



Policy Manual

Section 5 - City Development

CD3 Drains

CD3.3 Nominated Point of Drainage Discharge

UNDER REVIEW

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Policy context

Section 5.9 of the Victorian Building Regulations states, “a report from the relevant council indicating the location of discharge from an allotment either within the allotment or at the allotment boundary must be obtained in relation to an application for a building permit for the carrying out of building works which includes a stormwater drainage system.”

The intent of this policy is to ensure a consistent approach is implemented in determining the nominated point of drainage discharge for any property that may be the subject of development or redevelopment, in order to ensure there is minimal impact of stormwater flow onto any adjoining property.

The intent of this policy is to also address any drainage issues associated with the discharge of any stormwater flow that may cause a nuisance on any adjoining property.

The permitted points of discharge are outlined in this policy.

Policy audience

Property developers, property owners, builders that may be subject to or request:

- 1 A town planning or building permit within the City of Manningham
- 2 A notice issued by Council in accordance with the provisions of Section 200 of the Local Government Act 1989
- 3 The location of a point of drainage discharge for a property

Policy content

Stormwater discharge from any allotment that includes runoff from roof areas, paved areas and any other impervious surfaces shall be connected to the property's nominated point of discharge. In order to establish an effective nominated point of drainage discharge and not cause nuisance to adjoining property, an owner of a property will be required to connect to a wider drainage system that would include:

- 1 A Council drain or pit within a road reserve, subject to Council approval
- 2 A Council drain or pit within an easement, subject to Council approval
- 3 A swale drain within a road reserve, subject to Council approval
- 4 A Melbourne Water drain, subject to Melbourne Water approval
- 5 A river, creek, natural drainage path or natural water course, subject to approval from the relevant authority responsible for the water course

Outfall Drains

Where a property's point of drainage discharge is not within the immediate vicinity of a Council drain, Melbourne Water drain or water course, Council will consider options for the effective drainage of the site including whether it is appropriate to require (by way of planning permit condition or under section 200 of the Local Government Act 1989) the owner of any property to construct an underground outfall drain from the property's point of drainage discharge to the nearest drainage system as detailed in 1 (a) to (e) of this

policy, in order to establish an effective point of drainage discharge for the property. The owner of such property will generally be required to design such outfall drain that will adequately cater for the upstream and downstream properties that fall within the proposed drain catchment area. The design of any outfall drain will also be required to meet with Council's design criteria and standards.

Funding, standard and supervision of works

Where drainage works are required by a condition of a planning permit, the owner of the relevant property will generally be required to pay the full cost of any drainage works required for proper drainage of that property.

In the event that drainage is required to cater for upstream and downstream properties, Council will contribute the cost difference to upgrade the drain from a size that is required to drain the property to a size required to cater for expected demand for any upstream or downstream properties. This may also include the upgrade of any existing drainage infrastructure. Once constructed, Council will accept responsibility for the ongoing maintenance of the drain.

Where drainage works are required by way of a condition on a planning permit including the subdivision of land and Council has required an owner of the property to submit an engineering plan for drainage works under the planning permit or the Subdivision Act, Council will:

- 1 charge a plan checking fee which is equal to or less than the fee prescribed under the Subdivision Act 1988. The current fee is 0.75% of the estimated cost of works; and
- 2 may appoint a person to supervise the construction of these works and will charge a fee that is equal to or less than the fee prescribed under the Subdivision Act 1988. The current fee is 2.5% of the estimated cost of works for supervision of the construction of the drain. The purpose of any such appointment is to provide advice to Council and is not to supervise the works on behalf of, or provide advice or assistance to, the owner of the property.

Funding contributions may also be requested from the owners of other benefiting properties at the time of connection, by way of a permit fee.

Where Council has required an owner to carry out drainage works pursuant to section 200 of the Local Government Act 1989, those works must be carried out to the satisfaction of Council. If this is not done then Council may carry out the work and the owner is required to repay the cost of carrying out the work to the Council.

Ongoing responsibility

Once constructed, the public components of the drainage works vest in Council pursuant to section 198 of the Local Government Act 1989 and will be managed and controlled by Council. Private components of the drainage works remain the responsibility of the individual property owners that are served by the works.

On-site detention systems

Where the discharge from a property is likely to impact on the capacity of a nominated point of discharge and existing downstream drainage infrastructure, or where the

impermeable site coverage is (or will be after development) greater than 35%, the owner of the property will be required to install an onsite detention system by way of a condition on a planning permit.

The design of any on site detention system shall be required to be in accordance with Council's design criteria and standards and shall be approved to the satisfaction of Council.

Where the discharge is significantly greater than the existing capacity of the receiving drainage system, the owner of the property may also be permitted and encouraged to install water tanks in conjunction with a storm water detention system. Water tanks are to be used for non-potable water uses such as gardening and toilet flushing.

The use of soakage or rubble pits as a point of discharge in urban areas, small allotments or steep terrain will not be permitted.

For large allotments greater than 1000 square metres including allotments located east of Mullum Mullum Creek, where a nominated point of discharge is not available or cannot be determined, soakage systems may be acceptable where a satisfactory overflow system is installed. The overflow system will generally need to ensure that overflow is distributed over the land via adequate absorption trenches. The owner will generally also need to demonstrate that sufficient land is available to distribute any overflow, where this land is in addition to any land that may be required to absorb any effluent from a septic system. The design and computations of such a system will generally be required to be approved to the satisfaction of the Council. A total water resource assessment for the property may be requested to assist with the approval process.

Another option that may be open to owners of large properties to resolve drainage issues may be to seek relevant approvals from Council and any other authorities for the construction of a small dam on the property where the proposed dam is not within a natural watercourse. Any dam overflow should not adversely impact on adjoining properties or the environment.

Elevated points of drainage discharge

In circumstances where the Council has determined that the nominated point of discharge is on the elevated side of a property allotment, the owner may be allowed to install a pumping system to the nominated point of discharge. The design of such a pumping system will be subject to the approval or satisfaction of Council.

Permits for connection to Council Drains

Any owner intending to connect to Council drain is required to first obtain a permit in accordance with Part 9.1 of Manningham's General Local Law 2003.

Any such Permit will generally require connection to a Council drain to be in accordance with Council's standards and all conditions of any permit issued for such connection. In addition to a permit fee, a connection fee may also be charged where such drainage works were constructed using any degree of Council contribution.

Process

Applications for such a permit are to be made in accordance with PMU 323 and PMU 014, and will be determined by the Council.

Policy non-compliance:

Failure to satisfy any planning or building permit conditions relating to drainage will result in the applicant being in breach of that planning or building permit and may result in the non-issue of a certificate of compliance (preventing subdivision), the non-issue of a occupancy permit (preventing occupancy of buildings), enforcement or prosecution action being undertaken.

Document History

Responsible Officer:	Director City Development		
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