

## **5.4 Properties Unable to Connect to a Council Stormwater Drainage System or Easement**

- a) Any property that is unable to connect to a Council stormwater drainage system, such as land falling naturally away from a Council stormwater drainage system, is required to comply with Section 5.5 of this Policy.
- b) Developments proposing to discharge stormwater to a watercourse or open channel must comply with the requirements of Section 4.4 – Stormwater Discharge to Watercourse or Open Channel.
- c) Where an inter-allotment drainage easement is to be created, a letter of agreement to the creation of the easement from all the affected property owners shall accompany the development application. This is to demonstrate to Council that a suitable easement/s can be obtained. The letter/s shall be accompanied with a plan of the location of the proposed easement/s also signed by all the affected property owners. The letter/s is/are not to contain any conditions that may preclude the creation of the easement.

## **5.5 Stormwater Drainage from Low Level Properties**

The purpose of this section is to:

- a) Manage overland flow, nuisance flooding and groundwater related damage caused by low level properties to adjacent downstream properties during storm events
- b) Manage the impact of stormwater runoff on Council's stormwater drainage infrastructure as a result of any development on a low level property and ensure low level properties drain to their natural downstream catchment
- c) Provide guidance for applicants with a property that naturally falls away from the street, for an appropriate drainage system and lawful point of discharge acceptable to Council.

### **5.5.1 Alternate Discharge Approach**

This applies to all types of developments and land uses where these properties fall naturally away from the street and cannot connect directly to a Council drainage system. The requirement for stormwater disposal is dependent on the type of proposed development or proposed land use for the property.

Council is to be satisfied that all avenues of Stage 1 (Section 5.5.1.1 and 5.5.1.2) have been exhaustively investigated and these avenues considered impractical or unviable, prior to Council consenting to the property owner or developer progressing to the next stage. The same process must be followed as applicants proceed sequentially through the stages before finding an appropriate discharge solution.

OSD is to be provided in accordance with Section 9 of this policy.

#### **5.5.1.1 New Single Dwelling House**

For a development where a new single dwelling house (and any ancillary structures such as granny flats) is proposed, stormwater disposal from the site shall be in accordance with the following sections.

##### **5.5.1.1.1 Stage 1 – Inter-Allotment Drainage Easements**

Proponents of the development must exhaustively investigate the below options for stormwater drainage:

- a) Connection of stormwater to an existing Council stormwater drainage line located within the subject site, subject to the drainage line having sufficient capacity.

- b) Connection of stormwater to an existing inter-allotment drainage easement and pipeline subject to the property owner demonstrating the inter-allotment pipeline has sufficient capacity and the property owner having a formal drainage easement created over the inter-allotment pipeline within the downstream property. If the existing inter-allotment pipeline does not have sufficient capacity, the capacity of the pipeline will need to be increased to cater for the additional flow.
- c) Creation of a new easement to drain stormwater to Council's drainage infrastructure through the downstream property(s).

Noting there may be difficulties obtaining an easement through multiple properties, the property owner is to ascertain which adjoining downstream property(s) it may be feasible and practical to drain stormwater through, and then approach the owner(s) to request an easement be granted for the purpose of draining stormwater to Council's drainage system (Appendix 2- Sample Letter). If the property owner is unable to attain any written approval from the adjacent downstream property owner(s), the property owner is to then enclose a Statutory Declaration stating the above.

#### **5.5.1.1.2 Stage 2 – Onsite Stormwater Absorption**

Where the means of disposal in Stage 1 are not available, the use of an on-site absorption system will be permitted subject to the following:

- a) The on-site absorption system is designed by a suitably experienced and qualified civil engineer
- b) The on-site absorption system will not have an adverse impact upon adjoining and/or downstream properties by the direction or concentration of stormwater on those properties
- c) Soil absorption characteristics and other physical constraints indicate the on-site absorption system is appropriate for the property (refer Appendix 3 – On-site Absorption Design Guidelines).

The on-site absorption system shall require the creation of a Positive Covenant and Restriction on Use of Land over the system.

#### **5.5.1.1.3 Stage 3 – Level Spreader**

Where the means of disposal in Stage 1 and Stage 2 are not available, the use of a level spreader will be permitted subject to the following circumstances:

- a) The level spreader will have minimal impact on the upon adjoining property, including public reserves and parks, by the direction and flow of stormwater
- b) Soil absorption characteristics and other physical constraints indicate the on-site absorption system is not appropriate for the property (refer Appendix 3 – On-site Absorption Design Guidelines)
- c) Compliance with any requirements of the affected downstream property owners.

The level spreader shall require the creation of a Positive Covenant and Restriction on Use of Land over the system.

#### **5.5.1.1.4 Stage 4 – Other Methods**

Other methods of stormwater disposal may be considered, if all of the abovementioned methods have been exhaustively investigated and were considered not appropriate for this development.

### **5.5.1.2 Alterations and Additions to a Single Dwelling House and Granny Flats**

#### **5.5.1.2.1 Stage 1 – Discharge to an Existing Drainage System**

Connection of stormwater to the existing stormwater disposal system will be permitted under the following circumstances: