

Rural Drainage Policy

Version: 1.2

Date updated: 25 May 2018

Responsible Department: City Planning

1. Purpose

This policy establishes Council's principles and responsibilities for managing rural stormwater drainage.

2. Definitions

Council	means Casey City Council, being a body corporate constituted as a municipal Council under the Local Government Act 1989
Councillors	means the individuals holding the office of a member of Casey City Council
Council officer	means the Chief Executive Officer and staff of Council appointed by the Chief Executive Officer.

3. Scope

The policy applies to public stormwater drains in rural areas of the municipality.

4. Context

The Local Government Act 1989 empowers Council to provide drainage infrastructure for the benefit of the community.

Section 16 (1) of the Water Act 1989 establishes a potential liability for a landholder resulting from the unreasonable flow of water from the land where the flow causes injury to a person, damage to property or causes a person to suffer economic loss. Council has a responsibility as a landholder to ensure the flow of water from Council land does not cause injury or damage to persons or property.

Council policy documents change from time to time and it is recommended that you consult the electronic reference copy at www.casey.vic.gov.au/policiesstrategies to ensure that you have the current version. Alternatively you may contact Customer Service on 9705 5200.

Section 16 (2) of the Water Act 1989 establishes a potential liability for interfering with a reasonable flow of water onto any land that as a result of the interference causes injury to a person, damage to property or causes a person to suffer economic loss. Council has a responsibility as a landholder to ensure it does not obstruct or interfere with the reasonable flow of water on to Council land.

5. Policy

5.1 Rural Drainage Principles

The Rural Drainage Policy is informed by the following principles:

- Rural drainage is a shared responsibility between Melbourne Water, Council and landholders.
- Rural drainage is not designed to give flood protection to all land at all times and some inundation of low lying land will occur.
- Improvements to rural drainage will be funded by the benefiting landholders.
- Improvements to rural drainage must not unreasonably impact on downstream land.

5.2 Council Responsibilities

Council is responsible for the following categories of rural drainage:

- Easement drains
- Road drains
- Urban outfall drains
- Urban flood protection (cut-off drains)

5.2.1 Easement Drains

Council is responsible for rural easement drains where the drainage easement is in favour of Council and the drain was constructed to service the subdivision of the land.

Council will maintain these drains to ensure:

- The lots created by the subdivision are serviced by a free-flowing outlet with capacity for a design rainfall event with a 50% chance of being equalled or exceeded in any given year (2-year average recurrence interval).

5.2.2 Road Drains

Council is responsible for drains located within a Council Road Reserve. This includes channels and table drains at the side of the road pavement and culverts crossing beneath the road pavement.

Council will maintain these drains to ensure:

- The road pavement is free draining, and
- The road pavement does not unreasonably obstruct the flow of stormwater from upstream land through to downstream land.

Council is not responsible for vehicle crossover culverts that allow vehicle access to private land. The landholder is responsible for providing, maintaining and replacing these culverts as required.

5.2.3 Urban Outfall Drains

Council is responsible for rural drains conveying stormwater runoff from the outfall of an urban catchment to a Melbourne Water drain or watercourse.

Council will maintain these drains to ensure:

- The urban catchment is serviced by a free-flowing outlet with capacity for a design rainfall event with a 20% chance of being equalled or exceeded in any given year (5-year average recurrence interval), and
- The stormwater runoff from the urban catchment does not unreasonably impact on downstream land.

5.2.4 Urban Flood Protection (Cut off Drains)

Council is responsible for rural cut-off drains constructed by or at the direction of Council to protect downstream urban land from unreasonable flows of stormwater.

Council will maintain these drains to ensure:

- The habitable structures downstream are protected from inundation above floor level for a design rainfall event with a 1% chance of being equalled or exceeded in any given year (100-year average recurrence interval).

6. Administrative Updates

It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this document, such a change may be made administratively. Examples include a change to the name of a Council department, a change to the name of a Federal or State Government department, and a minor update to legislation which does not have a material impact. However, any change or update which materially alters this document must be by resolution of Council.

7. Review

The next review of this document is scheduled for completion by 25 May 2022.