



CONSENT GUIDELINES

June 2009

CONTENTS

1	WHO IS LINKWATER?	4
2	WHAT IS THE PURPOSE OF THESE LANDOWNER CONSENT GUIDELINES?	5
3	LINKWATER EASEMENTS	6
4	EASEMENT INFORMATION FOR LANDOWNERS	7
5	APPLICATION & ASSESSMENT PROCESS	8
5.1	When is an application for consent required?	8
5.2	Applications	8
5.3	Application Process	9
5.4	Assessment Framework	9
6	WORKS AND ACTIVITIES	10
6.1	Agricultural or Cropping Activities	10
6.2	Billboards and Signs	10
6.3	Blasting or use of Explosives	10
6.4	Burning off or the lighting of fires	11
6.5	Earthworks	11
6.6	Fences and Gates	12
6.7	Hard Stand & Parking Areas	12
6.8	Machinery & Heavy Vehicles operating within the Easement	12
6.9	Mining, undermining, quarrying activities, substantial excavations and earthworks, dam construction.	12
6.10	Non-residential type outbuildings such as detached garages, sheds, stables, carports and unroofed verandas	13
6.11	Overhead Powerlines & Telecommunication Lines	13

6.12	Recreational Activities	13
6.13	Roads, Trafficked Areas & Crossovers	14
6.14	Underground installations by Third Parties	14
6.14.1	Cables and Conduits	14
6.14.2	Irrigation Equipment	15
6.14.3	Pipelines	15
6.15	Vegetation planting proposals	16
6.16	Cost Recovery	17
7	FURTHER INFORMATION	18
7.1	Contact Details	18
7.2	Disclaimer	18

1 WHO IS LINKWATER?

With the onset of the drought emergency in South East Queensland (SEQ) the Queensland Government undertook an investigation into the water industry in SEQ. The creation of the Queensland Water Commission (QWC), and the release of the *Urban Water Supply Arrangements in South East Queensland* called for the structural reform of the water industry in SEQ.

The Queensland Bulk Water Transport Authority which trades as 'LinkWater' is a new water entity created under the *South East Queensland Water (Restructuring) Act 2007*.

LinkWater is responsible for the operation and maintenance of bulk water transport infrastructure in SEQ. This infrastructure includes high pressure water pipelines, reservoirs and balance tanks, pumping stations, water quality management and monitoring facilities.

As part of the water reform process in SEQ, LinkWater inherited ownership of existing council owned bulk water infrastructure assets. LinkWater is also responsible for the operation of the following new bulk water transport infrastructure:

- Southern Regional Water Pipeline from Tugun to Mount Crosby;
- Eastern Pipeline Interconnector from Redlands to Logan; and
- Northern Pipeline Interconnector (Stage 1) from Morayfield to Eudlo.

2 WHAT IS THE PURPOSE OF THESE LANDOWNER CONSENT GUIDELINES?

The purpose of these guidelines is to inform landowners who have a LinkWater easement registered on their property of their rights and responsibilities in relation to proposed works or activities that may occur within the LinkWater easement area.

While these guidelines are written to provide general information to private landowners, it is recommended that landowners should refer to existing documentation, such as the easement terms and conditions for specific detailed information regarding their property and the easement.

LinkWater recommends the seeking of independent legal, town planning, and engineering advice before undertaking any major works within or adjacent to the LinkWater's easement area.

Any consent to works or activities provided by LinkWater does not alter or remove any obligation the landowner has to obtain consent or approval for works from other authorities or agencies.

3 LINKWATER EASEMENTS

LinkWater currently manages and operates approximately 530km of bulk water transport infrastructure throughout SEQ. LinkWater is the registered easement holder of all easements that have been taken out over this infrastructure.

The *Water Act 2000* requires LinkWater to ensure a reliable supply of water to the SEQ Water Grid and maintain safe operating conditions for its assets. Under the terms of LinkWater's easements, any proposals for works or activities within the easement area must be submitted to LinkWater for consent.

The information provided in this document is intended to give a general indication of the activities that may or may not be permitted within LinkWater's easement area. LinkWater will apply these guidelines in deciding whether or not to consent to a request by a landowner. The assessment of a request will be carried out on a case by case basis, and LinkWater may refuse to grant consent at its absolute discretion if it is concerned about the impact of the activity on the pipeline infrastructure.

Consent to undertake works or activities may be granted with or without conditions, and will take into account the criteria set out in these guidelines, as well as a risk assessment evaluation related to the proposed activities requested.

The information contained within this document must be read in conjunction with, the conditions contained in the registered easement document, and if applicable, other agreed arrangements, permits or licences granted by LinkWater.

The information within this document should be used as guide only and does not override the easement conditions.

4 EASEMENT INFORMATION FOR LANDOWNERS

An easement is legal document that creates an encumbrance on the title of the affected land. The term “easement” refers to both the document creating the easement as well as the area of land that constitutes the easement area. The easement document contains terms and conditions that constrain works or activities within the .easement area to protect the pipeline infrastructure and to ensure that the easement holder can access the pipeline infrastructure for operations, repairs, replacement and maintenance. Easements are typically acquired by LinkWater through negotiation with landowners or by compulsory acquisition through the Department of Infrastructure and Planning/Coordinator-General. LinkWater’s easements are registered easements and will appear on a title search of a property.

Easement terms and conditions may vary depending on when the easement was negotiated or taken and the specific intent of the easement itself. In certain instances, several separate easements with differing conditions may be located over a single property. The easement area may be shared by another user, such as Powerlink or Energex.

LinkWater’s right to require consent for certain activities by a landowner is therefore contained within the easement.

5 APPLICATION & ASSESSMENT PROCESS

5.1 When is an application for consent required?

Part 6 of these guidelines set out details of the types of activities within the easement area that will require LinkWater's consent under the terms of the easement. All works within the easement area that require an approval under the *Integrated Planning Act 1997* or otherwise require Council approval will require LinkWater's consent (in fact, the Council will need to see evidence of LinkWater's consent to for these works). Some other activities will also require consent.

If you are unsure whether a proposed activity requires LinkWater's consent, please call 1800 559 954 for assistance.

Note that LinkWater is not able to provide planning or development advice in relation to any proposed activity. If you have any queries about your local Council's requirements you should contact the Council or a qualified town planner for advice.

5.2 Applications

Applications should include enough detail to allow LinkWater to assess your application. Information that will generally be required may include:

- A completed application form
- A detailed description of the proposed work;
- A plan showing the location of the proposed structure or works;
- If the works require a development approval under the *Integrated Planning Act 1997*, a copy of the development application that has been (or will) be submitted;

LinkWater may request additional information. The application process is set out below.

Applications should be referred in writing to the:

LinkWater

Corridor Project Manager

PO Box 1045

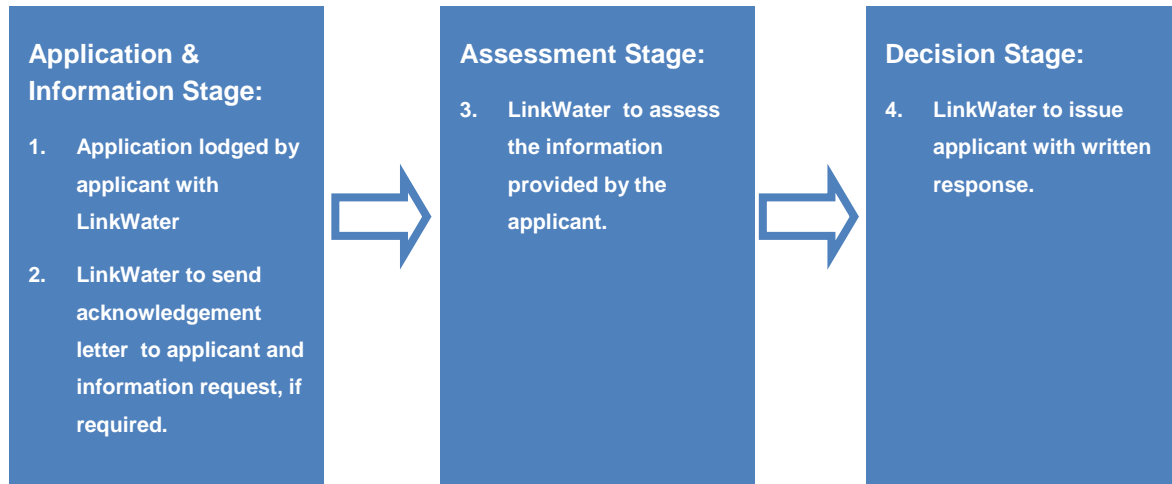
Spring Hill QLD 4004

(or to consents@linkwater.com.au)

Application forms are made available by calling 1800 559 954.

Or visit the LinkWater website at www.linkwater.com.au

5.3 Application Process



Consents provided by LinkWater will generally be valid for 2 years, subject to the nature of the works requested by the landowner. After such time, the landowner must reapply for consent. Any changes to proposed works after consent is granted may require assessment by LinkWater prior to any works commencing.

Consents are granted to the current applicant and are generally not transferrable. New landowners may be required to reapply for consent.

Applications are generally assessed within 20 business days, subject to LinkWater's business requirements.

5.4 Assessment Framework

When works within the easement area are to be assessed by LinkWater, LinkWater will use the following criteria as a general guide for assessment of an application:

- Will the proposed works/activity result in a public safety risk or hazard, and in particular, the effect on the safety of persons in respect to high pressure water pipelines?
- Will the proposed works/activity affect the safe operation and maintenance of the pipeline, pump station or other associated assets?
- Will the proposed works/activity unduly restrict routine or emergency access, particularly to underground pipelines and surface facilities?
- Will the proposed works/activity impact on the structural integrity of the pipeline, pump station or other assets?
- Will the proposed works/activity impact on LinkWater's ability to comply with its legislative obligations or obligations to any other co-user?
- Will the proposed works/activity affect any anticipated future works, including maintenance, refurbishment, or asset replacement?

It should be noted that other specific design, engineering, geotechnical, environmental, and operational assessments may also be undertaken but are not specifically detailed in these guidelines.

6 WORKS AND ACTIVITIES

LinkWater shall retain the right to unobstructed access and egress to the easement area and its water infrastructure and associated facilities. In most cases, access shall be typically by 4WD vehicle for inspection and maintenance activities. However, on occasions, larger vehicles and earthmoving equipment may be required to access the site.

The following works and activities will require consultation with LinkWater, and will require an application to be made to LinkWater seeking written consent for those works and activities proposed within the easement area.

6.1 Agricultural or Cropping Activities

Agricultural activities (including the planting of vegetables and flower beds) proposed to be undertaken within an easement area will require consultation and consent from LinkWater to ensure that the works do not impede access to assets or pose a threat to the assets, particularly the high pressure pipelines and communications conduits. To adequately assess a request, LinkWater may request, at a minimum:

- Type of machinery able to operated within the easement area;
- Depth of tilling;
- Alternative access arrangements that can be made available; and
- Type of activities, crop, or livestock.

If consent is provided to the applicant to undertake ongoing agricultural activities within the easement area, LinkWater may (if necessary) require the applicant to enter into an “Access/Wayleave Agreement” allowing LinkWater to traverse parts of the property outside the easement area in order to avoid damaging crops when undertaking inspections, maintenance works, or other operations on its infrastructure.

6.2 Billboards and Signs

Billboards and signage construction will require consent from LinkWater. No part of any billboard or sign, including footings, will be permitted within five (5.0) metres of the outermost projection of the pipeline.

6.3 Blasting or use of Explosives

Consent for blasting or the use of explosives may be given if the applicant demonstrates compliance with relevant legislation and has obtained local and State government permits and meets the applicable Australian Standards.

Requests for consent will be assessed to ensure that the integrity and safe operation of the pipeline will be maintained before consent will be granted. LinkWater reserves the right to withdraw its consent if, in its opinion, the blasting process becomes hazardous or is likely to result in the integrity of the pipeline being compromised.

A condition of any consent given, will be that the applicant must give at least seven (7) days prior notice to LinkWater of the commencement of any blasting. This allows time for arrangements to be made for monitoring of and/or precautionary instructions to be issued.

6.4 Burning off or the lighting of fires

LinkWater's written approval must be sought before lighting fires within the easement area. All 'burning off' or lighting of fires within the easement area, or in the vicinity of any infrastructure placed on the land, must be undertaken in accordance with a recognised Bush Fire Management Plan.

In Queensland, the Rural Fire Service controls the use of fire by not allowing fires to be lit without a specific permit. Other than for those fires that are exempt, the lighting of any fires, without a permit, is illegal.

Information regarding the lighting of fires can be obtained from your local Rural Fire Service or Fire Brigade.

6.5 Earthworks

Modifications to the surface level of the land containing the pipeline/easement area may be undertaken with LinkWater's consent. However, surface level changes within five (5.0) metres either side of the outermost projection of the pipeline levels must meet the criteria detailed below.

Generally, no excavation or changes to ground level will be approved within five (5.0) metres either side of the outermost projection of a pipeline without the submission of detailed plans showing the extent of works and proposed finished surface levels. The minimum cover requirements from the finished surface level to the top of underground infrastructure (pipelines/ communication conduits) are:

- 900mm in parkland/private property;
- 1200mm in road reserves/car parks;
- 1200mm in industrial hardstand areas.

Excessive cover (i.e. cover in excess of two and a half (2.5) metres) may be approved based on LinkWater's assessment of soil conditions and live load information provided by the applicant. LinkWater may request concrete encasement at the applicant's expense where these thresholds cannot be met.

The applicant will be required to meet all costs associated with the adjustment of surface level features and other pipeline infrastructure affected by the works within the easement area.

6.6 Fences and Gates

A landowner must seek the consent of LinkWater to erect a fence across land that falls within LinkWater's easement area. Placement of post holes and the like have the potential to cause significant damage to the pipeline and associated communication conduits.

In certain cases, where fences restrict access to the pipeline corridor, LinkWater may require a gate to be installed.

If a gate is to be locked by the landowner, a system of interlocking padlocks must be used to secure the gate. LinkWater will install its own lock to the gate to effect access through the locked gate.

6.7 Hard Stand & Parking Areas

Consent for "hard stand storage" and parking areas may be given subject to the following:

- Any hard stand or parking area within five (5.0) metres of the outermost projection of the pipeline must be designed as a flexible pavement – a rigid (concrete) pavement is not acceptable in this zone.
- Vehicle access must be maintained at all times to surface features, including air valves, drain down valves, manholes and other pipeline infrastructure.
- The layout and operation of the hard stand shall be designed to avoid the storage of materials over the pipeline unless consent is otherwise provided by LinkWater.
- LinkWater shall be released from any liability associated with damage caused to hard stand and/or the stored materials arising from, or in any way in connection with, the pipeline.

6.8 Machinery & Heavy Vehicles operating within the Easement

All operators of machinery, plant or equipment within the easement area must be made aware by the landholder/applicant of the presence of high pressure water pipelines. Plant operators must check with *Dial Before You Dig* (1100) prior to commencing work.

It is recommended that all persons entering the easement area be advised of the presence of the pipeline. The use of warning signs is also advised to assist in notifying personnel working within the easement of the presence of the high pressure water pipeline and associated infrastructure (communications conduit, etc).

Where the weight of any machinery, plant or equipment proposed to be operated within the easement area is greater than or equal to 2.5 tonne, the applicant must provide evidence to LinkWater demonstrating that those operations do not compromise the integrity and operations of the water assets, before consent can be granted.

6.9 Mining, undermining, quarrying activities, substantial excavations and earthworks, dam construction.

Assessments will be undertaken on a case-by-case basis.

6.10 Non-residential type outbuildings such as detached garages, sheds, stables, carports and unroofed verandas

Approval for these developments will be considered if there is no practicable alternative site clear of the pipeline easement area. Any structure constructed must not be used or be convertible to living quarters. The structure, including footings and slabs, must not (at a minimum):

- be closer than a minimum of five (5.0) metres from the outermost projection of the pipeline or associated infrastructure; and
- hinder access within the easement area for large heavy plant (a minimum of a five (5.0) metre wide access corridor must be maintained);

An application must be submitted for all structures associated with the proposed works.

On completion of the work, a detailed survey plan certified by a licensed surveyor showing building footprint, fence lines etc, must be prepared at the applicant's expense and a copy forwarded to LinkWater for inclusion in its records.

6.11 Overhead Powerlines & Telecommunication Lines

Applications for overhead powerlines or telecommunications lines within an easement will be considered on a case by case basis. Generally:

- Applications must be accompanied with detail design drawings and plans with appropriate dimensions/co-ordinates where services run parallel to LinkWater services;
- a minimum separation distance of five (5.0) metres between the outermost projection of the pipeline and or associated infrastructure and any new structures must be maintained;
- any structures must be earthed to industry standards to avoid induced voltages occurring in the pipeline;
- The location, design and construction method of any installation must consider impact on lateral and longitudinal restraint of LinkWater's pipeline(s); and
- Upon completion of works the applicant must provide "as constructed" plans with appropriate dimensions and or co-ordinates at every change of direction/structure in hardcopy and electronic format. Data must be suitable for input into LinkWater's Geographical Information Systems (GIS).

6.12 Recreational Activities

Recreational activities may include, but are not limited to, sporting activities ,horse riding, motorbike riding, bicycle riding, four wheel driving, walking, etc.

Recreational activities that do not require construction of permanent or temporary structures, earthworks, or like works may be undertaken at anytime within the easement area without the written permission of LinkWater.

These recreational type activities must not damage any surface structures, facilities or signage that is associated with the pipeline and its operation.

However, all recreational activities should be undertaken with due care, taking the pipeline and above ground protrusions such as air and drain-down valve pits, air vents etc into consideration.

6.13 Roads, Trafficked Areas & Crossovers

Consent for the construction of roads, proposed trafficable areas or driveway crossovers within close proximity to LinkWater assets will be assessed on a case by case basis.

Unless it can be demonstrated that pipeline and associated infrastructure's integrity is not compromised by a lesser cover, the minimum standards that will be required are:-

- Minimum cover for road formations constructed over a LinkWater pipeline is 1200 mm;
- Road crossings over the pipeline should preferably be at right angles;
- Where the proposed roadway runs longitudinally with the pipeline, the orientation of the roadway is such that the pipeline is positioned within the verge/service footpath corridor.
- Any roadway located over pipeline is to be constructed of a flexible pavement.
- In locating roadways and/or driveway crossovers, access to the pipeline and any surface features must not be restricted.

6.14 Underground installations by Third Parties

All underground installations must be carried out so as to allow continuous access to assets by LinkWater during and following installation. In certain instances, LinkWater may require the pipeline infrastructure to be protected/encased to ensure its structural integrity.

LinkWater will not be responsible for any costs associated with this protection/encasement, and/or any subsequent damage caused to those underground installations in the course of LinkWater carrying out its activities on the pipeline.

All underground installations and associated works will be generally assessed in accordance with these guidelines, although it should be noted that each request will be assessed on a case by case basis.

6.14.1 Cables and Conduits

For the installation of underground cables and conduits, the applicant must provide LinkWater with detailed design drawings and plans with appropriate dimensions/co-ordinates where the proposed installations encroach into the easement area for assessment. The following conditions will apply to any works:

- Parallel cables and/or conduits must have a minimum separation of five (5.0) metres from the outermost projection of the pipeline, unless approved otherwise;
- Cables and/or conduits crossing the pipeline must have a minimum vertical separation of 300 mm from the outermost projection of the LinkWater pipeline;
- Where cables and/or conduits run generally parallel to the pipeline, cable markers must be installed every 100 metres, at alternate property boundaries and/or at changes in direction,
- Where cables and/or conduits transversely cross the pipeline, markers must be placed five (5.0) metres each side of the pipeline.

- Marker posts or appropriate symbols set in concrete must be used to mark the alignment;
- Cables and/or conduits must be marked with cable marker tape immediately above the cable/conduit;
- Cables and conduits must be marked to indicate ownership;
- Where requested by LinkWater, cable crossings must be placed in sleeves encased in concrete where approved to be located within five (5.0) metres of the pipeline.

Upon completion of works the applicant must provide “as constructed” plans with appropriate dimensions and or co-ordinates at every change of direction/structure in hardcopy and electronic format. Data must be suitable for input into LinkWater’s Geographical Information Systems (GIS).

6.14.2 Irrigation Equipment

Installation of irrigation systems and like works will require consultation with LinkWater to ensure that the works do not pose a threat to or impede access to the LinkWater’s assets.

Information to be provided will include details of proposed works and will clearly indicate the pipeline size, location and depth within easement area.

Upon completion of works, a drawing showing the location of the irrigation system must be provided to LinkWater for inclusion in its records.

6.14.3 Pipelines

Unless consent is provided by LinkWater, as a general rule, parallel co-location in any LinkWater easement area is limited to alignments greater than five (5.0) metres from the outermost projection of the pipeline. Trenching for new pipelines within LinkWater’s easement area will only be permitted at a distance greater than five (5.0) metres from the outermost projection of the LinkWater pipeline.

Reduced distances may be considered upon demonstration and agreement with LinkWater of suitable access, operation and maintenance of the pipeline, and the adequate performance of any associated communication conduits and/or cathodic protection facilities. This distance allows reasonable maintenance access to LinkWater in the easement area and leaves space for the upgrading and repair of the pipeline, etc.

The angle of any crossing of a LinkWater pipeline should be from 45 degrees to 90 degrees unless the application otherwise demonstrates that crossings are consistent with relevant standards, will maintain the integrity and protection of the pipeline, and do not limit or impede future LinkWater maintenance activities or future pipeline replacement works.

Wherever a service pipeline / conduit runs within the LinkWater easement, pipeline markers acceptable to LinkWater shall be situated at maximum of 100 metre intervals, at each change of direction and at alternate property boundaries where properties are subdivided.

6.15 Vegetation planting proposals

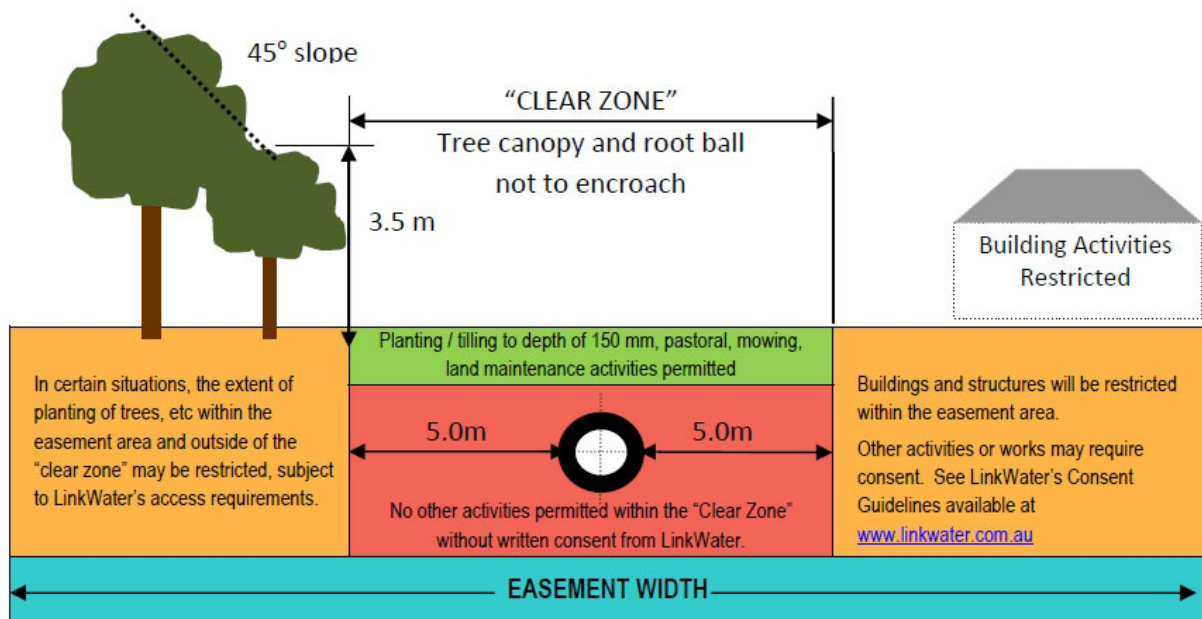
Generally, the planting of trees within 5 metres of the outermost projection of the pipeline (the clear zone), is not permitted.

Planting outside of the clear zone may be permitted subject to ensuring that the mature canopy and root ball does not encroach into the clear zone and that adequate vehicular and equipment access to LinkWater infrastructure is maintained at all times.

The height profile of the mature plantings is indicated in the diagram below. In addition to height, plantings should also take into consideration the spread of the plant selection and the on ground placement to ensure that the clear zone is maintained.

Planting within the easement area may also be subject to other service authority requirements (e.g. Powerlink or Energex).

The planting of small crops, gardens etc with a nominal root depth of 300 mm maximum may be permitted within the clear zone (however, cultivation activities within the clear zone are generally restricted to a nominal depth of 150mm). LinkWater will require the details of cultivation activities and plantings to be submitted for assessment to ensure that its infrastructure is protected and any operational access routes are preserved.



Where necessary, LinkWater reserves the right to remove vegetation within the easement area to ensure the safe operation of its assets and to maintain access to its infrastructure.

Plant Selection

To source which plants growth habits comply with these criteria within a particular area, enquiries should be directed to local plant nurseries, or contact with the local council or any one of the following organisations:

GrowSearch Australia

Phone: (07) 3821 3784 or (07)3824 9555

Email: growsearch@dpi.qld.gov.au

Web: www.dpi.qld.gov.au

The Queensland Gardening Pages

Web: www.calyx.com.au

Queensland Herbarium

Phone: (07) 3896 9326

Email: Queensland.Herbarium@epa.qld.gov.au

Web: www.epa.qld.gov.au/nature_conservation/plants

6.16 Cost Recovery

LinkWater may recover costs for the assessment of applications where the assessment requires advice from external consultants e.g. engineers, geotechnical advisors and legal advisors. LinkWater will provide details of the estimates of these costs to the applicant prior to the engaging any external consultants.

7 FURTHER INFORMATION

If you have any specific queries regarding the consent process, please contact LinkWater as follows:

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7.1 Contact Details

In writing:

Corridor Project Manager

LinkWater

PO Box 1045

Spring Hill QLD 4004

By Phone: 1800 559 954

By Fax: +61 7 3270 4020

By email: consents@linkwater.com.au

Or visit the LinkWater website at www.linkwater.com.au

7.2 Disclaimer

These guidelines provide general background and information regarding LinkWater's and Landowner's rights and responsibilities. LinkWater recommends that landowners seek independent legal, town planning, and engineering advice before undertaking any works within the easement area.

Any consent to works or activities provided by LinkWater does not alter or remove any obligation the landowner has to obtain consent or approval for those works from other authorities or agencies.

These guidelines are correct at the time of issue. LinkWater reserves the right to amend the guidelines at any time.