

# Stormwater Control

## What is your responsibility?

- You are obligated to maintain downpipes, gutters, stormwater pipes, gully pits and any approved stormwater system on your property in good operational condition.
- Keep all easements free of debris to provide stormwater with a natural path.
- It is important to accept the natural overland flow from neighbouring properties.
- You are unable to construct a barrier which interferes with the path of stormwater.
- You are not permitted to divert or change the natural flow of stormwater.
- You are required to control the stormwater for any construction work which takes place on your property.

## What is Council's responsibility?

- If the property has a stormwater installation, defined under the *Local Government Act 2009* such as roof gutters, downpipes, subsoil drains and stormwater drainage for the premises, Council may direct the property owner to connect to Council's stormwater drainage system, if available and practical to do so.
- *The Local Government Act 2009 (Chapter 3, Part 3, Division 2 – Stormwater Drains)* makes provisions for the control of stormwater, and Council is empowered to issue property owners with written notice if they are in breach of this Act.

## What is the best course of action to take?



When stormwater builds up on a property and begins to overflow, it needs to find an escape route.

If the water is unable to enter an underground drainage system it will take the nearest natural path which may include roadways, sidewalks or neighbouring properties.

When the excess water overflows on to a neighbouring property, this can cause a lot of angst between residents. Generally this issue becomes a civil matter and Council is unable to intervene.

In order to resolve this issue, Council recommends residents talk to their neighbours about this issue to come up with a solution which appeases both parties.

If this method of action fails, residents are able to contact the Dispute Resolution Centre which provides a non-legal mediation service. This is a way to resolve the issue without the need for expensive legal proceedings. The Dispute Resolution Centre can be contacted on 1800 017 288.

An alternative option is to contact the State Government Community Justice Program for the services of a mediator.

If you feel these actions are not appropriate or have not provided beneficial solutions you are able to seek legal advice.