

Build Over Assets and/or Easements Information

1 Introduction

South Gippsland Water (SGW) owns, operates and maintains assets providing water and wastewater services to communities in the region. As part of these services, we operate and maintain underground pipeline assets which are often located within easements within private properties.

These easements are very important as they provide and maintain critical access to our pipeline assets so operations and maintenance teams can efficiently and effectively operate, maintain and access these assets.

Private construction of structures and features over easements and assets can impede and prevent access to such pipelines during emergency operations, maintenance and replacement activities. This in turn can have significant impacts to customer's water supply and sewerage services. As such, South Gippsland Water needs to effectively manage and control any proposed structure or construction activity proposed within the vicinity of our assets and easements.

This information sheet and accompanying build over quick reference guide will inform landholders of the application process and what activities/structures SGW may consider near our assets and easements.

2 What is a Build over?

Build over approval is required from the Corporation for any structure to be built, or any filling to be placed within 1 metre of any of the assets owned and operated by the Corporation. This approval also applies for any structure to be built over any easements set aside for the purposes of sewerage and/or water (*Water Act 1989, Clause 148*).

Approval must be obtained prior to the development or works commencing.

A build over agreement (deed of indemnity) may be required to be entered into between the owner and SGW if approval is given. Further details will be provided upon assessment of the proposal by SGW.

3 What is a SGW asset?

SGW assets include, but are not limited to, sewerage pipes/ mains, water mains and access pits or manholes.

4 How do I know if I have SGW assets on my property?

If you require information to see if there are any SGW assets within your property, you can contact SGW and request a copy of our asset information on your property. SGW will then provide a plan showing the boundaries of your property and all assets held within.

Sewer mains are not always located within an easement and are not always located in the centre of an easement. It is always good practice to apply for asset information.

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5 What is an easement?

An easement is a non-possessory right of use and/or entry onto the property of another without possessing it.

Typically SGW easements have been created within a lot to identify the existence of SGW assets or proposed assets on the land. This easement is required for the provision of water or sewerage services and enables access to these assets for operation, maintenance and future replacement activities.

6 How do I know if I have an easement of my property?

If your property has an easement, it will be visible on your title plan or copy of title. Some properties may have multiple easements that apply.

7 How do I apply for consent for a Build Over?

An application form can be downloaded from SGW website shown below.

The completed application, together with the fee and all supporting documentation, is then lodged with the Corporation for its assessment. If approval is granted you may be requested to enter into a Deed of Indemnity. If the application is refused you will also be notified in writing.

8 What happens if I sell my property?

If a deed of indemnity has been approved and then the property changes owners, the new owners are also required to apply for and enter into a Deed of Indemnity in order to retain the Corporation's consent to the structure remaining as sited.

9 Further Information

This information sheet is provided as a general guide only and should be read in conjunction with the Build Over Matrix and the Land Development Manual.

For further information, please refer to our website sgwater@sgwater.com.au or call us on 5682 0444 to discuss your queries.