



# Policies, Procedures and Guidelines

## CONTRIBUTIONS TO COST OF KERB & GUTTER AND FOOTPATH CONSTRUCTION

INF012

### BACKGROUND

In accordance with the Roads Act, the owner of land adjoining a public road is liable to contribute to the cost incurred by the Council, being the roads authority, in constructing new kerb & gutter and footpath along the side of the public road. The amount of the contribution is to be such amount as the Council may determine up to half of the cost.

### OBJECTIVE

To establish a procedure and a fair and equitable method, within statutory requirements, to charge property owners for kerb & gutter and footpath construction and associated works.

### DEFINITION

This policy will apply to all properties adjoining Public roads for which Lachlan Shire Council is the roads authority.

Relevant Statutory Requirements specific to this policy:

- *Sections 217 & 218 Roads Act, 1993*
- *Local Government Act, 1993*

### POLICY

Where Council intends to carry out new kerb & gutter and footpath construction all affected owners will be notified prior to the scheduled date of the commencement of such works. Written notice shall advise the property owner of the contribution to be charged by Council for the works.

A contribution for works shall not apply where a contribution to kerb & gutter and footpath has previously been paid.

The owner of the land adjoining the public road where the kerb & gutter and footpath is to be constructed shall contribute to Council an amount as detailed in the table below. Concessions will be given to owners who live in corner blocks with more than one frontage.

Type of Property	Contribution
All properties with one frontage to public road	50% of cost up to maximum contribution as outlined in Council's Schedule of Fees and Charges
All properties with more than one frontage to public road	50% of cost for the frontage with street address and 25% of cost for other frontages up to a maximum contribution as outlined in Council's Schedule of Fees and Charges

Further Information: Council 02 68951900



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Version: V1.0

Commencement Date:  
October 2017

Last Review Date:  
October 2017

Next Review Date:  
October 2020

TRIM No.

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Maximum contribution is a frontage distance of 50m. This 50m shall be calculated on the Street Address frontage first, then the side frontage second. Above this maximum contribution Council will pay the additional costs.

For a property owner's standard contribution, Council will provide one standard layback per lot in conjunction with new kerb & gutter. Council will construct additional laybacks or driveways at full cost to the landowner as outlined in Council's Schedule of Fees and Charges.

Affected property owners, on written application, may make application to pay their contribution by monthly instalments over a period of time mutually agreeable to both parties.

At time of notification, Council will offer to construct concrete driveways from kerb & gutter to property boundary at full cost to the landowner.

Repairs & maintenance and the costs associated with existing driveways will be the responsibility of the owner.

Landowners are requested to maintain and clear any drainage structures in driveways (e.g. gutter, pipe culverts, bridges, steel plates etc.) or they will be requested to be removed.

Non-compliance with notices issued under the Roads Act 1993 renders landowners liable for legal action to recover costs.

<b>Further Information:</b> Council 02 68951900   Email: <a href="mailto:council@lachlan.nsw.gov.au">council@lachlan.nsw.gov.au</a>				<b>Page 2 of 2</b>
<b>Version:</b> V1.0	<b>Commencement Date:</b> October 2017	<b>Last Review Date:</b> October 2017	<b>Next Review Date:</b> October 2020	<b>TRIM No.</b>