

Acquisition of trunk drainage land within Rouse Hill Development Area Stages 1 - 4

1. Overview

1.1 At a glance

Stormwater often flows from property drains to street gutters operated by local councils. Sometimes these drains connect to our larger channels, pipes and creeks. This forms the trunk drainage system. Our policy explains how we prioritise the acquisition of trunk drainage land within the Rouse Hill Development Area.

1.2 Scope

Our policy applies to landowners in the Rouse Hill Development Area, more specifically, those who own property along Smalls, Second Ponds, Caddies, Strangers, and Elizabeth Macarthur creeks and their tributaries. These are contained within the Rouse Hill Development Area Stages 1 to 4.

1.3 Objective

Our policy helps us determine whether to proceed with any acquisition of trunk drainage land and in what order we acquire land. It also sets out how a landowner can request that we acquire their land and establishes our authority, in respect to the trunk drainage land, if a landowner makes any changes to their subdivision layout.

2. Policy in detail

2.1 Prioritisation of land to be acquired

We'll use the following criteria to determine whether to proceed with the land acquisition and in what order. The land must be zoned for trunk drainage purposes in the Local Environmental Plans. The final decision is at our discretion given the circumstances at the time.

Our criteria are that:

- the land provides flood conveyance and/or floodplain storage. This must be based on up-to-date modelling of flood behaviour within the catchment
- the land contains our trunk drainage infrastructure
- we plan to do trunk drainage works on the land within the next two to three years
- we're likely to do trunk drainage works on the land, to address unacceptable flood risks to public areas or infrastructure
- acquisition of the land would significantly improve access by us, to and along the trunk drainage land, for maintenance purposes
- small areas of land, additional to that required for flood storage or flood conveyance, in the area may be acquired if it assists in the orderly roll out of infrastructure and development of lots
- the land is close to land already owned, or to be owned, by us and its acquisition would enable more effective and efficient debris management, weed control, fire risk reduction and bush regeneration
- acquiring the land assists any other matters that are relevant to achieving the outcomes, that we're obliged to deliver, as trunk drainage authority.

2.2 Requests for land to be acquired

We have the power to determine if we are proceeding with any acquisition of trunk drainage land where we are listed as the Acquisition Authority.

However, landowners can contact us to request that we initiate voluntary acquisition. This occurs when they desire the acquisition to occur before our regular criteria would warrant it.

We'll acknowledge our obligation and, where relevant, apply the hardship provisions of the **Acquisition Act 1979** (just terms and compensation).

If we don't require the land at that point in time and the hardship tests are not met by the landowner, we won't acquire the land.

2.3 Subdivision or modification of subdivision layouts

If a landowner wishes to establish or modify a subdivision layout, we will review and confirm the extent of the land required for trunk drainage purposes.

We'll advise the landowner and relevant council if there are any changes to the extent of land required for trunk drainage purposes.

3. Definitions

Term	Definition
Acquisition Authority	As per Local Environmental Plans.
ARI	Annual Recurrence Interval – this is used to describe the probability of an event, for example a 1:5-year ARI flow is a flow that would on average be expected to occur once every five years.
Rouse Hill Development Area	As per Sydney Regional Environmental Plan 19.
Trunk Drainage (definition specific to Rouse Hill Development Area only)	Stormwater infrastructure, including major drains and waterways conveying more than 5 m ³ /sec of stormwater in a 1:5-year ARI event.
Trunk Drainage Authority	Authority responsible in the Rouse Hill River Management Area for managing trunk drainage to provide stormwater drainage, flood conveyance, floodplain storage and stormwater quality improvement.
Trunk Drainage Land	Land required to exercise the role of Trunk Drainage Authority, and generally, within the 1:100-year ARI flood extents

4. Context

4.1 References

Document type	Title
Compliance obligations	- Sydney Water Act 1994 – section 47 gives Sydney Water the power to acquire land. - Land Acquisition (Just Terms Compensation) Act 1991 – sets out Sydney Water's obligation to acquire land designated for acquisition, and the process for owner-initiated acquisition in cases of hardship. - Environmental Planning and Assessment Act 1979 – provides for the designation of land for acquisition through environmental planning instruments and makes such acquisitions subject to the hardship provisions in the Land Acquisition (Just Terms Compensation) Act. - Blacktown Local Environmental Plan 1988 – clause 17 places the obligation on the landowner to approach Sydney Water to acquire land that is zoned 5(a) (Special uses - trunk drainage). - Baulkham Hills Local Environmental Plan 2005 – clause 42 places the obligation on the landowner to approach Sydney Water to acquire land that is zoned 5(a) (Special uses – trunk drainage). - Sydney Regional Environmental Plan 19 - Rouse Hill Development Area – defines the boundary and planning objectives of the Rouse Hill Development Area.
Policies and procedures	- Pricing Regulatory Strategy project examining Sydney Water's obligations regarding Sydney Water acquisition of Trunk Drainage. - Land and hardship provisions.

Document type	Title
Other documents	• AS/NZS 10002:2014 Guidelines for complaint management in organisations. • Compilation and reporting of the Customer Services Compliance Requirements. • Managing privacy incidents • Construction Contract General Specifications (GS) - Community Relations contract requirements • Construction Contract General Specifications (GS) -Appendix G: Avoidable Complaint Analysis Form
