

TENTERFIELD SHIRE COUNCIL

POLICY STATEMENT

HEADING:

Footpath Paving and Contributions

MEETING ADOPTED AND RESOLUTION NO.:

**23 August 2017
168/17**

HISTORY OF DOCUMENT PREVIOUSLY ADOPTED:

24 August 2000	739/00
22 August 2012	295/12
23 September 2015	305/15

Objective

The objective of this policy is to define Council's requirements regarding the construction of footpath paving and how contributions from adjoining owners of land will be levied in accordance with Section 217 of the Roads Act 1993.

Policy:

Where Council elects to construct footpath paving, it will be constructed to a standard width in non-commercial areas of 1.2m, at the full cost to Council.

Where paving is constructed in commercial areas, except where there is no demonstrated demand for full-width paving, the standard width of the paving will be from the property boundary to the back of kerb.

Where full-width paving is requested by a landowner, the difference in the cost between the 1.2m width and full-width will be met in total by the landowner.

Legislative Requirements:

In accordance with Section 217 of the Roads Act (1993), Council as the Roads Authority may recover costs of paving, kerbing and guttering footways:

- 1) The owner of land adjoining a public road is liable to contribute to the cost incurred by a roads authority in constructing or paving any kerb, gutter or footway along the side of the public road adjacent to the land.
- 2) The amount of the contribution is to be such amount (not more than half of the cost) as the roads authority may determine.
- 3) The owner of land the subject of such a determination becomes liable to pay the amount determined on receiving notice of that amount.
- 4) This section does not apply to the renewal or repair of any paving, kerb or gutter in respect of which contributions have previously been paid and does not apply to the Crown as regards public open space.
- 5) In this section, a reference to a gutter includes, in the case of a roadway that is laid to the kerb in a permanent manner, a reference to that part of the roadway within 450 millimetres of the kerb.