



# LACHLAN SHIRE COUNCIL CONTRIBUTIONS TO COST OF KERB & GUTTER CONSTRUCTION POLICY

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Further Information: Lachlan Shire Council ☎ 02 6895 1900 ✉ Email: <a href="mailto:council@lachlan.nsw.gov.au">council@lachlan.nsw.gov.au</a>					
Version: 1.3	ADOPTED:	Commencement Date:	Last Review Date:	Next Review Date:	Records Management
Council Meeting 22 February 2023	RES 2023/18	October 2017	February 2023	February 2027	Record D23/2597

## 1. 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 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.

## 2. SCOPE

This policy will apply to all properties adjoining Public roads for which Lachlan Shire Council is the roads authority. This policy is only applicable for new kerb & gutter works. Relevant Statutory requirements specific to this policy:

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

## 3. OBJECTIVE

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

## 4. POLICY IN BRIEF

Where Council intends to carry out new kerb & gutter all affected owners will be notified 3 months 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 has previously been paid for previous works.

## 5. POLICY IN DETAIL

The owner of the land adjoining the public road where the kerb & gutter 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	Kerb & Gutter Contribution
All properties with one frontage to public road	50% of cost up to maximum contribution.
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.

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 access ramps, at full cost to the landowner.

On written application affected property owners may make application to pay their contribution by monthly instalments. Generally, instalments should be paid over no more than 12 months unless mutually agreeable to both parties.

At the time of notification, Council will offer to construct concrete driveways and/or footpaths from the kerb & gutter to the 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.

Greg Tory

GENERAL MANAGER

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