

# RIGHT TO DRAIN STORMWATER OVER COUNCIL PROPERTY

## About this form

Use this form when applying for the right to drain over property under the control and management of City of Ryde. Fees to be paid are those fees in the Management Plan. All fees must be paid when you lodge the application and are non-refundable.

NOTE – Lodgement of this application does not guarantee an approval to drain stormwater across Council Property.

*We recommend that you discuss your proposal with one of our professional officers before lodging your application.*

## Council Contact Details

**Customer Service Centre** 1 Pope Street, Ryde NSW  
**Post** Locked Bag 2069, North Ryde NSW 1670  
**Email** cityofryde@ryde.nsw.gov.au  
**Phone** (02) 9952 8222

## PART 1 : APPLICANT DETAILS

To apply you must be the original applicant or any other person entitled to act on the Consent. Please note that the applicant is the only person Council will communicate with.

<b>Given Name</b> or company		<b>Family Name</b> or ACN	
<b>Address</b>			
<b>Suburb</b>		<b>Postcode</b>	
<b>Postal Address</b> If different from above			
<b>Suburb</b>		<b>Postcode</b>	
<b>Preferred contact</b>	<b>Mobile</b>	<b>Phone</b>	<b>Email</b>
<b>Mobile</b>		<b>Phone</b>	
<b>Email</b>			

## PART 2 : PROPERTY DETAILS

We need this to correctly identify the land.

<b>Address</b>	
<b>Suburb</b>	<b>Postcode</b>
<b>Lot No (if available)</b>	<b>DP No (if available)</b>
<b>Describe the current use of property</b>	
<b>Describe the proposed use of property</b>	

Personal information collected from you is held and used by Council under the provisions of the *Privacy and Personal Information Protection Act 1998*. The supply of information is voluntary, however if you cannot provide, or do not wish to provide the information sought, Council may be unable to process your request. Please note that the exchange of information between the public and Council, may be accessed by others and could be made publicly available under the *Government Information Public Access Act 2009 (GIPA Act)*. If you require further information please contact Council's Customer Service Centre on 9952 8222.

<b>OFFICE USE ONLY</b> Receipt number	Amount paid \$	Date received
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### PART 3 : DRAINAGE LOCATION DETAILS

**Description**

Please describe the location and address of the property over which the drainage right is proposed. Please include the lot number if this is known.

**Sketch plan**

Please prepare a sketch plan of the location of the proposed drainage facility in relation to the two properties described.

Please supply on a separate sheet.

Sketch plan attached?    Yes            No

### PART 4 : ADDITIONAL INFORMATION AND DECLARATION

**Additional information**

Where there are other properties downslope of the property requiring the drainage right, letters from the owner(s) of those properties must be provided indicating that they will NOT grant a drainage easement.

**Declaration**

I / We hereby make the application outlined above and I declare that I agree to meet the full cost of the creation and registration of the proposed right of drainage across Council's property.

These costs include a valuation by an independent valuer, survey, legal, maintenance assessment and registration costs together with such compensation as determined by the valuation and assessment to be paid to Council for the right to drain across the land.

I also understand that if the information is incomplete the application may be delayed or rejected or more information requested. I acknowledge that if the information provided is misleading any approval granted may be void".

Signature

Date

**Fees 2024 / 2025**

**GL – Drainage COR-Pre DA**

**Application fee – \$756.00**

The application fee will cover Council's administration costs for assessment of the proposal and arranging the valuation, but not the actual valuation fee.

## PART 5 : SUPPORTING INFORMATION

- Council will permit the granting of easements from properties adjoining community land for connection to Council facilities and / or other public authorities or cross community classified land as per Section 46 of the *Local Government (Community Land Management) Amendment Act 1998*, subject to the following conditions which will be listed in the relevant Plan of Management:
- Easements will be granted for the purposes described above subject to a fee being paid by the developer based on a valuation of the land required. Assessment shall be based upon the enhancement to the dominant tenement and the impact upon the servient tenement
- Council approval of the proposed location, design and engineering requirements which will be based on:
- Council's stormwater drainage management requirements
- Compliance with Community Land core objectives (as-described in the Act)
- Location of and impact on existing assets and infrastructure
- Stormwater to be connected directly into existing facilities or piped directly into natural watercourses to avoid overland flow
- The proposed works requiring no disturbance to the surface of areas of community land categorised as Natural
- Stormwater design to include details of the proposed outlet structure if into a watercourse
- Satisfaction of any required reports e.g. hydrological, geochemical, geotechnical, archeological etc. of the proposed tour of the future installation and its constructions method and associated sub and sub-soil rehabilitation
- Stormwater proposals to include on-site detention systems, including nutrient and sediment control devices as per Council's Stormwater Management
- The cost of all works to be borne by the developer
- Each individual application to be assessed by relevant Council officers on a merit basis
- Council being satisfied that no other reasonable alternative exists
- Compliance with SEPP 19
- Compliance with relevant statutory requirements
- Conditions of any easement to cover the installation and future maintenance and access requirements, that are satisfactory to Council
- Review of continuing need or alternative site for existing easements
- Negotiation with the easement holder regarding existing easement maintenance practices
- Easements may not be granted for areas of community land listed as Critical Habitat or which is subject to a Threat Abatement Plan under the *Threatened Species Conservation Act* or the *Fisheries Act*.