

Policy Register

Stormwater Management Policy

Policy Classification	- Infrastructure and Sustainable Operations
Policy Number	- POL/587
Policy Status	- Current
Responsible Service Unit	- Infrastructure and Sustainable Operations
Authorised by	- Council
Date Adopted	- 16 September 2024
Next Review Date	- 30 June 2027

This policy is part of a suite of policies adopted by Council or the Executive Management Team (EMT).

New or replacement policies can be created and developed within Service Units but can only be added to Council's Policy Register by Governance Services following the approval of the policy by Council or the EMT.

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POLICY STATEMENT

Water, rainfall, and the subsequent result of areas flooding are inherent aspects of our natural environment, and part of our municipality's diverse landscape.

Whilst we endeavor to enhance and manage stormwater and flooding during rainfall events, not all storms or high impact events and their effects can be controlled. In addition, not every flooding issue can have a similar design response and or solution.

In line with our Climate Emergency Action Plan, Manningham is committed to improving livability and this will require a blending of traditional practice with innovative approaches, respecting our land, water, and community safety.

Our aim is to minimise impacts and hazards during extreme events. Through collaboration and education, we aim to empower individuals to embrace responsible stormwater management.

We acknowledge our significant stormwater assets base and the community's expectation of their appropriate management of those assets.

As we navigate historic challenges such as minimal drainage infrastructure, condition of existing urban and semi-rural infrastructure and the impacts of intense weather events, we are committed to adopting a strategic, risk-based approach that prioritises interventions.

We will leverage flood modelling data and strategic planning to identify and address flood risks, inform future improvements, and guide development in ways that enhance both community safety and environmental sustainability.

Our ongoing investment in stormwater assets reflects our responsibility to meet community expectations for effective management and maintenance.

By planning strategically, working with the community and collaborating with water authorities, we commit to building a resilient future in Manningham.

SCOPE OF POLICY

This policy has been prepared to outline our intent for future stormwater management. It shall be applied to all activities related to future Council stormwater assets and the overall stormwater network in the municipality.

This policy does not apply to the assets or activity on land within other agencies (i.e. Melbourne Water, Department of Transport and Planning, Parks Victoria).

PURPOSE

Manningham Council manages and maintains a diverse network of urban and semi-rural stormwater assets and drainage infrastructure.

The purpose of this policy is to:

- Provide objectives and criteria in order to consider and prioritise flood risk locations and future stormwater capital works projects;
- Ensure a transparent and site responsive approach to Councils stormwater management practices;
- Outline Council's roles and obligations relating to stormwater management; and
- Provide direction to enable coordinated actions to manage escalating stormwater infrastructure demand, driven by:
 - increased development in the municipality;
 - climate change impacts; and
 - opportunities to complete the 20% AEP (previously known as the 1 in five year Average Rainfall Intensity event) drainage network, where possible.

OBJECTIVES

The key objectives of this policy are to:

- improve the level of flood protection for people and habitable, public building and commercial facility floors, where possible.
- ensure stormwater management minimises environmental harm and supports healthy and valued waterways and surrounding natural environments.
- ensure transparent, strategic and cost-effective management of future stormwater projects.
- ensure we continue to build our understanding and testing of flood risk through flood modelling and remodelling when new data or technologies are available.
- enhance communications with residents, landowners and developers who live and work within the municipality to clearly articulate issues, solutions, and responsibilities related to stormwater management and flooding.

ROLES AND RESPONSIBILITIES

Stormwater drains and associated infrastructure can be owned by property owners, Melbourne Water, Manningham Council, Department of Transport & Planning (DTP) and various infrastructure managers. The owner of each drain is responsible for its ongoing management and maintenance.

Council is responsible for the management and maintenance of our stormwater system. This includes the kerb and channels (gutters), open channels, underground drains, pits located in public roads and our drains in drainage easements.

Some of Council's drains disperse directly into local waterways and wetlands, and some join into Melbourne Water's larger stormwater drainage system, which also then carries the water to creeks, rivers and eventually Port Phillip Bay..

- **Works within Easements**

An easement is a right held by someone to use land belonging to someone else for a specific purpose. Common examples of easements are drainage, sewerage and carriageway easements. On occasion Council may require access to an Easement for drainage works and will seek permission to enter the property to undertake the required inspection, maintenance, repair or replacement.

- **Property Owners**

Property owners are responsible for the drains and pipes that collect stormwater on their property, including the pipes that run under the footpath and nature strip. These pipes and pits are part of a private stormwater system.

If a private property has a blockage or issue with a private drain that they are responsible for, the property owner should seek the advice from a registered plumber.

Some new private buildings may have installed on-site detention (OSD) systems to slowly release stormwater during storm events. These systems are owned by and the responsibility of the property owner(s).

There is various legislation that councils must also adhere to relating to stormwater and drainage including:

- **Environmental Protection Act 2017**

The Council upholds its general environmental duty under the Environmental Protection Act 2017 by actively working to reduce the risk of activities that may harm the environment.

- **Local Drainage Authority under the Water Act 1989**

As the local drainage authority under the Water Act 1989, the Council is entrusted with the task of managing drainage systems within its jurisdiction. This includes the planning, construction, and maintenance of drainage infrastructure to prevent flooding, manage stormwater runoff, and maintain water quality standards.

Stormwater nuisances from adjoining land is regulated under the Water Act 1989. Council is not designated under this legislation to enforce nuisance flooding compliance between two private properties and cannot request an adjoining owner to comply with this Act.

The landowners, developers, and body corporates are the responsible parties up to the Legal Point of Discharge, excluding cases where the asset falls within a drainage easement. A lot with no drainage is the responsibility of these parties. This is in accordance with Sections 15 to 21 and section 157(1) of the Water Act 1989.

- **Local Government Act 2020**

The Council operates under the powers bestowed upon it by the Local Government Act 2020. These powers enable the Council to provide comprehensive drainage systems that cater to the diverse needs of the community. This encompasses everything from the initial planning stages to the ongoing maintenance of drainage facilities.

- **Compliance with Building Regulations 2018**

The Council fulfils its responsibilities under the Building Regulations 2018 by nominating appropriate stormwater discharge points for buildings and developments. By adhering to these regulations, the Council ensures that stormwater runoff from various structures is channeled responsibly, mitigating the risk of flooding and environmental harm.

- **Adherence to Manningham Planning Scheme Requirements**

Acting as a responsible authority under the Planning and Environment Act, the Council follows the requirements outlined within the Manningham Planning Scheme. These requirements mandate the achievement of specific stormwater quality targets for different types of developments. By enforcing these standards, the Council promotes sustainable development practices and safeguards the local environment.

PRIORITISATION CRITERIA

When assessing future stormwater projects, the following criteria will be considered to determine priority projects:

- Properties/ areas currently without drainage infrastructure.
- Flood frequency or flood hazard - based on flood modelling and mapping data available at the time.
- Financially sustainable outcomes.
- Proximity or impacts to sensitive land uses and or will not be detrimental to surrounding environmental factors.
- Integrate stormwater systems to enhance the use of community spaces.
- Upgrades to existing drainage assets and infrastructure for replacement or renewal asset age and material (and or in lieu of condition), where known.

When future stormwater projects are identified and after an initial scoping phase, the projects will undertake a communication and engagement phase with local residents and the community. These projects can then be included as part of a future budget proposal for Council endorsement.

DEFINITIONS

Integrated Water Management (IWM) is a holistic and collaborative approach to the way we plan for and manage all elements of the water cycle.

Water Sensitive Urban Design (WSUD) is an approach that uses better urban planning and design to reuse stormwater, stopping it from reaching our waterways by mimicking the natural water cycle as closely as possible.

Annual Exceedance Probability (AEP) means the probability that a given rainfall total accumulated over a given duration will be exceeded in any one year.

Sensitive Land Uses are defined as residential use, childcare centre, kindergarten, pre-school centre, primary school, even if ancillary to another use, children's playground or secondary school.

RELATED POLICIES, PLANS AND SUPPORTING DOCUMENTS

- Manningham Planning Scheme
- Manningham City Council Plan 2021-2025
- Flood Management Strategy for Port Phillip and Westernport 2021-2031
- Manningham Stormwater Management Plan Building Design Factsheet
- Manningham On-Site Stormwater Detention Guidelines
- Manningham Flood Study of Ruffey Creek, Bulleen and Brushy Catchments 2020
- Manningham Green Wedge Infrastructure – Site Responsive Design Guide 2013
- Manningham Drainage Asset Management Plan *Under Development*
- Manningham Integrated Water Management Strategy *Under Development*
- Victorian Floodplain Management Strategy
- Yarra Catchment Integrated Water Management Plan
- EPA Publication 1739.1: Urban stormwater management guidance
- Infrastructure Design Manual 2022
- Urban Stormwater Best Practice Environmental Management Guidelines
- Australian Rainfall Runoff

RELATED LEGISLATION

- Local Government Act 2020
- Environment Protection Act 2017
- Aboriginal Heritage Act 2006
- Environment Protection and Biodiversity Conservation Act 1999
- Flora and Fauna Guarantee Act 1988
- Water Act 1989
- AS/NZS 3500.3:2021 Plumbing and drainage, Part 3: Stormwater drainage

DOCUMENT HISTORY

Policy Title:	Stormwater Management Policy
Responsible Officer:	Andrea Szymanski
Responsible Officer Position:	Manager Infrastructure and Sustainable Operations
Next Review Date:	Within 6 months of adoption of the flood mapping, Integrated Water Management Strategy and the Stormwater Management Strategy but no later than 30 June 2027. Further policy review to be undertaken at the completion of the MUSIA project, if required.
To be included on website?	Yes

Last Updated	Meeting Type - Council or EMT	Meeting Date	Item Number
New Policy	Council Meeting	16 September 2024	12.1

ADMINISTRATIVE UPDATES

From time to time, circumstances may change leading to the need for minor administrative changes to the Policy. Where an update does not materially alter this policy, such a change may be made by the Policy owner. Examples of minor administrative changes include changes to names of Manningham City Council departments or a minor amendment to legislation that does not have material impact. Where any change or update may materially change the intent of this policy, it must be approved by the Director City Services.