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## DRAINAGE EASEMENTS - MAINTENANCE OF OPEN DRAINS

**Policy Number:** POL16/142 • **Adopted:** 11/04/1983 • **Amended:** 22/05/2005, 20/01/2009, 21/06/2013, 21/02/2017 • **Minute Number:** MIN83.608, MIN05.138, MIN09.21, MIN13.601, MIN17.104 • **File:** 30633E • **Produced By:** Assets & Works Group • **Review Date:** 1/12/2020

### 1. PURPOSE

To clarify the conditions under which Council is prepared to undertake maintenance works on open drains within drainage easements on private property, to safeguard the public interest and the rights of other property owners.

### 2. STATEMENT

This Policy statement is based on Council minute 83.608 of 11<sup>th</sup> April 1983. Council reaffirmed the policy in its revised format with minor amendments on 22<sup>nd</sup> February 2005 & 20<sup>th</sup> January, 2009.

### 3. PROVISIONS

The individual property owner should be responsible for the normal maintenance of an open stormwater drain within a drainage easement (in favour of Council) that passes through their property. When the open stormwater drain becomes obstructed with matter which has been washed into it such that it will significantly reduce its conveyance capacity and potentially cause loss of water from the easement, then Council should seek to rectify the situation by exercising its right, in accordance with the terms and conditions of the easement, to enter the property and undertake any maintenance work as considered necessary, to safeguard the public interests and rights of other property owners.

### 4. IMPLEMENTATION

The Assets and Works Group has responsibility for implementing this policy.

### 5. REVIEW

The Assets and Works Group will review this policy within one year of the election of every new Council.

### 6. APPLICATION OF ESD PRINCIPLES

Assists with protection from flooding and disruption to social amenity where drainage obstructions occur within watercourses.