



# Developer Minimum Application Requirements Guideline

December 2024

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### 1. Purpose

The purpose of this guideline is to provide helpful guidance to the development industry on Melbourne Water's information and application requirements on the building and development works application types.

### 2. Scope

The information is particularly to assist property owners, developers and designers in understanding the specific information and application documents that Melbourne Water needs to provide its functions as a referral authority.

The guidelines cover a range of common types of applications to Melbourne Water, including requests for pre-development advice, referral of planning permit applications and applications for approval of various documents in the development process.

These guidelines are intended to provide an overview of the typical information we require. They are not exhaustive. Applications and requests for information may require additional information, particularly in complex proposals, to enable us to provide our referral authority functions. We reserve the right to seek further information on a case-by-case basis.

The guidelines should be used in conjunction with all other applicable legal and policy requirements including requirements under the *Planning and Environment Act 1987*, Planning and Environment Regulations 2015 and relevant Planning Scheme, the Building Regulations 2018, DELWP's Guidelines for Development in Flood Affected Areas (February 2019) and other guidelines, drawings and checklists contained within the Melbourne Water website.

These guidelines will be updated periodically.

### 3. Pre-development Advice

Pre-development advice applications involve responding to requests related to:

- **Flood level information:** Basic flood level information for development related enquiries.
- **Flood extent and levels:** Known flood extents and related flood level information
- **Asset and easement locations:** Information about Melbourne Water assets, waterways, reserves and easements that may affect a development proposal
- **Design requirements:** General design requirements for the development of the site
- **Development Services Scheme (DSS) Information:** Intent and property-specific information within the DSS when relevant that includes approximate flows, sizing and asset ownership information.
- **Preliminary planning advice:** Providing preliminary advice on a proposed planning permit application, prior to submission to the Responsible Authority
- **Development Services Scheme (DSS) models:** Providing a copy of the DSS models (RORB and/or MUSIC) to help you create site-specific models for stormwater management strategies (SWMS).

For sites within a Development Services Scheme (DSS), information can be found on the Drainage Schemes and Contribution Rates pages on our website. This includes:

- General information related to DSS,
- Information on what a DSS is,
- Finding which DSS the site of interest may be within,
- What the current contribution rates are for the specific DSS,

For specific property advice, a pre-development advice application can be made via our website.

### 3.1 Minimum requirements for assessment

To ensure a comprehensive assessment of the pre-development advice request, please provide the following information:

- **Site Address:** to help us locate your property
- **Site and location plan:** including property boundaries and relevant measurements
- **Proposal / request description:** Please provide a detailed written description of your proposal request. Include as many details as possible (e.g. contemplated buildings, works, use and other factors) to help Melbourne Water understand your request and provide an appropriate response. When requesting information from Melbourne Water, include all available details related to your inquiry, along with the reasons for your request (if applicable). This additional context will assist us in providing a more accurate and relevant response.
- **Development Proposal Plan or Subdivision Concept Plan (optional and if relevant to the request):** To give us a clearer understanding of the proposed changes, if available, please include any relevant and available information at the time of your request, such as technical details, project information, development proposal plans (including elevation and flood plans), and subdivision concept plans.

Any plans that indicate levels are to be provided in metres to Australian Height Datum 1971 (AHD71).

### 3.2 Additional notes

When making applications for information, please clearly indicate the type of outputs you are looking for and nature of your request so we can provide you with the correct file types and an appropriate response.

Melbourne Water does not provide pre-approval or consent outside of the statutory planning processes outlined under the *Planning and Environment Act 1987*, planning schemes and other relevant legislation.

## 4. Responsible Authority seeking Melbourne Water's advice and comments on a planning related proposal

A responsible authority (e.g. Council) can request advice from Melbourne Water, and we can provide the following input:

- **Technical advice/ General comments:** General feedback and technical guidance on a planning proposal
- **Views on proposal:** If you have a proposal that does not require a statutory referral to Melbourne Water, we can share Melbourne Water's views on a proposal should you wish to seek our views. This may include an evaluation of plans and any conditions or considerations.
- **Other information as relevant:** Melbourne Water may be able to provide further responses to other enquiries as relevant to us. For example Melbourne Water can comment on asset ownership and maintenance requirements for proposed Melbourne Water assets.

### 4.1 Minimum requirements for assessment

To ensure a comprehensive assessment, please provide the following information:

- **Application form/Cover letter:** Basic details of the application (site location and plan and the nature of advice sought from Melbourne Water).
- **Detailed Proposal information:** Please provide the details of the proposal beyond the basic application requirements outlined in the application form. Additional details can help us better understand and evaluate your project (a cover letter is optional but can be helpful).
- **Development Plans or Proposal Details:** Essential for assessing the scope and specifics of the proposal. This may consist of plan and elevation drawings to scale.
- **Certificate of Title:** Confirms ownership and provides legal descriptions of the property.

### 4.2 Additional notes

Depending on the nature of the request, we may require further information such as:

- **Drainage plans:** that includes information on how stormwater is managed on this site
- **Planning report:** A report that outlines the planning triggers, exemptions and other relevant considerations of the planning assessment.
- **Details of any proposed earthworks, including cut and fill:** to understand the extent of proposed earthworks and ground movements.
- **Flood risk assessments:** to help us evaluate potential flood risks which is essential to ensure the safety and feasibility of the development and how the proposal may affect the surrounding catchment.

## 5. Changes proposed to the Development Services Scheme (DSS) or its assets

If a planning proposal would require any changes to the Development Services Scheme (DSS) or to the corresponding land shapes and budgets within the relevant Precinct Structure Plan (PSP) we encourage you to seek early application advice ahead of a planning permit.

In addition to pre-application advice on the proposal, in order for us to evaluate a proposal that may change any aspect of a DSS, we require information about designs, modelling and investigations to meet the following minimum requirements for our evaluation of a proposal.

### 5.1 Minimum requirements

In your submission document to Melbourne Water, please provide the following information:

- **Comparison with the DSS:** A comparison between the current DSS and the proposed changes to explain the nature and scale of change
- **Reasoning and justification:** Detailed reasoning for the change, and the impacts on the development site, DSS assets, surrounding catchment and the environment. This should include consideration of the DSS catchment and relevant social, cultural, environmental and financial factors to show how you arrived at your proposal.
- **Cost comparison:** A cost comparison between the current DSS and the proposed change, detailing both capital and operational costs based on market rates. The proposed option doesn't need to be the lowest cost option, as long as you are happy to work with us on a funding mechanism. This cost comparison must consider all asset, development and other impacts likely to occur upstream and downstream of the development to facilitate the proposal.
- **Design outcome:** The details of how the proposed solution meets or exceeds the current DSS design outcomes
- **Alternative options:** An outline of other options explored (if relevant) so show that the chosen option was considered alongside alternatives
- **Impact consideration:** Analysis of the impacts on upstream, downstream and adjacent areas from a flood, social, financial, development, asset and environmental perspective where relevant. It must be demonstrated that the proposed option does not negatively impact compared to the original DSS option.
- **Additional Approvals:** Details of any statutory or other authority approvals required for the proposed option, so we understand the necessary implementation steps.

Depending on the nature of the request, we may require further information such as:

- **Updated DSS models:** Updated DSS RORB and MUSIC models for the proposed solution so we can review the modelling efficiently
- **Changes to DSS models:** Details of any changes made to the DSS models discussed in the report to help us understand the changes made.
- **Preliminary designs and reports:** Preliminary designs and supporting investigation reports if site conditions impact the proposal. For a new DSS asset location, we may request supporting initial investigation reports and concept or functional level designs may be requested to ensure that the new location is suitable and doesn't have any potential construction impediments. This may include but is not limited to preliminary Flora and Fauna investigation results, geotechnical investigation results, preliminary cultural and heritage investigation reports as relevant to the proposed location of works.
- **Support from Responsible Authority:** If the proposal suggests changes to assets with a catchment size of less than 60ha, or assets not nominated to be future Melbourne Water assets, we may request evidence of in principle support from the relevant responsible authority (e.g., Council, VicRoads).
- **Precinct Structure Plan (PSP) Consideration:** For proposals within a PSP area, if the proposal is likely to impact the PSP, Melbourne Water may request in-principle support from the responsible authority (e.g. Council) to confirm whether the proposal is "generally in

accordance with the PSP" or if any formal planning processes or planning scheme amendments are required prior to a DSS change.

## 5.2 Additional notes

Standard pre-development advice or Stormwater Management Strategy review timeframes do not apply to requests involving DSS or PSP changes. Early consultation is recommended as response times may vary based on the nature of the proposed changes with response timeframes sometimes taking several months for complex sites or proposals requesting significant changes.

## 6. Planning permit for subdivision

Applications for planning permits for the subdivision of land require Melbourne Water consent, as a referral authority (unless an exemption applies). The *Planning and Environment Act 1987* (P&E Act) establishes the referral requirements relevant to the planning application process. Melbourne Water review applications and inform the Responsible Authority of its decision.

### 6.1 Minimum requirements for assessment

When making a referral to a Referral Authority, the Responsible Authority (e.g. Council) is required to provide the prescribed information as per the [Planning and Environment Regulations 2015 - Regulation 19](#).

In the referral to Melbourne Water, the Responsible Authority (e.g. Council) will provide:

- **Reference numbers:** Any previous Melbourne Water reference numbers and planning permit reference numbers as relevant
- **Approved planning permit (if applicable):** If you have a copy of any approved planning permit relevant to this application, please include a copy to help us verify that your proposal is consistent with any prior approvals or requirements.
- **A Subdivisional Concept Plan:** That details the proposed land use change
- **Drainage plans:** A stormwater management strategy, or appropriate drainage plans, outlining the flood management and drainage solution in consideration of both the interim and ultimate development/asset delivery scenarios (where applicable, see Additional notes for more information).
- **Planning assessment report:** A report that outlines the planning triggers, exemptions and other relevant considerations of the planning assessment.
- **Flood risk assessment:** To help us evaluate potential flood risks which is essential to ensure the safety and feasibility of the development and how the proposal may affect the surrounding catchment. This information will ideally be included within the site's Stormwater Management Strategy. Flood risk assessments will be applicable mainly in the instances where there is existing flooding or a potential risk of flooding due to proposed development impacts.
- **Feature survey plan:** A feature survey plan is a technical plan that shows the sites existing conditions such as its size, shape, features and dimensions. The plan must include site levels shown to Australian Height Datum.
- **Staging plan:** That clearly outlines the staging and timing of proposed multi-lot subdivisions within the Development Services Scheme (DSS) area, the schedule for

delivering any drainage assets in alignment with the subdivision development timeline (where relevant).

### Additional information

The information we (Melbourne Water) may require the following for assessment of your application depending on the site context:

- **Application form:** A copy of the application referred to us by the responsible authority in the prescribed form. We would like to see the relevant reference numbers, and any previous Melbourne Water reference numbers (as applicable) to help us locate your project and understand how the application might interact with other projects.
- **Address of the development**
- **Application preamble**
- **Key site and proposal features**
- **Application reference number:** The reference number provided by the Responsible Authority created when the application was lodged.
- **Application receipt date:** The date the responsible authority received the application to inform us of the statutory timeframes
- **Description of why a permit is required:** The permit triggers identified by the Responsible Authority. Not just the ones applicable to the referral.
- **Reason for referral:** A list of the clauses in the planning scheme that require the application to be referred to that referral authority
- **Kind of referral:** a copy of the applicable description in the planning scheme of the kind of application required to be referred to that referral authority
- **Referral authority role:** Indicate whether Melbourne Water is a Determining or Recommending referral authority or whether the application is a non-statutory referral (advice only)
- **Application Type:** The type of application, (e.g., Planning Permit Application, Section 72 Amendment, plans to comply with a permit condition).
- **Referral Date:** The date referred to Melbourne Water to inform us of the statutory timeframes.
- **Contact Details:** Contact details of the relevant officer within the responsible authority (e.g. council) if we need to get in touch about your application.
- **Certificate of Title:** Include a copy of any listed caveat, covenant, encumbrance or agreement (such as a Section 173 Agreement).
- **Ancillary documents:** Any additional investigation reports as required to help justify that the proposed land use change is safe and implementable.

## 6.2 Additional notes

If the planning application is located within a DSS area, the submitted drainage plans may require a Stormwater Management Strategy along with the road and drainage plans for the development. If the subject site includes the delivery of a Development Scheme asset, a concept design for the assets needs to inform the proposed Stormwater Management Strategy. For information related to the details required as a part of a stormwater management strategy or drainage plans, please refer to the Stormwater management strategy section of this document.



Responsible Authorities (e.g. Council) refer an application to subdivide land to relevant referral authorities, including Melbourne Water. These referrals are typically done via the Surveying and Planning through Electronic Applications and Referrals (SPEAR) platform. We review applications and inform the Responsible Authority of our decision on a planning permit referral for subdivision referral via SPEAR.

## 7. Planning permit for development

The P&E Act establishes the referral requirements relevant to the planning application process. Planning applications for development submitted to the responsible authority should include the following information to enable Melbourne Water to understand a proposal.

A Responsible Authority (e.g. Councils) refer Section 52 and Section 55 applications to us when required by the planning scheme when the land is subject to flooding or if the proposed development is near Melbourne Water's land or assets.

### Understanding Determining and Recommending Authorities

In the planning application process, referral authorities like Melbourne Water can have different roles:

- **Determining Authority:** As a determining authority, Melbourne Water has the power to require specific conditions be included in a planning permit or can direct the council to refuse a permit if necessary. The council must comply with these requirements.
- **Recommending Authority:** As a recommending authority, Melbourne Water provides advice and suggestions regarding the planning application. While it is highly recommended that our advice and suggestions be implemented, the council is not obligated to follow our recommendations and will make a decision, balancing the various requirements of the planning process.

### 7.1 Minimum requirements for assessment

When making a referral to a Referral Authority, the Responsible Authority (e.g. Council) is required to provide the prescribed information as per the [Planning and Environment Regulations 2015](#)

In the referral to Melbourne Water, the Responsible Authority (e.g. Council) will provide:

- **Application form:** A copy of the application referred to us by the responsible authority in the prescribed form. We would like to see the relevant reference numbers, and any previous Melbourne Water reference numbers (as applicable) to help us locate your project and understand how the application might interact with other projects
- **Address of the development**
- **Application preamble**
- **Key features** of the proposal
- **Application reference number:** The reference number provided by the Responsible Authority created when the application was lodged.

- **Application receipt date:** The date the responsible authority received the application to inform us of the statutory timeframes
- **Description of why a permit is required:** The permit triggers identified by the Responsible Authority. Not just the ones applicable to the referral.
- **Kind of referral:** A copy of the applicable description in the planning scheme of the kind of application required to be referred to that referral authority
- **Reason for the referral:** including a list of the clauses in the planning scheme that require the application to be referred to that referral authority
- **Referral authority role:** Whether Melbourne Water is a Determining or Recommending referral or whether the application is a non-statutory referral (advice only)
- **Application Type:** The type of application, (e.g., Planning Permit Application, Section 72 Amendment, Plans to comply with a permit condition).
- **Date referred to Melbourne Water:** to inform us of the statutory timeframes
- **Contact details:** of the relevant responsible authority officer (e.g. council) if we need to get in touch about your application
- **Certificate of Title:** Include a copy of any listed caveat, covenant, encumbrance or agreement (such as a Section 173 Agreement).

Please refer to [Planning and Environment Regulations 2015 - Regulation 19](#) for details of prescribed information requirements.

### Additional information requirements:

The information we (Melbourne Water) may require the following for assessment of your application depending on the site context:

Site plan and Elevation Plans submitted with your proposal should detail:

- **Finished floor levels (FFL):** submitted to Australian Height Datum (AHD), including existing and proposed levels as applicable. Accurate data helps assess flood risk and ensure the proposed development complies with flood protection standards and other requirements.
- **Natural Ground level:** shown to AHD to assess potential changes to the site hydrology and drainage.
- **Setbacks to boundaries (existing and proposed):** Site and elevation plans should show measurements of all permanent and temporary structures in relation to the property/site boundaries. To ensure that the development does not encroach on any protected or sensitive areas.
- **Area of proposed works:** In your submission include the area of proposed works (in sqm), including any structures proposed to be demolished or partially demolished. Knowing the extent of works helps in assessing the overall impact on the site and surrounding environment.
- **The layout, size and use of buildings and works (existing and proposed):** A detailed layout helps us understand the full scope of the development. Please include vehicle parking areas, basements with details all openings (if proposed), fencing and or landscaping

associated with the development within the layout plan, noting any cut or fill proposed on the site.

- **Details of fencing and/or landscaping:** Including site and elevation details of fencing and/or landscaping, including any proposed cut/fill associated with the proposed development as applicable will help us understand drainage patterns and how the surface water will flow.
- **Flood risk assessment:** If relevant and required as part of the proposal
- Any other application requirements specified in a Schedule to the applicable planning scheme zone or overlay.

Dependant on the site conditions and the nature of the development, please also include:

- **Earthworks including cut and fill:** Any proposed earthworks such as cut and fill
- **Details of basements:** Basements can affect groundwater levels and flood risk, and supplying this information is important for our review. Please include elevation and cross sectional details of any basement entry ramps and all other basement openings (including vents and windows) to AHD, showing finished floor levels of entry/exit areas, windows and drainage details.
- **Any existing and proposed openings located below the nominated flood level:** identifying any openings below flood level helps us identify if any required flood protection mechanisms are in place where relevant.
- **Melbourne Water assets and waterway setbacks:** Plans must denote any Melbourne Water assets (including drains, water mains, sewers and waterways) in the vicinity of your development. Please indicate setback measurements of permanent and temporary structures from those assets. It must be demonstrated that the development will not interfere with the existing assets.

## 8. Amending Applications, Planning Permits and Secondary Consent

### 8.1 Amended Applications

Applications to amend applications before or after notice is given may need to be re-referred to Melbourne Water in order to ensure that the response is applicable to the current considered proposal. The Responsible Authority will ensure this step is completed as part of its assessment.

### 8.2 Amending a Planning Permit

An application to amend a permit, including any plans, drawings or other documents approved under a permit, follows the same process as an application for a permit (under sections 47 to 62 of the P&E Act).

It has the same requirements for giving notice and referral. However, the assessment for an application to amend a permit focuses only on the amendment itself and avoids reopening all the issues associated with the approved use or development.

Applications to amend a planning permit that are required to be referred to Melbourne Water must clearly detail the changes proposed by the amendment and whether there are proposed changes to Melbourne Water Conditions.

As a result of the amendment, Melbourne Water conditions may be added, changed or deleted depending on the nature of the proposal.

### 8.3 Secondary Consent

A permit condition may provide that some future or further changes be carried out 'to the satisfaction of the responsible authority' or not be carried out 'except with the further consent of the responsible authority'. For example a condition may limit the operation of a use to particular hours but may also provide for the hours to be altered with the consent of the responsible authority. This is known as a 'secondary consent'.

A permit condition may also provide for a secondary consent to be exercised by a Minister, public authority or referral authority.

The secondary consent process can only be used where changes are proposed to the plans or conditions. Where a secondary consent is not appropriate, a new permit application or an application to amend a permit should instead be made.

The Responsible Authority may seek Melbourne Water's views on a secondary consent application in instances where it is unclear to the Responsible Authority the extent of transformation on Melbourne Water conditions as part of a Secondary Consent application.

## 9. VicSmart Applications

The VicSmart permit process is a specific procedure for assessing straightforward applications that are consistent with the policy objectives for the area and the zoning of the land. The VicSmart process has fewer steps than the regular permit process, it involves a more tightly focused planning assessment and shorter statutory timeframes apply.

Clauses 90-95 of the planning scheme set out the specific provisions that apply to VicSmart applications.

These provisions contain information requirements and decision guidelines for each class of VicSmart application, and exempt VicSmart applications from certain requirements of the P&E Act.

### Melbourne Water and VicSmart applications

If a referral is required under Clause 66 of the planning scheme, the written consent of the referral authority must be lodged with the application.

An application for written consent from Melbourne Water can be made via our website.

The written consent must not be more than 3 months old.

If you do not obtain this consent or Melbourne Water objects, the application cannot be a VicSmart application and you must apply through the regular permit application process. There is no appeals process for Melbourne Water's decision made on whether to issue written consent for a VicSmart application.

## 10. Building permits

Melbourne Water may receive a referral from a Council's Municipal Building Surveyor under Regulations 153 and 154 of the Building Regulations 2018. Melbourne Water may also receive applications for 'Report and Consent' applications from private Building Surveyors where a private Building Surveyor has been engaged to issue a building permit. Melbourne Water may be consulted on these regulations individually or simultaneously depending on how the subject land is affected. The differences between the regulations are explained below:

### Regulation 153

Applications referred to Melbourne Water under Regulation 153 relate to developments on land liable to flooding. The relevant Council must consult with the floodplain management authority with respect to the subject site prior to issuing Building Permit to the Applicant.

### Regulation 154

Applications referred to Melbourne Water under Regulation 154 relate to developments on 'designated land or designated works' that is, land abutting a waterway or within 20 meters of an asset or waterway. Before giving its consent under the relevant regulations, the Council must consult with the waterway management authority for the designated land or designated work.

### 10.1 Minimum requirements for assessment

In the report and consent referral, the following information is required:

- **Site address:** To help us locate the site
- **Reference numbers:** Any previous Melbourne Water reference numbers and planning permit reference numbers as relevant
- **Proposal / request description:** A clear description of the proposal helps us understand the scope and specifics of the request.
- **Site and location plan:** Include site and location plans with finished floor levels and site levels to Australian Height Datum. These details are crucial for assessing flood risks and ensuring compliance with relevant regulations and guidelines.

Dependant on the site conditions and the nature of the development, the following may be required:

- **Location and details of any Melbourne Water assets or waterways:** including clearly labelled setbacks from proposed works. Understanding the proximity to any related assets or waterways is important to ensure that the proposed works do not encroach on sensitive areas. Please note that proof of prior approvals such as a build over consent may be required for your application to be processed when assets may be vicinity.
- **Approved planning permit (if applicable):** If you have a copy of any approved planning permit relevant to this application, please include a copy to help us verify that your proposal is consistent with any prior approvals or requirements.

## 10.2 Additional notes

As set out in the *Building Act 1993* and the Building Regulations 2018, a report and consent is the process for consulting with and obtaining the approval of a reporting authority when building work may affect assets, infrastructure or amenity of the community.

Applications received under these regulations must come from either Council via the Municipal Building Surveyor or a Private Building Surveyor.

## 11. Stormwater Management Strategy (SWMS)

Melbourne Water may require a Stormwater Management Strategy (SWMS) to be submitted with a planning application. In some situations, Melbourne Water may require that a SWMS is submitted to its satisfaction.

Melbourne Water may provide engineering comments for consideration on a SWMS ahead of the lodgement of a planning application.

A SWMS is an overarching document that demonstrate a comprehensive flood and drainage solution for a proposed development site. It should outline how the development will meet the necessary requirements, including flood protection, waterway protection, and stormwater quality standards during both interim and ultimate development scenarios. Within a Development Service Scheme (DSS), the SWMS must show how the development will meet or exceed DSS requirements.

The SWMS must clearly describe:

- **What** the drainage solution is for the site (conveyance, retardation, flood protection, outfall, and stormwater quality treatment).
- **How** this solution will be implemented through the development (i.e., interim works, ultimate works, responsible parties, required approvals, etc.).

The SWMS must provide sufficient details to ensure that the strategy's implementation is within the control of the development. If the proposed SWMS implementation is not within the control of the development, any proposed planning permit application linked to the Stormwater Management Strategy is likely be objected to by Melbourne Water.

### 11.1 Minimum requirements for assessment

A Stormwater Management Strategy submitted to Melbourne Water should appropriately address and include:

- **Catchment Plan:** The outline of the broader area from which stormwater is directed to the subject site
- **Staging Plan:** For multi lot subdivisions, to indicate the phases of development and how it lines up to the delivery of drainage assets.
- **Proposed Drainage Solution:** that describes what the drainage solution is and how it will be implemented through the development
- **Drainage outfall details:** that demonstrates that you can discharge stormwater appropriately from your site.

- **Conveyance details:** The proposed alignment for any 20%/10% AEP drainage infrastructure and any associated overland flow paths directions for the 1% AEP flood event.
- **Interim outfall:** Interim drainage outfall arrangements and treatment details where the development is out of sequence.
- **Modelling information:** Hydrologic modelling (RORB) and MUSIC modelling as applicable (Additional modelling requirements detailed below).

If Development Services Scheme assets are located within the subject site, the following information will also be required with the submission:

- **Concept Design for Proposed Assets:** A concept design for any proposed Melbourne Water or Development Services Scheme assets, developed to a level that can be assessed against the requirements of the Precinct Structure Plan and Development Services Scheme intent/requirements.
- **Additional Modelling information:** Relevant modelling to support the concept design such as RORB, MUSIC, HECRAS/TUFLOW modelling as applicable.
- **Supporting documents:** Depending on the complexity of the site, we may request relevant investigations and studies to support your proposal. This may include but not limited to: Flora and Fauna investigation findings, Preliminary Cultural & Heritage investigation findings.

## 11.2 Additional notes

The developer must ensure that the subdivisional layout is in accordance with the relevant Precinct Structure Plan and approved Development Services Scheme (or an alternative strategy) approved by Melbourne Water.

Melbourne Water may request an update to a Stormwater Management Strategy post permit approval when there is significant departure of the proposed strategy or contributing catchments that what is already accepted.

## 12. Application for an offer of conditions non-works

Offer of conditions of non-works is a contractual document that acts as:

- A Payment Notice: A notice for the payment of drainage contributions required by sections 196 and 268(1) of the *Water Act 1989*.
- An Agreement with Melbourne Water: It outlines an agreement between the property owner and Melbourne Water, detailing the requirements that need to be met before Melbourne Water can give its consent for the issue of a statement of compliance.

Prior to applying for an offer of conditions non-works, unless specifically advised by Melbourne Water, the applicant must have obtained a planning permit and have a corresponding Melbourne Water approved Stormwater Management Strategy.

### 12.1 Minimum requirements for assessment

In your application, please provide the following information:

- **Plan of Subdivision that Melbourne Water has consented to:** Include the certified Plan of Subdivision and associated SPEAR reference if the offer of conditions non-works is in response to a plan of subdivision. This helps us verify the details and the status of the subdivision.
- **Planning permit issued for the site:** We need to see that a valid planning permit has been issued for the relevant site before issuing an offer of conditions. To help us locate your permit, you can provide us with the SPEAR reference number from which we can access the planning permit. Alternatively, you can submit the Responsible Authority (e.g. Council) and Melbourne Water reference numbers related to the Planning Permit issued for the site.
- **Approved Stormwater Management Strategy:** Prior to the issue of an offer of condition of non-works, you need to demonstrate that you have a valid strategy to manage stormwater within the relevant site and an acceptable outfall arrangement. You can provide us with correspondence that indicate in principle support from the Responsible Authority (e.g. Council) and Melbourne Water to the site's Stormwater Management Strategy (the relevant Melbourne Water reference number can be provided).

## 12.2 Additional notes

If a non-works offer is in response to a Plan of Subdivision, a certified plan is required for the assessment. There are some circumstances, such as a Development Permit, where a certified Plan of Subdivision may not be required.

If there's a valid non-works offer already issued for the relevant site or plan of subdivision, Melbourne Water may withdraw a secondary request as another offer will not be required.

## 13. Application for an offer of conditions-works

A works offer is a contractual document that specifies the conditions related to Development Services Scheme or other drainage works that are to be constructed by the relevant party (in most cases, the developer) on behalf of Melbourne Water or Council.

Prior to applying for an offer of conditions works, unless specifically advised by Melbourne Water, the applicant must have obtained a planning permit and have a corresponding Melbourne Water approved Stormwater Management Strategy.

### 13.1 Minimum requirements for assessment

In your application, please provide the following information:

- **Planning permit issued for the site:** We need to see that you have a valid planning permit issued for the relevant site before issuing an offer of conditions-works. To help us locate your permit, you can provide us with the SPEAR reference number from which we can access the planning permit. Alternatively, you can submit the Responsible Authority (e.g. Council) and Melbourne Water reference numbers related to the Planning Permit issued for the site.
- **Approved Stormwater Management Strategy:** Prior to the issue of an offer of condition-works, you need to demonstrate that you have a valid strategy to manage stormwater within the relevant site and an acceptable outfall arrangement. You can provide us with correspondence that indicate in principle support from the Responsible Authority (e.g. Council) and Melbourne Water to the site's Stormwater Management Strategy (the relevant Melbourne Water reference number can be provided).



- **Functional Design Drawings:**

- We want to be confident in the Functional Design for the asset so we can adequately scope an offer of conditions-works for the relevant assets. To help us do so, please submit Functional Design Drawings approved by the responsible asset owner for the relevant asset. Standard drawings and guidelines are available to assist you with the preparation of these drawings via our Melbourne Water Standards and Specifications page.
- There may be instances where you need to apply for an offer of conditions-works before a Functional Design is finalised. In this instance, you would need contact Melbourne Water to discuss the circumstances and receive a directive from Melbourne Water to apply for an offer of conditions-works. This means that you will need to work with the relevant asset owner (Melbourne Water or other authority) to ensure that any key elements of the functional design have been deemed satisfactory.

- **Cost Estimate:** A cost estimate for the scope of scheme works that includes a breakdown to help us understand how it was derived will assist us with preparing the necessary internal approvals to issue a works offer.
- **Agreement on asset reimbursement:** Where the proposal is not consistent with the original Development Services Scheme or Precinct Structure Plan, an agreement is to be reached with Melbourne Water on the asset reimbursement.

### 13.2 Additional notes

The Functional Design must be approved by the relevant asset owner before we can issue of the offer of conditions-works.

Council is the responsible authority for the review of the design of council owned assets. Melbourne Water will review the functional design drawings of Council owned wetland and bio-retention basin assets prior to the issue of an offer of conditions of works to ensure the alignment with the Development Services Scheme intent.

## 14. Certification of plan of subdivision

Certification is the key administrative step in enabling a subdivision proposal to proceed. Certification is undertaken by councils and ensures that any proposed plan of subdivision complies with the *Subdivision Act 1988*, the regulations and any requirements of the planning scheme or planning permit and any matter required under section 6(1) of the Subdivision Act.

Responsible Authorities (e.g. Council) refer an application to certify plans to relevant referral authorities, including Melbourne Water. We review applications and inform the Responsible Authority of our decision on a certification of plan referral via SPEAR.

The developer can ensure that the following information is included in the submission to the responsible authority to help us understand how your proposal impacts the existing site and the surrounding environment.

### 14.1 Minimum requirements for assessment

The following details are required to be submitted with referrals from the Responsible Authority (as applicable):

- **Plan details:** Plan of proposed subdivision, consolidation, creation, variation or removal of easement or creation of common property including the SPEAR reference. We will assess your plan of subdivision against any Melbourne Water easement or reserve requirements and compliance with any applicable previous approvals for the project.
- **Conditions:** The planning permit for subdivision may have conditions which are required to be fulfilled prior to Melbourne Water consenting to the plans being certified. Please ensure that any relevant conditions are met and documentation is provided to demonstrate this.

## 14.2 Additional notes

The applicant is required to submit an application in the prescribed form for certification to the Responsible Authority as per the requirements of the Subdivision Act and the relevant regulations. Please discuss these requirements with your land surveyor or Council for more information.

The process takes 35 calendar days from the date on which the Responsible Authority received the plan to assess an application and respond to a complete application that complies with the relevant planning conditions. Incomplete applications may be refused or missing information may be requested.

The 35 days includes the 7 day period council has to refer the application to the referral authority. A referral authority (such as Melbourne Water) will usually have 28 days in which to review the proposal in respect to any requirements placed on the planning permit or incorporated into the planning scheme.

## 15. Functional Design Acceptance & Comments

Prior to applying for a design review, unless specifically advised by Melbourne Water, the applicant must have obtained a planning permit and have a corresponding Melbourne Water approved Stormwater Management Strategy. In conjunction with the below requirements, where available, relevant Melbourne Water guidelines should be followed regarding detailed submission requirements.

### 15.1 Minimum requirements for Functional Design Applications – Council Pipelines

Council is the responsible authority for the review of the design of council owned assets. Melbourne Water will review the functional design drawings of Council owned wetland and bio-retention basin assets prior to the issue of an offer of conditions of works to ensure the alignment with the Development Services Scheme intent. We require the following information to support our internal business case, ensuring consistency with the Development Services Scheme, and to provide you with a works offer. As part of this process, we will review your Functional Design drawings included in your submission for an offer of conditions-works.

To enable us to issue an offer, please provide the following information:

- **Functional Layout Plans**
- **Long-Section Drawings:**
  - Hydraulic Grade Line information
  - Design flows

- Design velocities
- Pipe size and invert levels clearly indicated

- **Catchment Plan**

- **Relevant Technical Reports:** We want to see that your design considers the relevant investigations that support the functionality of your design. Depending on the complexity of your site, this may include and not be limited to Flora and Fauna investigation findings, Cultural & Heritage investigation findings, Geotechnical investigations and Sodic Soil investigations as applicable to the site.

### 15.1.1 Additional Notes

Depending on the complexity of the asset, we may request a works methodology statement to a level that is appropriate for functional design to help us understand how the asset will be constructed

## 15.2 Minimum requirements for Functional Design Applications – Melbourne Water Pipelines

In your application, please provide the following information:

- **Functional Layout Plan:** Must meet Melbourne Water’s design guidelines
- **Long-Section Drawings:**
  - Hydraulic Grade Line information
  - Design flows
  - Design velocities
  - Pipe size and invert levels clearly indicated
  - Designed as per Melbourne Water design guidelines
- **Catchment Plan**
- **Relevant Technical Reports:** We want to see that your design considers the relevant investigations that support the functionality of your design. Depending on the complexity of your site, this may include and not be limited to Flora and Fauna investigation findings, Cultural & Heritage investigation findings, Geotechnical investigations and Sodic Soil investigations as applicable to the site.

### 15.2.1 Additional Notes

Depending on the complexity of the asset, we may request a works methodology statement to a level that is appropriate for functional design to help us understand how the asset will be constructed.

## 15.3 Minimum requirements for Functional Design Applications – Stormwater Quality Treatment assets

In your application, please provide the following information:

- **A Functional Layout plan:** include the relevant plans, cross-sections and long-sections.
- **A Functional Design Report:** Please address the Functional level requirements of the Melbourne Water Constructed Wetlands Design Manual and include the following:
  - Summary of design basis

- Site description and catchment plan
- Relevant engineering design methods & calculations
- Preliminary cost estimate
- Relevant investigation summaries and controls
- **A completed Deemed to Comply design criteria** for the asset. The checklist can be found in the Melbourne Water Constructed wetlands design manual section on our website.
- **Modelling files:** Please include any relevant modelling files and results such as MUSIC modelling
- **Relevant technical reports:** We want to see that your design considers the relevant investigations that support the functionality of your design. Depending on the complexity of your site, this may include and not be limited to Flora and Fauna investigation findings, Cultural & Heritage investigation findings, Geotechnical investigations and Sodic Soil investigations as applicable to the site.

### 15.3.1 Additional Notes

Depending on the complexity of the asset, we may request a works methodology statement to a level that is appropriate for functional design to help us understand how the asset will be constructed.

Melbourne Water Music Modelling Guidelines and the Melbourne Water website provide helpful information on Stormwater Quality Treatment asset types and how to model these assets.

## 15.4 Minimum requirements for Functional Design Applications – Waterways

In your application, please provide the following information:

- **A Functional Layout plan:** include the relevant plans, cross-sections and long-sections.
- **A Functional Design Report:** Please address the Functional level requirements of the Constructed waterway design manual and include the following:
  - Summary of design basis
  - Site description and catchment plan
  - Relevant engineering design methods & calculations
  - Preliminary cost estimate
  - Relevant investigation summaries and controls
- **A completed Deemed to Comply design criteria** for the asset. The checklist can be found in the Melbourne Water Constructed waterways design manual section on our website.
- **Modelling files:** Please include any relevant modelling files and results such as HECRAS, TUFLOW modelling
- **Relevant technical reports:** We want to see that your design considers the relevant investigations that support the functionality of your design. Depending on the complexity of your site, this may include and not be limited to Flora and Fauna investigation findings, Cultural & Heritage investigation findings, Geotechnical investigations and Sodic Soil investigations as applicable to the site.

### 15.4.1 Additional Notes

Depending on the complexity of the asset, we may request a works methodology statement to a level that is appropriate for functional design to help us understand how the asset will be constructed

## 15.5 Minimum requirements for Functional Design Applications – Retarding Basin

In your application, please provide the following information:

- **A Functional Layout plan:** include the relevant plans, cross-sections and long-sections and the design of any embankments and outlet structures.
- **A Functional Design Report:** Please address the Functional level requirements of the Retarding Basin Design and Assessment Guideline and include the following:
  - Summary of design basis
  - Site description and catchment plan
  - Relevant engineering design methods & calculations
  - Preliminary cost estimate
  - Relevant investigation summaries and controls
- **A completed Deemed to Comply design criteria** for the asset. The checklist can be found in the Melbourne Water Constructed Wetland design manual section on our website.
- **Modelling files:** Please include any relevant modelling files and results such as HECRAS, TUFLOW modelling, Hydrologic model (RORB)
- **Relevant technical reports:** We want to see that your design considers the relevant investigations that support the functionality of your design. Depending on the complexity of your site, this may include and not be limited to Flora and Fauna investigation findings, Cultural & Heritage investigation findings, Geotechnical investigations and Sodic Soil investigations as applicable to the site.

Please note that the designer should engage a suitably qualified dams engineer early in the design process to complete a review to ANCOLD guidelines (e.g. Consequence Assessment, Hydrological Report) as applicable to the project once the functional design is progressed to Melbourne Water's satisfaction (see additional notes for more information below). This is only for designs that can be considered a dam as per the relevant ANCOLD guidelines. If there are instances where an ANCOLD assessment may not be required for a dam from a technical perspective, please include details of the preliminary assessment that informed that decision and the justification for us to review. Please note that this assessment may require peer review by a qualified dams engineer on the Melbourne Water list.

### 15.5.1 Additional Notes

Applications that do not meet the minimum requirements may be withdrawn by Melbourne Water.

For the Functional design of the retarding basin design to progress to Melbourne Water's satisfaction, the minimum requirements are to be accepted by Melbourne Water:

- Reserve dimensions
- Concept layout, cross-sections and long-section

- Modelling (Hydrologic and Hydraulic)

Depending on the complexity of the asset, we may request a works methodology statement to a level that is appropriate for functional design to help us understand how the asset will be constructed.

## 16. Detailed Design Acceptance & Comments

Before applying for a design review, unless otherwise instructed by Melbourne Water, you must complete the following steps:

- Obtain a planning permit.
- Develop a Stormwater Management Strategy approved by Melbourne Water.
- Obtain Functional Design Acceptance for the specific asset you are progressing to detailed design.

Additionally, please refer to relevant Melbourne Water guidelines for detailed submission requirements where available.

### 16.1 Minimum requirements for Detailed Design Applications – Council Pipelines

Melbourne Water is not the responsible authority to review and approve assets nominated to be council pipelines. However, the following information is required by us to inform our internal business case by ensuring its consistency with the Development Services Scheme. Therefore, the following minimum requirements will apply:

- **Council Approved Functional Layout Plans**
- **Long-Section Drawings:**
  - Hydraulic Grade Line information
  - Design flows
  - Design velocities
  - Pipe size and invert levels clearly indicated
  - Catchment Plan and Subdivisional staging plan
- **Council confirmation:** Written confirmation from council for assets that are owned and maintained by council
- **Relevant Technical Reports:** We want to see that your design considers the relevant investigations that support the functionality of your design. Depending on the complexity of your site, this may include and not be limited to Flora and Fauna investigation findings, Cultural & Heritage investigation findings, Geotechnical investigations and Sodic Soil investigations as applicable to the site. Please note that these reports must specifically be for the location of the asset in question, and not the broader development.

### 16.2 Minimum requirements for Detailed Design Applications – Melbourne Water Pipelines

In your application, please provide the following information:

- **Functional Layout Plan:** Must meet Melbourne Water’s design guidelines
- **Detailed Long-Section Drawings:**
  - Hydraulic Grade Line information
  - Design flows
  - Design velocities
  - Pipe size and invert levels clearly indicated
  - Designed as per Melbourne Water design guidelines
  - Catchment Plan and Subdivisional staging plan
- **Safety and risk management:** To ensure that the construction is carried out safely, please include a
  - Work Methodology Statement
  - OH&S Risk Management Plan
  - Site Environmental Management Plan
- **Relevant Technical Reports:** We want to see that your design considers the relevant investigations that support the functionality of your design. Depending on the complexity of your site, this may include and not be limited to Flora and Fauna investigation findings, Cultural & Heritage investigation findings, Geotechnical investigations and Sodic Soil investigations as applicable to the site. Please note that these reports must specifically be for the location of the asset in question, and not the broader development.

### 16.3 Minimum requirements for Detailed Design Applications – Water Quality Treatment assets

In your application, please provide the following information:

- **Detailed Design Drawings:** include the relevant plans, cross-sections and long-sections.
- **A Detailed Design Report:** Please address the Detailed level requirements of the Constructed waterway design manual and include the following:
  - Summary of design basis
  - Site description and catchment plan
  - Relevant engineering design methods & calculations including Inundation frequency analysis results, wet spells analysis
  - Detailed cost estimate
  - Relevant investigation summaries and controls
- **Council confirmation:** Written confirmation from council for assets that are owned and maintained by council
- **A completed Deemed to Comply design criteria for the asset.** The checklist can be found in the Melbourne Water Constructed waterways design manual section on our website.
- **Modelling files:** Please include any relevant modelling files and results such as Hec-RAS, TUFLOW or MUSIC modelling
- **Relevant technical reports:** We want to see that your design considers the relevant investigations that support the functionality of your design. Depending on the complexity of

your site, this may include and not be limited to Flora and Fauna investigation findings, Cultural & Heritage investigation findings, Geotechnical investigations, Topsoil report and Sodic Soil investigations as applicable to the site.

- **Safety and risk management:** To ensure that the construction is carried out safely, please include;
  - Work Methodology Statement
  - OH&S Risk Management Plan
  - Site Environmental Management Plan
- **Landscaping and maintenance information:** To understand the planting and maintenance information please include a
- **Draft maintenance agreement**
- **Planting plan**

### 16.4 Minimum requirements for Detailed Design Applications – Waterways

In your application, please provide the following information:

- **A Functional Layout plan:** include the relevant plans, cross-sections and long-sections.
- **A Detailed Design Report:** Please address the Detailed level requirements of the Constructed waterway design manual and include the following:
  - Summary of design basis
  - Site description and catchment plan
  - Relevant engineering design methods & calculations
  - Detailed cost estimate
  - Relevant investigation summaries and controls
- **A completed Deemed to Comply design criteria for the asset.** The checklist can be found in the Melbourne Water Constructed waterways design manual section on our website.
- **Modelling files:** Please include any relevant modelling files and results such as HECRAS, TUFLOW modelling
- **Relevant technical reports:** We want to see that your design considers the relevant investigations that support the functionality of your design. Depending on the complexity of your site, this may include and not be limited to Flora and Fauna investigation findings, Cultural & Heritage investigation findings, Geotechnical investigations, Geomorphology assessments and Sodic Soil investigations as applicable to the site.
- **Safety and risk management:** To ensure that the construction is carried out safely, please include;
  - Work Methodology Statement
  - OH&S Risk Management Plan
  - Site Environmental Management Plan
- **Landscaping and maintenance information:** To understand the planting and maintenance information please include;



- Draft maintenance agreement
- Planting plan

### 16.5 Minimum requirements for Detailed Design Applications – Retarding Basin

In your application, please provide the following information:

- **A Functional Layout plan:** include the relevant plans, cross-sections and long-sections and the design of any embankments and outlet structures.
- **A Detailed Design Report:** Please address the Detailed level requirements of the Retarding Basin Design and Assessment Guideline and include the following:
  - Summary of design basis
  - Site description and catchment plan
  - Relevant engineering design methods & calculations
  - Detailed cost estimate
  - Relevant investigation summaries and controls
- **A completed Retarding Basin Requirements criteria for the asset.** The checklist can be found in the Retarding Basin Design and Assessment Guideline section on our website.
- **Modelling files:** Please include any relevant modelling files and results such as HECRAS, TUFLOW modelling, Hydrologic model (RORB)
- **Relevant technical reports:** We want to see that your design considers the relevant investigations that support the functionality of your design. Depending on the complexity of your site, this may include and not be limited to Flora and Fauna investigation findings, Cultural & Heritage investigation findings, Geotechnical investigations and Sodic Soil investigations as applicable to the site.
- **Safety and risk management:** To ensure that the construction is carried out safely, please include a;
  - Work Methodology Statement
  - OH&S Risk Management Plan
  - Site Environmental Management Plan
- **Maintenance information:** Please include a draft maintenance agreement for our review
  - ANCOLD requirements: This relates to completing all the necessary requirements related to the ANCOLD guidelines which may include a
  - Consequence assessment
  - Third party review by suitably qualified dams engineer for all components of the design that have created a pressure differential, and hence act as a dam wall (where appropriate)
  - Third party review of constructed embankments to ANCOLD guidelines (where appropriate)

### 16.6 Additional Notes

Please note that applications that do not meet the minimum requirements may be withdrawn by Melbourne Water.

## 17. Statement of Compliance (SOC)

Under section 21(1) of the Subdivision Act, an applicant receives a statement of compliance from a council once all public works and open space requirements placed on a proposal under the planning system or under the Subdivision Act have been satisfied or adequate arrangements have been made to secure compliance with those requirements.

A statement of compliance cannot be issued before a plan is certified and it must be obtained before a plan can be registered with Land Victoria.

A statement of compliance enables a council to ensure compliance with any agreements and conditions placed on any planning permit relating to public works and open space provision.

Before an application can be made for a Statement of Compliance for a subdivision in a new development area, all conditions listed in the offer of conditions and relevant planning permits must be fully met. This includes payment of any required drainage contributions.

If these conditions aren't fulfilled, Melbourne Water will be unable to consent to the issue of a statement of compliance and will inform you about any outstanding information needed in order for consent to statement of compliance to be granted.

### 17.1 Minimum requirements for assessment when conditions on Development Services Scheme works completion does not apply

For applications where Development Services scheme works completion isn't required please ensure the following is included:

- **Payment confirmation:** We need to verify that the payment of the full drainage contributions amount (if applicable). If we can't locate the payment in our Financial system, we will request further information from you to help us locate the payment.
- **Meet offer and permit conditions:** We need to see that the conditions in the offer of conditions and planning permit have been met prior to the Issue of Statement of Compliance.

### 17.2 Minimum assessment requirements when Development Services Scheme works construction progress needs to be met

Statement of Compliance applications that are tied to offer of conditions that request Development Services Scheme works to be completed, the following minimum requirements may apply:

- **Payment confirmation:** We need to verify that the payment of the full drainage contributions amount (if applicable). If we can't locate the payment in our financial system, we will request further information from you to help us locate the payment.
- **Meet offer and permit conditions:** We need to see that the conditions in the offer of conditions and planning permit have been met prior to the Issue of Statement of Compliance.
- **Site safety controls:** Include information to verify if site safety conditions are met, including details of any construction fencing around active sites (where applicable).
- **Environmental controls:** Include documentation of environmental controls in place on site (where applicable).

- **Temporary outfall controls:** Include details of outfall arrangements until permanent works are completed to the satisfaction of the responsible authority (where applicable).

### 17.2.1 Additional Notes

Any recent payments need to be processed by our Finance team prior to the issue of Statement of Compliance. To minimise delays associated with Statement of Compliance (SOC) applications, we strongly recommend that the payment of drainage contributions is made well in advance of a Statement of Compliance application.

Responsible Authorities (e.g. Council) refer an application for Statement of Compliance to relevant Referral Authorities, including Melbourne Water. These referrals are typically done via the Surveying and Planning through Electronic Applications and Referrals (SPEAR) platform. We review applications and inform the Responsible Authority of our decision on a Statement of Compliance referral via SPEAR.

### 18. References

The following table provides a list of references have been cited in this document:

Document title
<a href="#"><u>Building Regulations 2018</u></a>
<a href="#"><u>Guidelines for Development in Flood Affected Areas (February 2019)</u></a> (DEECA formerly DELWP)
<a href="#"><u>Planning and Environment Act 1987</u></a>
<a href="#"><u>Planning and Environment Regulations 2015</u></a>
<a href="#"><u>Subdivision Act 1988</u></a>
<a href="#"><u>Water Act 1989</u></a>

### 19. Document History

Date	Reviewed/ Actioned By	Version	Action
December 2024	Urban Planning and Development Improvement	1.1	Release A1
September 2024	Mission Lead- Housing Statement	1	Release A

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The information provided in this guideline is preliminary in nature and does not form a basis for the approval of an application submitted to Melbourne Water. Melbourne Water reserves the right to request further information as necessary.