



South Gippsland  
Shire Council

## Application For Report And Consent – Construction Over Easement

**Application fee is \$311.80**

**Important:** The following is to be submitted with the application:

- ☐ Payment.
- ☐ Current copy of title
- ☐ A3 plans and elevations, drawn to scale, showing distances from property boundaries
- ☐ Written consent from the authority (i.e. South Gippsland Water, SP Ausnet, Telstra, etc.) with the vested interest in the easement, advising that they approve of the construction over the easement.
- ☐ Letter addressed to the Manager of Asset Services at South Gippsland Shire Council, detailing the request.

**Applicant Details:** ☐ Owner ☐ Agent ☐ Draftsperson ☐ Building Surveyor

Name: .....

Address: .....

Town: ..... Post Code: ..... Phone number: .....

Email: .....

**Property Details:**

Lot: ..... Plan Number: ..... Volume: ..... Folio: .....

Address: .....

Town: ..... Post Code: .....

**Description of building work to be located over easement:** .....

.....

.....

**Credit Card Payments:**

☐ Visa ☐ MasterCard Card No: ..... Expiry date: .....

Cardholder name: ..... Cardholder Signature: .....

**\*Mandatory field\***

I hereby declare that the information provided is true and correct. I also understand that any unlawful dishonesty may result in the refusal of this application.

I give South Gippsland Shire Council permission to debit my card of the appropriate application fee, using the information provided

**Privacy statement**

The information requested on this form is being collected by Council for the purpose of processing the request for information application. The information will be used solely by Council for that primary purpose or directly related purposes.

Signature: ..... Dated: .....

July 2023

South Gippsland Shire Council  
9 Smith Street Leongatha Vic 3953  
Phone: 5662 9200

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# Build Over Drainage Easement Policy – Extract

## Build over drainage easement guidelines

- A viable alternative location for the proposed building or works is not available on the site.
- Proposed structure or works will not prejudice or unduly obstruct or limit the ongoing maintenance of any existing Council's stormwater drain or asset located within the easement.
- Overland flow is unlikely to take place along the line of the easement being exceeded
- The proposed structure will not jeopardise the drainage of an abutting allotment or prejudice Council's future drainage network.
- Approval to build over the easement has been obtained from all Statutory Authorities and parties that have rights over the easement.
- The proposed structure is in conformity with the Building Code of Australia.

## Build over drainage easement containing drainage pipes and pits

Council's policy is not to permit construction of buildings over easements containing drainage assets except:

- Minor detached outbuildings such as sheds, open free standing carports, etc., provided the outbuilding is not proposed to be constructed over a pit or inspection opening
- Pergolas
- A maximum of 600mm width of eaves overhang providing the eaves height is at least 3.0 metres above the finished ground surface at the easement.

## Structures which may be approved by Council subject to conditions

The following are some of the structures which may be approved by Council subject to conditions:

- Removable type light weight structures such as carports, garden sheds, boundary fences, timber decking and pergolas.
- Removable rainwater tank.
- Driveways and paving, landfills (batters) or land cuts (embankments).
- Eaves overhang and canopies.

## Examples where Council do not grant consent for build over drainage easement

- A habitable building over a portion or full width of an easement.
- Any kind of enclosed building such as dwellings, garages, workshops, storage areas regardless of the size of the drain within an easement.
- Above ground or underground pools over the full width of an easement that may be required for future Council drainage purposes or used as overland flow path.
- No private underground services are permitted within an easement. However, consideration may be given for property connections and services crossing over Council drains.
- A retaining wall or a pillar across a drainage easement obstructing the access and or overland flow path.