
KERB AND GUTTER CONSTRUCTION – RATEPAYER FINANCING POLICY

Policy Number: POL16/155 • **Adopted:** 29/06/2004 • **Amended:** 25/06/2007, 25/08/2009, 30/07/2013, 21/02/2017 • **Minute Number:** MIN04.740, MIN07.822, MIN09.1143, MIN13.742, MIN17.104 • **File:** 16016E • **Produced By:** Assets and Works Group • **Review Date:** 1/12/2020

1. PURPOSE

The aim of this policy is to give ratepayers and occupiers of urban land within the City the opportunity to advance the construction of kerb and gutter and associated shoulder seal fronting their property by way of ratepayer advances.

2. STATEMENT

2.1. Background

The ratepayer financing scheme allows ratepayers to fund the cost of kerb and guttering fronting their property in advance of the work being undertaken via Council's normal construction works programs.

2.2. Scope

This policy applies to all urban residential areas across the City where Council ultimately intends to provide kerb and guttering.

2.3. Relationship to Other Documents

This policy should be read in conjunction with the relevant section of Council's current Fees, Charges and Rentals

3. PROVISIONS

3.1. Repayment of Loan Advance

Where ratepayer advances are made to fund the construction of kerb, gutter and shoulder seal, the amount advanced (less the adjoining owner's normal contribution) will be repaid on a date 5 years after the day on which the advance is made at a rate of 5% per annum simple interest.

[Note: The "adjoining owners normal contribution" is outlined in Council's current Fees Charges and Rentals for the recovery of costs in accordance with Section 217 of the Roads Act 1993.]

3.2. Criteria for Eligibility

Approval to applications for works to be carried out under this policy will be subject to the Director Asset and Works Group certifying that the required work is feasible and not deleterious to any other work or property. For kerb and guttering, approval will only be issued for construction fronting two adjoining properties, two or more adjoining properties or sections of at least 30 metres in length, or shorter if infill works allow two existing sections of kerb & gutter to be joined.

3.3. Fees and Charges

For the purpose of such ratepayers advances, a standard charge per metre will be adopted and such charge to be included in Council's Fees, Charges and Rentals and adjusted annually.

3.4. Additional Costs

Where additional costs will obviously be required and the work is nonetheless seen as desirable, then such additional costs will be incorporated into Council's Capital Works Programme. Additional provision will be made in the programme for these costs which should also include Council's contribution for shoulder seal.

3.5. Driveways

Council also encourages ratepayers and occupiers at their own cost, to have constructed driveway slabs or strips between the property boundary and kerb line particularly, where new kerb and guttering is being constructed.

4. IMPLEMENTATION

Asset and Works Group staff will provide copies of this policy to ratepayers who request kerb and guttering in advance of Council's normal Capital Works Programme. Where interest is shown, Council staff will facilitate and encourage other property owners in the street to take advantage of the policy and to maximise the number of participants. Any viable project will be reported to Council for a resolution to enter into a Ratepayer Advance Agreement as a Legal Document. The General Manager does not have delegation under the Local Government Act to borrow money.

All finances will be administered in accordance with that Agreement by the Director Corporate and Community Services.

5. REVIEW

The Asset and Works Group will review this policy within one year of the election of every new Council or earlier should circumstances arise to warrant revision.

6. APPLICATION OF ESD PRINCIPLES

The construction of kerb and guttering will reduce the effects of stormwater erosion in many under developed catchments.