

8 Roadside Open Drains

8.1 Overview

Council does not permit new open drains to be constructed in the road margin.

Some open drainage systems may be permitted where these form an aesthetic feature of a new subdivision approved under a Resource Consent.

Maintenance work carried-out to existing open earth drains in the road margin is a permitted activity. However it would pay to first check with Council's Resource Compliance Officer for the particular area. Also some drains are maintained by Council where these are identified in Council's Stormwater Asset Management Plan.

Definition:

Open Roadside Drain: The primary function of an open roadside drain is for land drainage. These drains tend to be cut into the earth and are "U" shape in profile and quite deep. The adjacent land owner whose frontage the drain runs along is responsible for keeping it maintained.

Roadside Water table: The primary function of these shallow drains is to drain the road but they may also collect some overland runoff. The profile of these drains tends to be of a shallow "V" shape. Council is responsible for maintaining these.

8.2 Purpose

- This policy is intended to give clear direction as to who is responsible for maintaining the roadside open drain;
- A further intention is to reduce the risk of injury to road users from existing drains being enlarged;
- Ensure that surface water does not build-up with in the drain and then flow over the road thus causing a hazard or damage to the roading asset.

8.3 Legislation

- Tasman Resource Management Plan
- Local Government Act 1974
- Land Drainage Act 1908
- Council's Stormwater Activity Management Plan (AMP)

8.4 Policy

All open roadside drains except those in urban areas identified in Council's AMP, are the responsibility of the adjacent land owner who's property frontage the drain extends along, to keep clear and maintained.

8.4.1 Process – Accessway and Road Culverts

Council is responsible for all culverts under public roads that it currently maintains and is recorded in Council's Road Asset Maintenance Management Database (RAMM). From time to time Council may require its road maintenance contractor to clear culverts under public formed roads that it does not maintain.

Accessway culverts generally are the responsibility of the land owner whose property it serves however these may be cleared out by Council's road maintenance contractor from time to time if they present a problem to the roadway. If the culvert is undersize and causing on going problems then the land owner may be required to renew with a larger pipe.

The lowering of both accessway and road culverts to gain outfall will be the responsibility and cost of the applicant. In some circumstances Council may contribute to the replacement of an existing culvert.

Where a road is being upgraded then existing accessway culverts may be replaced and generally at Council's expense.

Comment

From time to time culverts when being lowered may require replacing due to being inadequate in size or of such bad condition that it would be unreasonable to expect the applicant to pay fully for the new culvert.

8.4.2 Process - Need to Maintain Drains

Permission is not required to undertake this work however, where the work is undertaken from the road side of the drain, a Temporary Traffic Management Plan will be required for Type 2 & 3 Roads.

All cleanings and spoil are to be removed from the site. Spoil will not be permitted to be left in road reserve unless otherwise agreed by the Council.

The Council may mediate in the interests of gaining co-operation from all landowners to clean or pay for their section of the drain to be cleared.

Where cooperation cannot be achieved, then Council will arrange for the work to be undertaken and the cost to be reclaimed from the landowner/s whose frontage the drain extends along.

Comment

Drains if not maintained, can cause stormwater to back-up causing flooding of nearby properties and roadway.

8.4.3 Process – Desire to Deepen Drain

Open drains will not be permitted to be deepened without first seeking permission from the Council.

Generally deepening of open drains to a depth exceeding 1.5 metres below natural surface level on any road or widen open ditches towards the centre of the road will not be permitted.

Comment

Deep drains create a hazard to all road users.

Deepening drains can affect outfalls on existing roads or accessway culverts thus causing a situation where water lies in the drain due to the culvert invert level being higher than that of the drain.

8.4.4 Process – Desire to Pipe Drain

Landowners may wish to pipe their section of the open drain, however permission must first be sought from Council before any work begins.

The cost of the work including ongoing maintenance will be at the landowner's expense. The responsibility for ongoing maintenance should be stated on the Land Information Memorandum for the property.

The pipe size, type and grade, including treatment of inlet and outlet, must be approved by Council.

Comment

Ideally the piped ditch should have a shallow swale overlying its alignment and graded to permit fall as well as entry points for overland flow where appropriate. Open ditches are not preferred due to the risk of injury.

For piped drains it is essential to ensure the pipe is adequate to cope with the flow, and will not restrict up stream flow.

8.4.5 Process – Road Culverts

Council is responsible for providing and maintaining adequate road culverts. Ends of culverts shall remain open for a minimum of one metre at each end, or sumps provided, to allow entry of surface water.

Comment

Road culverts assist drainage of the road and permit overland flow under the road therefore it is appropriate that these be provided by Council.

8.4.6 Process – Roadside Drains in Urban Areas

In urban areas, road drainage including roadside drains shall be maintained by Council.

Piping of frontages, and piped accessways and connection to piped stormwater drains are subject to specific application and approval.