

Maintenance of Sanitary Drainage Policy

Water Supply (Safety and Reliability) Act 2008

1. Policy Statement

This policy records Council's responsibilities for maintenance of sanitary drainage. It seeks to clarify that generally, property owners are responsible for the maintenance and repair of private sanitary drainage, including any portion of that drainage located outside of their property. Townsville City Council (Council) has limited responsibility for the maintenance or repair (including removing blockages from any cause) of private sanitary drains.

2. Principles

Council will expend funds only in the public interest and has limited responsibility to bear the costs of maintaining or repairing private sanitary drainage.

3. Scope

This policy applies to all work undertaken on private sanitary drainage and Council's infrastructure within the Local Government Area of Townsville.

4. Responsibility

Managers within Water Services are responsible for ensuring this policy is understood and adhered to by all Water Services workers, property owners, plumbers and other stakeholders. Reporting for compliance to this policy is the responsibility of the General Manager, Water Services.

5. Definitions

Assumed Responsibility Zones - means the portion of drainage infrastructure located within the areas set out in Section 6.1.2 of this policy.

Infrastructure - means the infrastructure owned and/or operated by or for the Council to supply a service and includes the property service.

Inspection Opening (IO) - means an access opening in a pipe or pipe fitting, arranged to facilitate inspection testing or the clearing of obstructions and fitted with a threaded cap or plug or access cover.¹

¹ Section 31.20 of AS/NZS 3500.0:2021.

Inspection Shaft (IS) - means a shaft constructed in the line of a sanitary drain for the purpose of inspection and future access to locate and clear the drain.²

Junction - means the sanitary fitting used to connect a branch pipe or channel to a main pipe or channel.³

Manager - an individual responsible for overseeing and guiding the work of a team or specific functions within Townsville City Council.

Pipe - means a single length of tube, usually of circular cross-section, used for the conveyance of fluids.⁴

Private Sanitary Drainage - means the sanitary drainage that is owned by a property owner up to the property connection, which may include pressure mains and, in some cases, private pump stations.

Property Connection - means the point at which the private sanitary drainage connects to Council's infrastructure inclusive of the connection point and inspection shaft (IS) and inspection opening (IO).

Property Owner - means the owner of land.

Workers - includes employees, contractors, volunteers and all others who perform work on behalf of Council.

6. Policy

6.1. Responsibility for the Maintenance and Repair of Private Sanitary Drainage

6.1.1 Scope of Responsibility

Under the *Water Supply (Safety and Reliability) Act 2008* (Qld) (the Act), the property owner is responsible for the maintenance and repair of the private sanitary drainage servicing their property up to the property connection.

Pursuant to Sections 164(1)(e) and 164(2) of the Act, Council is responsible for its infrastructure to the property connection. However, Council will assume responsibility for private sanitary drainage in the areas set out in Section 6.1.2 of this policy.

Council is not responsible for and will not pay the costs arising from works on private sanitary drainage outside the assumed responsibility zones set out in Section 6.1.2, including but not limited to the cost of clearing any blockages caused by the ingress of tree roots or other foreign objects

Unless prior approval is obtained, Council will not reimburse any costs relating to work carried out on Council's infrastructure - that is, within the assumed responsibility zones or elsewhere in Council's infrastructure.

6.1.2 Property Connection

A property connection shall provide a point of connection for a property owner's private sanitary drainage. In the installation of a point of connection, one of two options are adopted:

² Section 3J.17 of AS/NZS 3500.0:2021.

³ Section 3J.17 of AS/NZS 3500.0:2021.

1. inspection opening (IO) or inspection shaft (IS) interface method; or
2. a buried interface method where the point of connection is a junction owned by Council.

The property connection is usually located within the property owner's land. In some instances, the property connection may be located outside of the property owner's land. When the property connection is located beyond the property owner's land, a portion of the property owner's private sanitary drainage is generally located outside the property owner's land. In this case, Council will assume responsibility for the following areas (collectively known as the '**assumed responsibility zones**')

- (a) where an inspection opening or inspection shaft forms part of the property connection, Council assumes responsibility for the inspection opening or inspection shaft (whichever is applicable) and the sewer infrastructure downstream of the inspection opening or inspection shaft. The property owner is responsible for all sewer infrastructure upstream from the inspection opening or inspection shaft; or
- (b) in the case of a buried interface method, Council assumes responsibility for the junction and sewer infrastructure downstream of the property boundary. The property owner is responsible for all sewer infrastructure upstream from the property boundary.

Subject to the exclusion at clause 6.1.2 above, where a private sanitary drainage extends beyond the property owner's land, it is the property owner's responsibility to obtain any necessary approvals to carry out any works on that other land.

6.2. Responsibility for the Maintenance and Repair of Combined Sanitary Drains

A combined sanitary drain is a private sanitary drain which connects two or more properties to one sewer connection point. The first property on the combined sanitary drain will normally have the Council infrastructure connection point with a private drain running through that property and neighbouring connected properties.

Combined sanitary drains are not owned by Council and ongoing maintenance of these drains are the responsibility of the property owners serviced by the drain. Each property owner must take reasonable steps to ensure all plumbing and drainage on their property is kept in good condition and operates properly.⁵

Under the law, Council is not responsible for the maintenance and repair of combined sanitary drains however, to serve the public interest Council is responsible for the assumed responsibility zones. The property owner is responsible for any portion of its private sanitary drainage outside of the assumed responsibility zones.

6.3. Responsibility for the Maintenance and Repair of Sanitary Drains and Clearing of Blockages in Council Sewers and Sewerage Infrastructure, including Property Services

The property owner is responsible for engaging and paying for the services of a private plumber or drainer to clear a blockage in their private sanitary drainage located outside the assumed responsibility zones.

⁵ *Plumbing and Drainage Act 2018* (Qld), s 70(1).

6.3.1 Blockage Criteria

Subject to clause 6.3.2, Council may clear a blockage if the private sanitary drainage services a residential property in a sewered area of Townsville excluding Magnetic Island.

6.3.2 Property Owner Obligations

Council will not clear the blockage until such time as:

- (a) the property owner sends a written request to Council to clear the blockage; and
- (b) the property owner provides a written acceptance that the property owner will be liable to pay Council's standard blockage clearance fee.

Council's standard blockage clearance fees are set out in Council's schedule of fees and charges. This schedule of fees and charges can be accessed on Council's website (search fees and charges) or via the following link:

[Townsville City Council - Fees & Charges](#)

(Note that Magnetic Island is excluded because transport delays and costs make work by Council on private sanitary drainage on Magnetic Island cost-prohibitive).

6.3.3 Commercial or Industrial Property

Council has a practice of not clearing a blockage on a commercial or industrial property.

If Council, at its absolute discretion, decides to clear a blockage on a commercial or industrial property, those works will be charged at the relevant sewerage blockage clearance fee specified in the Fees and Charges Schedule current as at the date of the works.

If extensive works such as excavation, removal, or reinstatement of paved or concrete surfaces and/or structures are required, the property owner must pay the actual costs for those works.

6.4. Clearing of Blockages in Council Sewers and Sewerage Infrastructure, including Property Services

6.4.1 Council Responsibility for Clearing Blockages

Council is only responsible for clearing blockages in Council's infrastructure however, if any portion of the property service is located within the assumed responsibility zones, Council will clear any blockages in any infrastructure occurring within those zones.

6.4.2 Third Party Interference with Council Infrastructure

Any persons or tradespersons including but not limited to private plumbers or drainers must obtain approval from Council's Water Services Team prior to undertaking any works to inspect, clear a blockage or repair (works) Council's infrastructure.

Any works performed on Council's infrastructure without Council's prior approval is an offence under section 192 of the Act, and Council may issue a penalty infringement notice or prosecute a person for this offence.

At the time a request for approval to carry out repairs to Council's infrastructure is submitted, a property owner must submit a quote for the works for Council's consideration.

6.4.3 Costs and Reimbursement of Clearing a Blockage or Repairing Council's Infrastructure

If Council approves a private plumber or drainer to clear a blockage, Council will reimburse the property owner the cost up to a maximum amount equivalent to one relevant sewerage blockage clearance fee specified in Council's current Fees and Charges Schedule in place at the time the works are carried out.

In the case of repairing Council's infrastructure, Council will reimburse the property owner to the value of the previously approved quotation.

Council will not reimburse a property owner until such time as Council has received a completed form QAF0459 Reimbursement of Wastewater Costs Form (available on Council's website) and a copy of the paid plumber's or drainer's invoice.

Council will not reimburse the cost of CCTV inspections unless the blockage is caused solely by a defect within Council's infrastructure. If the blockage is caused solely by a defect within Council's infrastructure, Council will reimburse the cost of a CCTV inspection to an amount capped at \$300.00 including GST.

7. Legal Parameters

Local Government Act 2009

Local Government Regulation 2012

Plumbing and Drainage Act 2019

Plumbing and Drainage Regulation 2019

Water Supply (Safety and Reliability) Act 2008

8. Associated Documents

AS/NZS 3500.0:2021, AS/NZS 3500.2:2021 - (Plumbing and drainage—Sanitary plumbing and drainage)

QAF0459 Reimbursement of Wastewater Costs Form

Townsville City Council Fees and Charges Schedule