

## Dust Seal Policy

(Policy Number – LINFPOL005)  
(Policy Type – Council)

### 1 Aim

To meet rural ratepayer expectations within Council's budgetary constraints by providing locally sealed sections of road through cost sharing arrangements.

### 2 Policy Statement

To equitably and consistently deal with requests from rural ratepayers for the gravel road adjacent to their home, dairy, stables etc to be bitumen sealed to reduce dust.

### 3 Responsibilities

The Manager Infrastructure and Assets is responsible for this policy and its implementation.

### 4 Associated Procedure

The following procedure applies to requests for 'dust seals':

- A ratepayer, or group of ratepayers (referred to in this policy as “the applicant”) may request that Council contribute towards the cost of, and undertake works to, apply a bitumen surface seal to an unsealed road adjacent to their home, dairy, stables etc to reduce dust.
- Council will be responsible for all works relating to the preparation of the road pavement as suitable for sealing including ensuring adequate pavement depth, width, compaction and drainage including all machinery, labour and material needs.
- The direct cost to Council as quoted by Council’s contractor to undertake the two-coat sealing works is to be borne in full by the applicant. Payment is to be made in accordance with the payment options listed below. The estimated cost to undertake the sealing is to be approved in principal by the applicant prior to Council seeking a quotation from the sealing contractor.
- Where the Applicant is a group of ratepayers, agreement of the proportion of the applicant’s cost to be borne by each separate ratepayer is required to be reached before an application is lodged and stated in the application signed by all applicant property owners.
- The minimum length of an isolated section of seal is 100 metres and to the full width of existing pavement. The minimum length of a seal extension is 50m and to the full width of the existing pavement.
- A written private works agreement detailing payment arrangements must be completed and signed by the applicant prior to scheduling any work.
- After agreement signing, the works will be programmed, noting that the sealing works are best undertaken between October and April.

- Council is to maintain the sealed section for the duration of the useful life (nominally 15 years) at which time the landowner can elect to retain a sealed surface by paying in full for the road to be resealed. If resealing is not undertaken Council will remove any residual seal and reinstate the gravel surface.

#### 4.1 Payment Options

1. Payment in full on confirmation of quote from contractor.
2. Payment through a separate rates charge applying to the land of the applicant that benefits from the dust seal in accordance with Division 5 of the Local Government Act 1993, payable in equal annual instalments over the agreed payment period beginning from the construction start date.

Council will advertise its intention to raise a separate rate under option 2 and a resolution for the separate rate must be passed by an absolute majority of Council (5 councillors).

The amount of the special rate will include the following costs:

- a. The direct cost to Council as quoted by Council's contractor to undertake the two-coat sealing works
- b. All costs incurred by Council towards establishing a special rate, including but not limited to, advertising, legal advice and officer time
- c. A finance charge calculated on the sum of the costs in points 1 and 2 above at the rate of the RBA Cash Rate plus 5%.

A special rate charged in accordance with this policy will have a 5 year maximum payback duration and \$1,500 minimum annual payment.

## 5 Associated Documents and References

### 5.1 Strategic Plan Reference

Infrastructure Objective 3.1 Roads - Provide a safe and well-maintained road network that caters for all road users.

APPROVED BY COUNCIL:	23 January 2023	Minute: 14.3
EFFECTIVE DATE:	23 January 2023	
ADMINISTERED BY:	Manager Infrastructure & Assets	

This policy will be reviewed periodically to ensure its relevance in terms of community needs and expectations and Council goals, targets, budget and statutory requirements.