

Guidance Note

Application pathway for Changes to DSS or its assets

This application pathway is intended for landowners, developers and consultants proposing materially significant changes that may affect an existing Development Services Scheme (DSS) and/or stormwater conveyance and treatment components of Precinct Structure Plans (PSP).

It provides a pathway to work through critical aspects of the proposed changes early on, ensuring they are resolved to Melbourne Water's satisfaction before progressing to the detailed work required for a Stormwater Management Strategy (SWMS) and Planning Permit application.

This process aims to help identify a site's stormwater management issues, deficiencies and other essential components that may be affected by unresolved or non-aligned changes, ultimately supporting a more streamlined permit referral and development process later on.

The following considerations are critical when reviewing a request to change a DSS, in addition to the application-specific engineering details, financial and environmental sustainability assessments.

Any other relevant consideration may also be taken into account, as required.

Confirmation from the Responsible Authority (RA) on whether a planning scheme amendment is required

The Victorian Planning Authority's (VPA) *Generally in Accordance Guidance Note* offers the public some information to assist with evaluating whether the proposed DSS change may require a planning scheme amendment or not. For more information, refer to the VPA's [**Generally in Accordance: Guidance Note – April 2020 \(PDF\)**](#).

Based on the determination made by the RA, there are some instances where the initiation of a formal planning scheme amendment is required. Before submitting a planning application, please contact the Responsible Authority to understand if a planning scheme amendment may be required.

Guiding principles to determine if support from Melbourne Water is required for a change to a DSS prior to a planning permit application

A Development Services Scheme (DSS) is developed by Melbourne Water to inform the drainage requirements for a respective PSP, through a comprehensive assessment and consultation process. Therefore, any request to amend a Melbourne Water-governed DSS requires a similar rigorous assessment and decision-making process, that is well supported by the relevant level and quality of information.

The following guiding principles set out when a 'Change to DSS or its assets' application may be required ahead of the planning permit application. While Melbourne Water assesses each application on its individual merits and level of detail provided, these principles are intended to guide the industry in determining whether a 'Change to DSS or its assets' application may be beneficial - specifically, if one or more of the following principles apply.

Community Impact

The proposal, in the interests of natural justice, requires consultation with multiple interested and/or affected parties, including:

other landowners whose interests may be affected by the DSS, developers, the community, government authorities and agencies, statutory bodies, Traditional Owners, Registered Aboriginal Parties, utility providers, local environmental groups, and any other body considered relevant.

Land Budget Impacts

The proposal involves a change to the land budget within the PSP for one or multiple properties that has potential negative financial, planning, engineering, and/or environmental implications to the DSS or to other interested and/or affected stakeholders. This includes reduction or increase in land use and/or land take requirements for specific DSS asset(s).

Change in asset type

- The proposal earmarks changes to a DSS asset type (e.g. change from a constructed waterway to a pipeline).
- Reconstruct or reshape existing Melbourne Water assets or waterways for which the works are not identified within the DSS (e.g. reconstructing an existing waterway corridor not already identified within the DSS).
- Proprietary products or novel (atypical) drainage solutions proposed within the DSS and in lieu of an existing DSS asset. Proprietary devices are drainage and/or stormwater treatment mechanisms commercially available through a specific manufacturer (e.g. gross pollutant traps) that developers/applicants may request to use in lieu of more naturally functioning systems, such as sediment ponds or wetlands.

Changes in asset location at property boundaries

- The proposal requests a change to a DSS asset location from the actual or proposed PSP location as it crosses the property boundary onto another land parcel not owned by the same entity or not covered under an intended same permit application.
- Changes to the location of DSS assets at or where they straddle property boundaries requires formal approval from all affected landowners, Melbourne Water, Council and any other interested stakeholder(s) affected by the proposed change (e.g. Department of Transport and Planning (DTP) if the DSS change requires modification to critical road layouts or any interface with railway lines).

Changes to the asset performance beyond what can be constituted as a minor or insignificant change

- The proposal requests a change to an asset size or scope to cater to a different flood storm event (e.g. change a 20% Average Exceedance Probability (AEP) pipeline to a 1% AEP pipe).
- Major changes proposed to the configuration of a stormwater quality treatment (SWQT) asset or retarding basins. This refers to changes that would affect flow capacity, pollutant removal efficiency, or structural integrity where such changes would affect the asset's performance.

These alterations require bespoke hydrological, hydraulic and stormwater quality assessments across properties or for the entire catchment to ensure compliance with design standards and the intent of the DSS asset design.

Implications on the function of the DSS itself

- Substantial changes to DSS catchment boundaries affecting asset functions, performance or hydrology of the catchment.
- The proposal includes the addition or removal of assets from the DSS, expecting DSS reimbursement not currently outlined in the DSS or seeking Melbourne Water ownership and/or maintenance of asset not currently earmarked as a Melbourne Water asset.
- Including changes that impact how the DSS delivers drainage, stormwater quality, flood management or environmental outcomes by either changing the number or type of assets across the catchment (e.g. merging 3 wetland assets into 2 wetland assets).

What if you have identified an issue that impedes the implementation of the Development Services Scheme?

If you have identified an issue obstructing or negatively impacting the possibility of successful implementation of the DSS (e.g. if another authority's asset has been constructed in the location of a proposed drainage reserve) or where an independent expert is of the opinion that there may be a defect or other shortcoming in the original DSS design, please contact us via the Melbourne Water Customer Service Centre on 131 722 or email us at land.development@melbournewater.com.au so that we can investigate the issue.

If a DSS engineering related issue exists, early identification will assist us in reviewing the DSS to investigate a possible solution. However, if you have already considered a possible alternative solution that you would like us to consider, an application to amend the DSS may be submitted to us for further consideration.

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