



1. Intention

This policy sets the basis for seeking maintenance bonds from developers which may impact the Shires Road and footpath networks within the Shire.

2. Scope

This policy applies to approved developments within the Shire that have the potential to negatively impact the Shire's road and footpath network during the construction phase. It is intended to provide clarity regarding the costing and application of road and footpath maintenance bonds. These bonds help ensure the protection and longevity of the Shire's infrastructure for current and future generations throughout the construction period.

This policy does **not** supersede or affect any other developer contribution requirements associated with the subdivision process, including but not limited to contributions toward public open space, community facilities, and other infrastructure.

3. Definitions

CEO means the Chief Executive Officer.

Council means the local government, responsible for making decisions in formal meetings held under the auspices of Part 5 of the *Local Government Act 1995*.

Footpath means any land or thoroughfare used by pedestrians and/ or cyclist and shall include pathways, dual use paths and any other walkway designed for this use.

Road shall have the definition applied to it under the *Road Traffic Act 1974* which includes any highway, road or street open to, or used by, the public and includes every carriageway, footway, reservation, median strip and traffic island thereon.

Shire means the Shire of Waroona.

WALGA means Western Australia Local Government Association.

4. Statement

The Shire requires developers of approved developments to provide a maintenance bond where construction activities have the potential to damage the Shire's road and footpath network. The purpose of this bond is to ensure that any damage caused during the construction phase is repaired to the Shire's satisfaction and at no cost to the community.

4.1 Road and Footpath Maintenance Bonds

- (1) The Council may require a maintenance bond from developers to protect public infrastructure (roads and footpaths) during construction.
- (2) The bond will be:
 - Held in a Shire-managed trust account; and
 - Used as security in case any damage occurs to the Shires infrastructure.
- (3) The bond amount will be calculated according to the formula detailed in item 4.2.
- (4) Developers may request the return of the bond in writing no sooner than 12 months after the project has been completed.
- (5) The bond will only be returned if the roads and footpaths are restored to Shire standards.
- (6) If damage to the Shire's road and/or footpath network is found within the first 12 months;
 - (a) Repairs will be paid using the bond money; and
 - (b) If the repair cost exceeds the bond amount, the developer will be invoiced for the difference.

4.2 Calculation of Road and Footpath Bonds

The Shire will calculate road and footpath maintenance bonds in accordance with the methodologies outlined in this policy - Items 4.2.1, 4.2.2, 4.2.3 and 4.2.4. The *per lineal metre* and *metre* rates referenced in the following examples are subject to variation in accordance with the Shire's adopted Fees and Charges Schedule. Rates are exempt from GST.

4.2.1 Contributions for sealed roads in Residential Areas bond (Km)

Re-Seal of road (occurs every 15 years)	(a)	\$35,000 per km
Reconstruction of road every forty years (Includes full construction, curbing, drainage etc.)	(b)	\$535,000 per km
Total whole of life road works	(c)	$= (a \times 2) + b$ $= \$605,000 \text{ per km}$
Total road works per lineal metre	(d)	$= c \div 1000$ $= \$605 \text{ per metre}$
Total construction cost by distance:	(e)	$= d \times \text{distance in metres}$
Total bond payable		$= e \times 5\%$

Example

$\$605 (d) \times 5500 \text{ m (distance)} = \$3,327,500 (e)$
 $\$3,327,500 (e) \times 5\% = \mathbf{\$166,375}$

4.2.2 Contributions for sealed roads in Rural, Rural Residential and Rural Living areas bond (km)

Re-Seal of Road (occurs every 15 years)	(a)	\$35,000 per km
Reconstruction of road every forty years	(b)	\$350,000 per km
Total Whole of Life Road Works	(c)	= (a x 2) + b = \$420,000 per Km
Total road works per lineal metre	(d)	= c ÷ 1000 = \$420 per metre
Total road works by distance:	(e)	= d x distance in metres
Total bond payable		= e x 5%

Example

\$420 (d) x 5500m (distance) = \$2,310,000 (e)

Total bond payable = \$2,310,000 (e) x 5% = **\$115,500**

4.2.3 Contributions for gravel roads bond (km)

Re-sheet of gravel road (occurs every 10 years)	(a)	\$120,000 per km
Total road works per lineal metre	(b)	= a ÷ 1000 = \$120 per metre
Total road works by distance:	(c)	= b x distance in metres
Total bond payable		= c x 5%

Example

\$120 (b) x 5500m (distance) = \$660,000 (c)

\$660,000 (c) x 5% = **\$33,000**

4.2.4 Contributions per square metre (m²) for footpath upgrading bond

Footpath rates:

Asphalt Pathway:	(a)	\$110 per m ²
Brick Paving:	(a)	\$160 per m ²
Concrete:	(a)	\$160 per m ²
Gravel:	(a)	\$ 50 per m ²
Total footpath works by area	(b)	= a x distance in lineal metres
Total bond payable		= b x 25%

Example

\$160 (a) x 20m (street front length)* = \$3,200 (b)

\$3,200 (b) x 25% = **\$800**

*The above has been calculated based on a standard 2m wide dual footpath.

4.3 Annual Contributions

The Shire may request a deed of agreement if the proposed development includes ongoing heavy traffic for future repairs to the road infrastructure impacted by the development. The deed of agreement will be made in accordance with section 132(4) of the *Road Traffic (Administration) Act 2008*.

The calculation of the annual road contribution will be made in accordance with WALGA's *User Guide - Estimating the Incremental Cost Impact on Sealed Local Roads from Additional Freight Tasks*, and the adopted fees included in the Shire's Schedule of Fees and Charges.

4.4 Variation

Council may vary the requirements of this policy, where it is considered that full compliance with the policy is impractical or such variation is warranted in the circumstances of the case.

5. Legislative and Strategic Context

The *Road Traffic (Administration) Act 2008*, s.132(4), and the associated subsidiary legislation provide the broad framework within which this policy operates.

6. Review

This policy is to be reviewed triennially.

7. Associated Documents

Nil

8. Document Control

Division	Infrastructure		
Policy Number	IP021		
Contact Officer	Director Infrastructure Services		
Related Legislation	Road Traffic (Administration) Act 2008		
Related Shire Documents	Nil		
File Number	RO.1		
Risk Rating	Low	Review Frequency	Triennially
Next Review	November 28	Date Adopted	25/11/2025
OCM Number	OCM25/11/180		

9. Previous Policy No's.

Policy No.	Title

10. Amendments

Date	Details of Amendment	Reference	Record Number