

# Proposed encroachment over SA Water wastewater easements

This information outlines requirements when building a structure, changing site levels or undertaking works adjacent to or over a SA Water asset or easement. Details of existing easements can be found on your property's Certificate of Title (available for a fee from [www.SAILIS.Issa.com.au](http://www.SAILIS.Issa.com.au)).

This information will help protect our assets and your works from damage and ensure you avoid the inconvenience and costs of removing encroachments that may impede access to an easement for SA Water's construction and maintenance purposes.

## What is an encroachment over a SA Water easement

SA Water easements allow SA Water access rights for infrastructure within private properties. Free and unrestricted access is required to maintain, inspect and construct infrastructure within the easement.

An encroachment can be a change in the land, land use, or a physical intrusion of a structure or item into, over or under an easement. Specific rules apply regarding the encroachment of structures and works that impact an easement. Construction is not permitted over sewer access points, maintenance holes, maintenance shafts, inspection openings and government inspection points. Encroachments cannot be approved in easements containing water mains, pressurized wastewater or wastewater trunk mains.

Examples of the types of encroachments where approval is required:

- Retaining wall
- Rainwater tank
- Swimming pool or spa
- Carport
- Shed/Aviary
- Sports/Play surface
- Garage
- Posts or beams in easement
- Verandah or pergola

- Concrete and paving
- Excavation or filling land
- Plantings (small shrubs)

## Advice for proposed building work

If you propose to carry out any work, such as construction of a new house, home extensions, retaining walls, erecting a shed, carport, pool, rainwater tank, excavation or landfill, you will need to provide us with a building plan and a Building Plan Application when you lodge an application and plan to Council for approval. Please advise SA Water if your Council requires changes to the original plan. SA Water approval should be granted before commencing any work on or near the easement.

## Additional information you will need to provide

- Details (drawings where applicable) of the proposed encroachment (refer below for examples)
- A site plan indicating the easement alignment and boundaries (detailed on the property Certificate of Title)
- An SA Water easement may also contain other infrastructure. Information on SA Water and other utility assets can be obtained from Before You Dig Australia (BYDA) [www.byda.com.au](http://www.byda.com.au)
- For detailed information on the location, alignment and depth of SA Water assets within the easement – Call 1300 884 037.

## Drawings

The following drawings provide examples of structures and the conditions associated with their proposed encroachments.

**Drawing 1** Shed, carport, verandah, pergola etc. over an easement but not over a wastewater main.

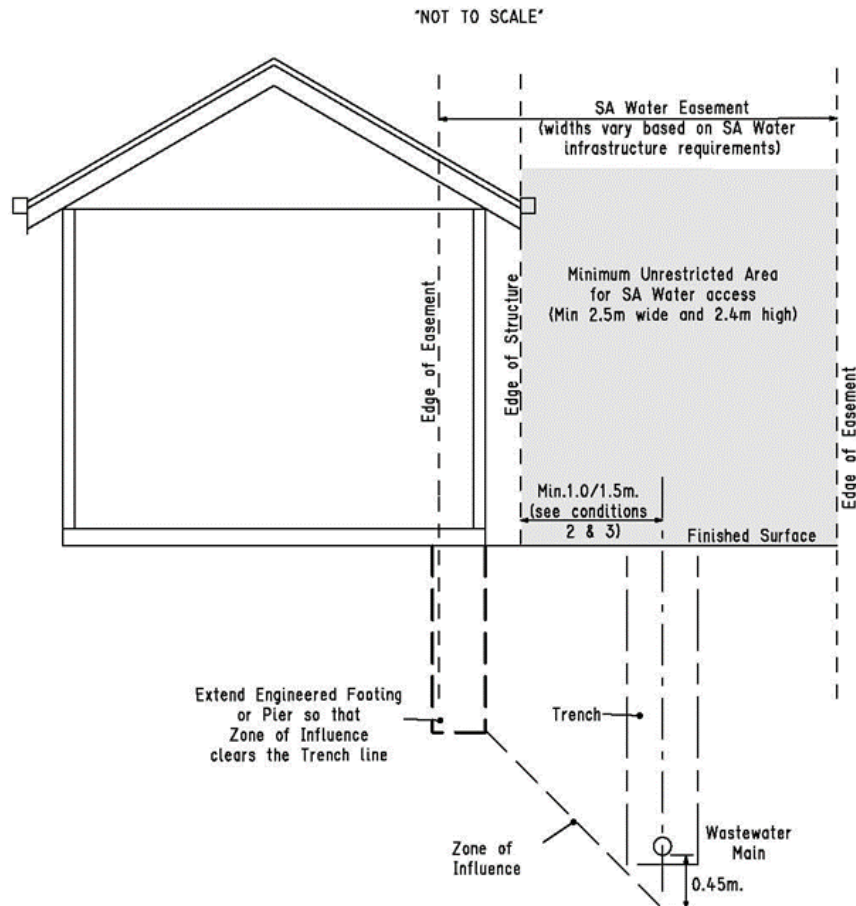
**Drawing 2** Shed, carport, verandah, pergola etc. over an easement and over a wastewater main.

**Drawing 3** In ground pool, spa, tank etc. over an easement but not over a wastewater main.

**Drawing 4** Concrete sleeper retaining wall over an easement and over a wastewater main.

## Drawing one

Proposed structures (sheds, garages, carports, verandahs, pergolas) either attached, free standing de-mountable or not easily de-mountable (refer Design Condition 3) encroaching over or into an easement but not over an existing or future wastewater main.



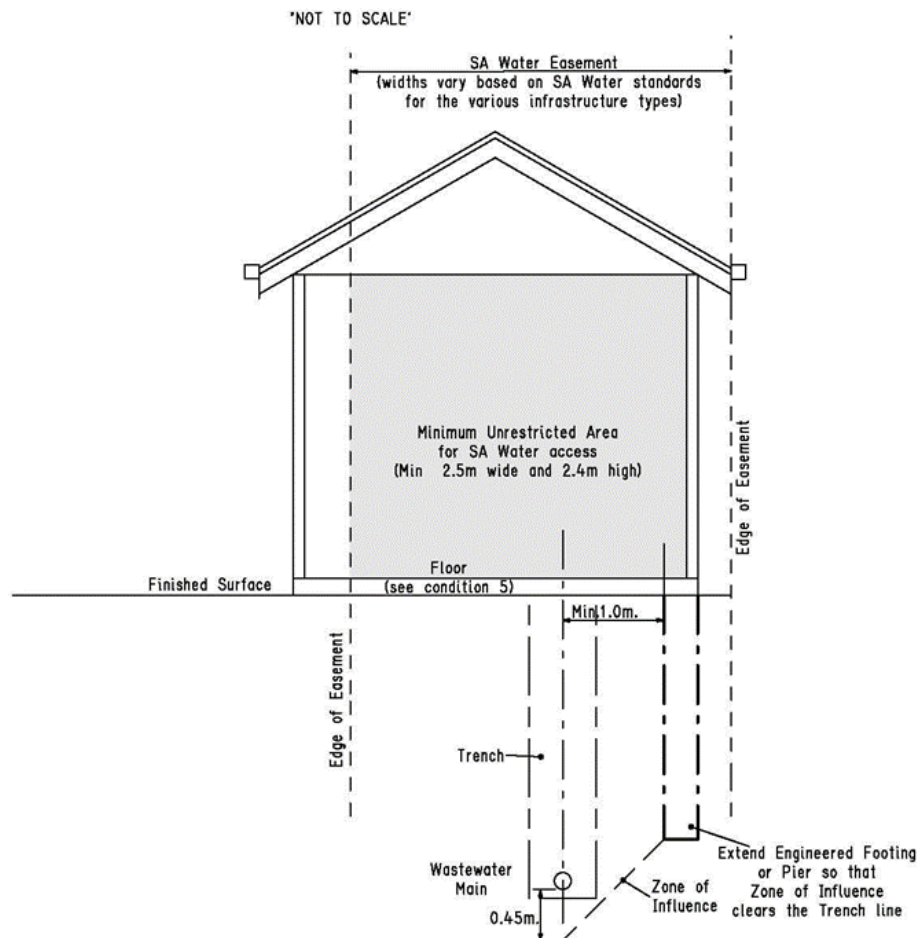
## Design conditions

1. The engineering design for the structure (footing/other load) must ensure that the zone of influence will be clear of the adjacent trench line for an existing or future wastewater main;
2. For easily de-mountable (non masonry) structures, a minimum 1.0 metre horizontal clearance must be maintained from the edge of the unrestricted access area, to the centre of the wastewater main;
3. For not easily de-mountable structures (masonry type), a minimum 1.5 metre horizontal clearance shall be maintained from the edge of the unrestricted access area, to the centre of the wastewater main;
4. If the finished surface within the easement area is to be poured concrete, it must be constructed of individual slabs 0.6 metres either side of the centre line of the wastewater main and no greater than 1.0 metre in length;
5. Maximum permissible length of an encroachment along an easement is 6.5 metres
6. Where an easement does not contain a wastewater main, applications for encroachments will be assessed on a case by case basis.

**Note:** Other service utilities may also have infrastructure in the vicinity - please check.

## Drawing two

Proposed structures (sheds, garages, carports, verandahs, pergolas) either attached or free standing demountable, encroaching over an easement and over an existing or future wastewater main.



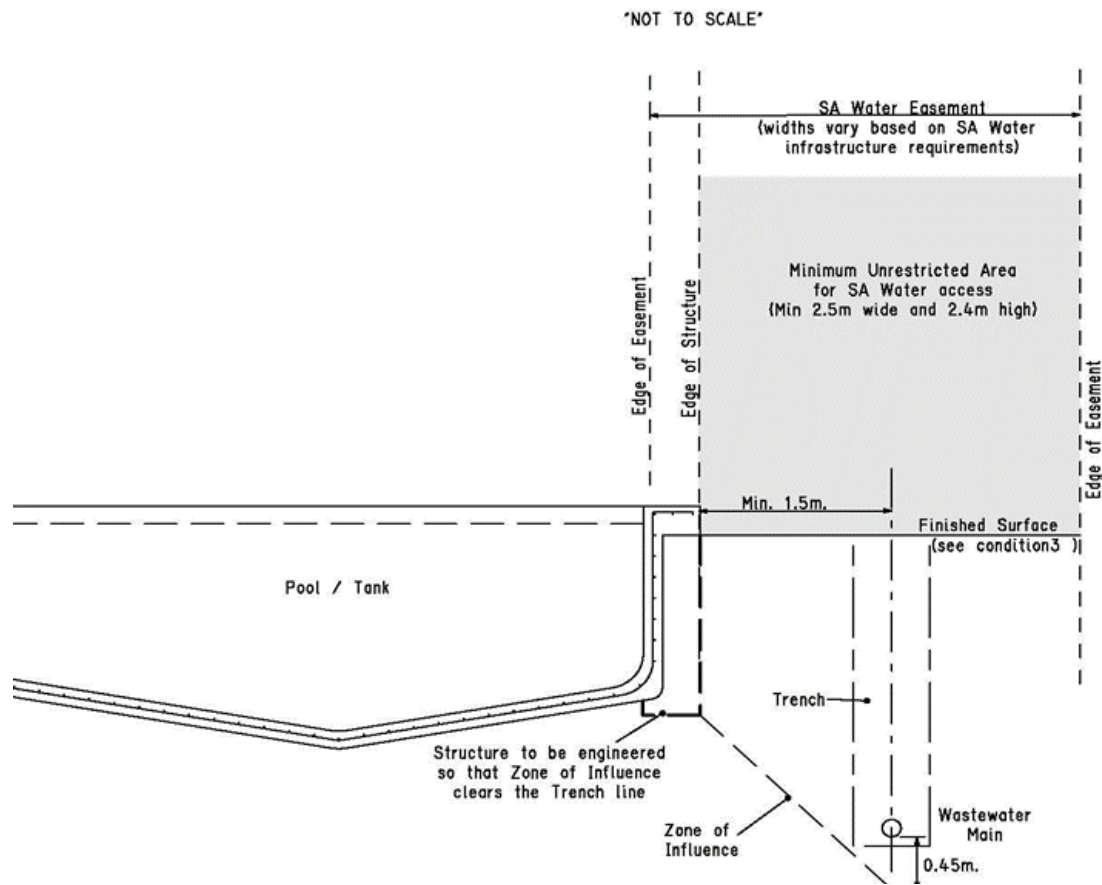
## Design conditions

1. Attached, free standing structures over a wastewater main must be easily demountable (e.g. non masonry construction);
2. The engineering design for the structure (footing/other load) must ensure that the zone of influence will be clear of the adjacent trench line for an existing or future wastewater main;
3. A minimum 1.0 metre horizontal clearance must be maintained from a wastewater main to the closest wall or footing of the demountable structure;
4. Structure to be engineered must have minimum full height openings of 2.4 metres (e.g. all doors/panels) to enable us full access to the easement;
5. Floor to be either loose laid paving or poured concrete. If the finished surface within the easement area is to be poured concrete, it must be constructed of individual slabs 0.6 of a metre either side of the centre line of the wastewater main and no greater than 1.0 metre in length;
6. Maximum length of an encroachment along an easement is 6.5 metres;
7. Where an easement does not currently contain a wastewater main, applications for encroachments will be assessed on a case by case basis.

**Note:** Other service utilities may also have infrastructure in the vicinity - please check.

### Drawing three

Proposed in-ground pools, spas, tanks etc encroaching into an easement but not over an existing or future wastewater main.



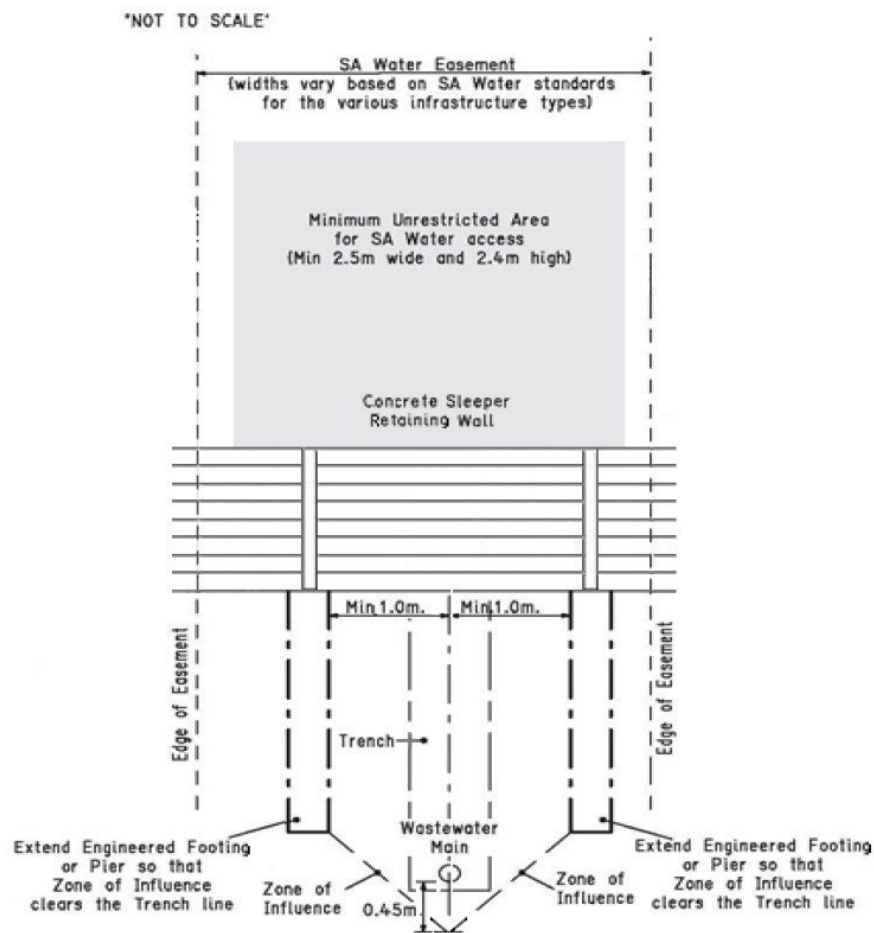
### Design conditions

1. The engineering design for the structure (footing/other load) must ensure that the zone of influence will be clear of the adjacent trench line for an existing or future wastewater main;
2. A minimum 1.5 metre horizontal clearance must be maintained from the edge of the structure to the centre of the existing or future wastewater main;
3. If the finished surface within the easement area is to be poured concrete, it must be constructed of individual slabs 0.6 metres either side of the centre line of the wastewater main and no greater than 1.0 metre in length;
4. Maximum length of an encroachment along an easement is 6.5 metres;
5. Where an easement does not currently contain a wastewater main, applications for encroachments will be assessed on a case by case basis

**Note:** Other service utilities may also have infrastructure in the vicinity - please check.

## Drawing four

Proposed concrete sleeper retaining wall or fence encroaching over an easement and over an existing or future wastewater main.



## Design conditions

1. Structures over a wastewater main must be easily demountable
2. The engineering design for the structure (footing/other load) must ensure that the zone of influence will be clear of the adjacent trench line for an existing or future wastewater main
3. A minimum 1.0 metre horizontal clearance must be maintained from a wastewater main to the closest wall or footing of the structure
4. The retaining wall or fence must cross over the wastewater main at right angles
5. A maximum of 1.0 metre fill can be placed over the easement, all wastewater access points must be raised to finished surface level by an accredited SA Water contractor.
6. A minimum of 1.0 metre cover shall be maintained over the wastewater main.
7. Where an easement does not currently contain a wastewater main, an application for encroachment will be assessed on a case by case basis.

**Note:** Other service utilities may also have infrastructure in the vicinity - please check.

## Frequently Asked Questions - Building over an easement

### What is an easement?

An easement is a section of land registered on your property title which gives someone the right to use the land for a specific purpose even though they are not the land owner.

### How do I know if I have an easement is on my property?

Details of easements are shown on your property Certificate of Title and Deposited Plan (available for a fee from [www.SAILIS.lssa.com.au](http://www.SAILIS.lssa.com.au)).

### What is an encroachment?

An encroachment can be a change in the land, land use, or may be a physical intrusion of a structure, or item, into, under or over the land subject to an easement.

### What if SA Water requires access to the easement?

- We require free, unrestricted and unobstructed access to the easement for construction, maintenance and operational purposes;
- We will endeavour to provide a minimum of 2 days' notice for any planned work that requires access to the easement. In an emergency we will require immediate access;
- Approved encroachments do not diminish our rights to the easement and may be removed (if required) and will be reinstated;
- Unapproved encroachments or property improvements that do not meet relevant building and engineering standards may be removed at the owners cost and will not be reinstated.

### What infrastructure is located within the easement on my property?

All public utility infrastructure located within easements can be obtained from Before You Dig Australia (BYDA) [www.byda.com.au](http://www.byda.com.au)

### What is the position, alignment and depth of the infrastructure?

- For detailed information on the location, alignment and depth of water or wastewater mains – Call 1300 884 037;

- We can assist in providing field data and information relating to water and wastewater infrastructure within easements, however, we accept no responsibility for the accuracy of the information provided or for the interpretation of that information;
- Property owners, occupiers or contractors must not access our infrastructure to verify depth or position of assets.

### The SA Water easement located on my property contains no infrastructure – Can it be removed?

- Easements can be acquired to facilitate future works and system growth and may not contain water or wastewater infrastructure for some time after the initial acquisition of the easement.
- Investigation to relinquish unused easements can be requested by emailing [propertyservices@sawater.com.au](mailto:propertyservices@sawater.com.au) – (fees are applicable).

### I have an SA Water easement and intend to carry out building work;

- You must provide us with building plan drawings, Certificate of Title and Building Plan Application at the same time you lodge an application plan to your council even if your building proposal does not encroach upon an easement;
- Please email your application to [bpa@sawater.com.au](mailto:bpa@sawater.com.au)
- Specific rules apply regarding encroachment of structures and works adjacent to, into, over or under wastewater easements;
- Construction is not permitted over water easements and sewer access points, maintenance shafts, inspection openings and government inspection points;
- Please refer to the above Fact Sheet for Proposed Encroachment over SA Water Easements technical design requirements;
- SA Water's written approval must be obtained prior to commencing any building works.

### **How long will SA Water take to assess my building plan application?**

- We will respond in writing to your building plan application within 10 business days – there are no fees for this service
- Encroachment approvals are recorded as an encumbrance letter held by SA Water against the property account. This encumbrance letter will be provided upon request by a licensed conveyancer in the event of a property sale

### **What types of encroachments require assessment?**

- Brick fence
- Excavation and landfill
- Shed
- Carport
- Garage
- Swimming pool or spa
- Commercial building
- Rainwater tank
- Tennis court
- Concrete and paving
- Residence
- Posts or beams in easement
- Building eaves
- Retaining wall
- Verandah or pergola
- Domestic - gas, water or wastewater pipes, electricity or telephone cables
- Any other structure

### **Why are encroachments not permitted over water or pressurised wastewater mains?**

Encroachment on easements utilised for water supply or pressurised wastewater purposes are not permitted because pressurised mains require a maximum easement width to be maintained to minimise site and structural damage in the event of main failure under operating pressure.