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Precis: Development Applications-Adjacent to Rear Lanes

Responsible Officer: Policy Coordinator

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TITLE: Development Applications Adjacent to Rear Lanes
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OBJECTIVE

To state Council's policy with respect to development conditions for applications proposing vehicular access and/or drainage to rear lanes.

POLICY

1. Developments Proposing Access to Council's Road Network via a Rear Lane

Council as a matter of course will not give approval to developments proposing to use a rear lane as its principal access to Council's road network. Under Section 79C(1) of the Environmental Planning and Assessment Act 1979, a lane is not considered to be "appropriately constructed infrastructure" to adequately address access, transport and traffic impacts.

For Council to consider development proposing access to Council's road network via a rear lane, the

developer must convince Council that such access does not compromise safety and amenity, and all works required to upgrade the lane and the intersection(s) with the adjoining Council street are to be at full cost to the developer.

2. Developments Proposing Stormwater Discharge to a Rear Lane

No drainage shall be permitted to drain to a rear lane for developments for two tenements or more on existing residential allotments and also for commercial and industrial purposes, without properly constructed street drainage or inter-allotment drainage with appropriate easements.

In all cases where stormwater discharges from the development site are at a level that prohibits discharge at surface level to either the street drainage system or other built drainage infrastructure, the responsibility lays with the developer to provide standard street drainage to the closest point of discharge, such as an existing pit, pipe or channel at full cost to the developer. Where investigation of the existing downstream drainage system is required to assess its adequacy to accept the developed stormwater runoff from the site, such investigation is at the developer's cost.

Where works are required to provide an up-graded pipe system where none exists to an approved discharge point, such works are at the developers cost. The developer shall extend a piped system from a development to a piped or open Council drain, Hunter Water Corporation channel (with approval), a natural watercourse or an inter-allotment drain to dispose of stormwater from the site.

The technical requirements for design and construction of street and inter-allotment drainage are detailed in Council's "Engineering Requirements for Development" and include construction of underground piped drainage, constructed and lined concrete swale drains, and kerb and gutter channels. Construction of table drains is not considered appropriate for rear lanes in urban areas.