



1. Intent of Policy

This policy establishes Council's position in regard to seeking contributions from property owners toward the construction of kerb and gutter along their property frontage. These contributions fund a proportion of the total cost of the works, with the remainder being funded through rates and other sources.

2. Scope of Policy

This policy applies to landowners in the Oberon Local Government area as to new urban subdivisions and/or developments.

Section 217 of the *Roads Act 1993* provides that Council, as the roads authority, may require the owner of land adjoining a public road to contribute up to half of the cost of providing kerb and guttering along the frontage of their property.

In relation to new urban subdivisions and/or developments Council requires the developer to provide for fully constructed roads including the provision of kerb and guttering and appropriate drainage subject of Councils approval, as part of the development, at their full cost.

Relevant Statutory Requirements specific to the policy:

- *Roads Act 1993*
- *Local Government Act 1993*

3. Guidelines

Section 217 of the *Roads Act 1993* provides that Council, as the roads authority, may require the owner of land adjoining a public road to contribute up to half of the cost (50%) of providing kerb and guttering along the frontage of their property, as stipulated in Council's Fees and Charges.

For corner properties Council will seek a contribution from the owner equivalent to half the cost (50%) for the front (or short) boundary and one quarter the cost (25%) for the side (or long) boundary, as stipulated in Council's Fees and Charges.

For new urban subdivisions and/or developments Council requires the developer to provide for fully constructed roads including the provision of kerb and guttering and appropriate drainage, as part of the development at their full 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 of a minimum of 28 days shall advise the property owner of the contribution to be charged by Council for the works.

Council's Debt Recovery Policy (Policy 2201) requires any requests for an arrangement to pay kerb and gutter contributions to be in writing. Council's Corporate Services Director will consider requests for an arrangement as per the conditions set out in the Policy for Sundry Debtors.

Council will provide one standard concrete layback per lot in conjunction with new kerb and gutter. Council will construct additional laybacks or driveways at full cost to the landowner as stipulated in Council's Fees and Charges.

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.

Approving Authority	Oberon Council
Contact	Technical Services Director
Approval	18 February 2020 – Item 13.02, Minute 08 180220 12 August 2008: Item B36, Minute 52
Revision Date	October 2021
Issue Date to Staff	October 2019
Reviewed	February 2020 12 August 2008 – Reformatted