

### **CONSULTATION**

Senior Management Team

Phil King, Director Infrastructure & Operations

Joe Rizzo, Engineering Design & Approvals Manager

Manjit Chugha, Works Manager, Maintenance

Cheryl Tucker, Operations Assistant

### **ATTACHMENTS**

(a) Policy - Pipes Across and Along Roads - Water, Drainage & Irrigation



## Pipes Across and Along Roads - Water, Drainage & Irrigation

(PUBLIC POLICY)

### 1 Policy History

Revision No.	Council Meeting Date	Minute No.	Adoption Date
1	dd/mm/yyyy	xx/xxxx	dd/mm/yyyy
2			
3			
4			

### 2 Policy Objective

The purpose of this policy is to set down guidelines to ensure that all private pipelines and associated infrastructure constructed on/under public road reserves are carried out to a high standard and that the pipeline may not be a burden on the community.

### 3 Policy Statement

Where it can be practically located, Council will grant approval for a private pipeline to be located in a public road reserve subject to compliance with the following conditions:

1. Submission of detailed engineering plans showing details of the proposed pipeline and any other associated infrastructure. The location of the pipeline is to be in accordance with requirements of the Director Infrastructure & Operations.
2. All works are to be undertaken in accordance with Council's specifications as amended by Griffith City Council. The Applicant is to meet all costs.
3. An assessment of the environmental effects of the proposed pipeline is to be undertaken in accordance with the Environmental Planning & Assessment Act and a review of environmental factors submitted to Council with the engineering plans.

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4. A bond of the greater of \$1,000.00 or 10 percent (10%) of the value of the works shall be lodged with Council to ensure that all defects in the works, which become apparent during the construction period and for a period of twelve (12) months after completion, are remedied in accordance with Council's specifications. If these defects are not satisfactorily remedied Council may use bond moneys to carry out rectification works or disconnect the pipeline. Any unexpended bond money will be returned at the end of the twelve (12) month period, less the estimated cost of any outstanding works.
5. Any adjustment to utilities necessary to allow construction are to be carried out at the cost of the Applicant and to the satisfaction of the relevant authority. Written confirmation of same will be required to clear the refund of the bond money.
6. The applicant will be required to provide details of Murrumbidgee Irrigation concurrence with the site of any proposed pump station location and copies of the authority to extract water in quantities commensurate to the size of the pipeline.
7. The applicant is to provide ongoing Public Liability insurance to the value of \$20 million dollars, which policy is to indemnify Griffith City Council against any claims arising from the placement of the pipeline within the road reserve. The policy is to cover the cost of any damage to Council assets arising from the operation or failure of this pipeline. Details of this insurance cover must be approved by Council prior to commencing the work and a certificate submitted on a yearly basis. Council is to be listed as an 'interested party' on the policy.
8. The applicant is to enter into a licence agreement with Council setting out all terms and conditions, inclusive that any future maintenance works be carried out in accordance with Councils specifications. The full cost of relocating or upgrading any section of the proposed pipeline, affected by future realignment or upgrading of the adjoining roads, will be met by the applicant.
9. Before any work is commenced, approval to the proposal must be obtained in writing. Prior written approval from the Roads & Maritime Services is also required in respect of any roads under their control.
10. At the point of crossing the road, the pipe shall be sleeved as required by Council's current specifications.
11. The road surface must be fully reinstated and compacted in accordance with Councils specifications and shall be appropriately covered so as not to create a slippery surface. Any repair/compaction required to be undertaken by Council will be charged for as Private Works.
12. Location Post to be erected adjacent to fence lines, indicating existence of underground pipes.
13. Council's Surveyors will undertake a survey of the pipe prior to backfilling. This survey will form part of the licence agreement indicating the location of the pipe on Council's road reserve. A charge will be



applicable to undertake the survey works and payable by the applicant to Council. A minimum of five (5) days' notice is required for Council Surveyors.

14. At least 14 days' notice shall be given before commencing any work and the exact position being pegged so that the site can be inspected by Council's representative.
15. Any damage caused to the pipe, sleeve or location posts by Council or contractors engaged by Council during maintenance/construction of the road to be repaired at the licensee's cost.
16. Council may at any time revoke the licence or alter the above conditions.
17. Council reserves the right to charge an annual fee for the licensing of the road reserve for the pipeline subject to Council's adopted Revenue Policy.
18. Council reserves the right to decline any application.

Upon full compliance with these conditions, an approval under Section 138 of the Roads Act 1993 can be issued. Under this act, Council must be notified of the date that construction will commence to allow adjoining landowners and other affected parties to be advised of the works.

Approval is for a period of 1 year from the issue of the Section 138 Roads Act Approval. The approval will lapse if the pipeline is not substantially commenced in that period.

## 4 Definitions

**Water reticulation system** means a building or place used for the transport of water, including pipes, tunnels, canals, pumping stations, related electricity infrastructure, dosing facilities and water supply reservoirs.

(Source: Griffith Local Environmental Plan 2014)

## 5 Exceptions

This Policy does not apply to development which requires development consent under Griffith Local Environmental Plan 2014, State Environmental Planning Policy (Infrastructure) 2007 and/or State Environmental Planning Policy No. 52 Farm Dams & Other Works in Land & Water Management Plan Areas.

## 6 Legislation

Roads Act 1993 Section 138 – Works and Structures  
Roads Act 1993 Section 101 - Restoration of public road following excavation etc.  
State Environmental Planning Policy (Infrastructure) 2007



State Environmental Planning Policy No. 52 - Farm Dams & Other Works in Land & Water Management Plan Areas  
Griffith Local Environmental Plan 2014

## 7 Related Documents

Engineering Specifications  
Section 138 Applications

## 8 Directorate

Infrastructure & Operations

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Policy Name – XX-CP-000

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