



Kerb and Gutter Construction

1. Intent of Policy

The intention of this policy is to establish a procedure and a fair and equitable method, within statutory requirements, to charge property owners for kerb & gutter construction and associated works.

2. Scope of Policy

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

*Relevant Statutory Requirements specific to this policy:
Sections 217 & 218 Roads Act, 1993
Local Government Act, 1993*

3. Guidelines

In accordance with the Roads Act, the owner of a land adjoining a public road is liable to contribute to the cost incurred by the Council, being the roads authority, in constructing new kerb and 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.

Where Council intends to carry out new kerb and gutter 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.

The owner of the land adjoining the public road where the kerb and 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	Contribution
All properties with one frontage to public road	50% of cost up to maximum contribution stipulated in Council's 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 in Council's Fees and Charges

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

Any person, on written application, may be permitted to pay their contribution towards kerb and gutter construction by monthly instalments over a period of time mutually agreeable to both parties.

Repairs and 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 bridges and steel plates) 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.

Approving Authority	Oberon Council
Contact	Director of Engineering
Approval	12 August 2008: Item B36, Minute 52
Revision Date	August 2010 February 2012
Issue Date to Staff	25 August 2008
Reviewed	12 August 2008 – Reformatted February 2012