



<b>Policy Title</b>	Public Gates and Grids Policy
<b>Policy Category</b>	Public
<b>Number &amp; Version</b>	SVC-ENG-PO-012-01
<b>Policy Owner</b>	Survey and Design
<b>Approval by</b>	Council
<b>Effective date</b>	
<b>Date for review</b>	September 2020

## 1. STRATEGIC PURPOSE

The purpose of this policy is to ensure the safety of Snowy Valleys Council's (Council) road network, by setting out the responsibilities and roles for landowners/occupiers and Council in relation to the installation, maintenance and removal of public gates and grids. It also sets out the situations under which a permit may be issued for installation of grids or gates on public roads under Council's control.

Council's long term intention is to not have any gates and grids at all and for all road corridors to be fenced.

## 2. POLICY STATEMENT

As a general principle, all Council Public Roads should remain unrestricted and accessible to the public at all times unless otherwise intended by the local road authority (Snowy Valleys Council).

This policy applies to all public gates and grids located on public roads within the Snowy Valleys Council Local Government area.

The Roads Act 1993 requires that any grid and gate on a public road must have a permit from the Road Authority.

Stock grids and gates are structures constructed on a road for the purpose of controlling stock movements and as such are only of benefit to the landowner. They serve no other purpose than to control stock. They have the potential to impact upon the safe and efficient passage of the road user. It is therefore preferable to not have grids or gates on public roads however in some instances this is not practical.

Being a structure across a road, grids and gates come under the regulatory control of the Council and as such must be of a standard acceptable to Council.

Ownership and responsibility of the structure and all associated items, including approaches and signs, shall be vested in the landowner or his successor in title, as per Roads Act 1993 part 9 Division 2. Should no owner of a structure be identified, Council shall be entitled to remove the structure.

### 3. DEFINITIONS

**Road** – The portion of land between property boundaries including the roadway and footpaths.

**Gate** - A structure that can be swung, drawn or lowered to block an entrance or a passageway.

**Grid** - A bridge, usually of parallel metal bars, set at ground level in a road or gateway as a barrier to livestock while allowing the passage of vehicles and pedestrians.

### 4. CONTENT

#### 4.1 PERMITS

The Roads Act 1993 requires that any grid and gate on a public road must have a written permit from the road authority.

Owners of existing grids and gates must apply for a permit from Council. A fee is payable to Council for the application and an annual fee may be payable to Council for inspection. The fees will be published in Council's Schedule of Fees and Charges.

Where a grid and/or a gate is/are situated on the boundary between two properties where the road reserve is unfenced, a joint application should be made by the owners of the two properties. The standard annual fee shall apply to joint applications. Alternatively if the grid only benefits one of the properties the application should be made by the landholder of the benefitting property.

Where Council does not grant a permit for an existing grid or gate due to refusal of an application for a permit, or no application being submitted, Council may order the removal of the existing grid or gate.

Council may require existing grids and gates to be upgraded to comply with the Council's specification before granting a permit. Where Council grants a permit without requiring upgrading of an existing grid and gate, the owner remains responsible to ensure the grid and gate comply with Council's standards.

#### 4.2 New and Existing Public gates

Due to the inconvenience of gates, Council will not consider permitting new public gates unless at the boundary of a property where there are no other landowners beyond that point. All other gates must be removed.

If fencing is not practical a grid may be permitted in accordance with this policy.

Existing gates must comply with this clause also an application must be made for a permit, and a permit will normally only be issued if the gate complies with the first paragraph above.

The holder of a public gate permit must ensure that the road approaches to the gate are maintained in good condition for such distance (not exceeding 20 metres) from each side of the gate, and for such width, as Council may determine when granting the permit. (S71, Roads Regulation 2018)

Permit holders must ensure that the gate is maintained to the required standard and in good and useable condition at all times.

#### 4.2.1 New Grids

Grids have the potential to impact upon the safe and efficient passage of the road user and also result in higher road maintenance requirements. It is therefore preferable to not have grids on public roads but instead fence out the road corridor from the surrounding property. This removes the need for grids, separates stock from road users and reduces the damage to the road by stock. However in some instances fencing the road is not practical due the length involved.

Installation of new grids will only be considered where the cost of fencing is substantially more than the cost of installing a new grid. Grids will not be considered on any sealed road or Class 1 unsealed road.

The current cost of grids constructed to 'public road standard' together with associated bypass track and signage is normally high compared to the cost of fencing. Grids also reduce safety to members of the public. For these reasons, grids will only be permitted where the total length of road boundary fencing associated with each structure is greater than 1200m.

#### 4.2.2 Existing Grids – Standards, Repairs and Replacement

To be consistent with the Roads Regulation 2018, part 6, Council requires the property owner or his/her successor in title to keep in a good state of repair, any ramp/stock grid structure installed on public roads, including up to twenty (20) metres of roadway either side of the grid and associated fencing including gates within the road reserve.

All maintenance of the grid and associated items is the responsibility of the landholder. This includes contacting Council or an approved contractor if repairs are required.

The owner can request Council to undertake repairs and/or replacement of a grid subject to an agreement being entered into by the applicant and Council. All costs of repair/ replacement will be the responsibility of the owner.

If a road inspection by Council identifies that works are required to the grid, Council will notify the owner in writing and the owner shall rectify any problems immediately using Council staff or an authorised contractor. If the works are not carried out within thirty (30) days of the date of the letter then Council may perform the works or remove the grid and bill the owner.

Where an existing grid is, in the opinion of the Executive Director Infrastructure, in such a state of disrepair as to constitute a danger to traffic, it is to be removed or repaired immediately.

Grids of a standard less than that specified in this policy may be permitted after consideration of location (i.e. Sight distance and road alignment) and the traffic count on the road and any other obstructions on the road (i.e. narrow bridges). Any relaxing of these conditions will be at the discretion of the Executive Director Infrastructure and in writing.

#### **4.3 Routine Road Maintenance**

When Council carries out routine road grading, the approaches to grids will be graded as part of the roadway. All other maintenance work at grids remains the responsibility of the grid owners.

#### **4.4 Roadworks**

In the event of Council performing road construction at a grid location, the grid will be upgraded to meet Council specifications. The responsibilities in such case are as follows:

##### **4.4.1 Owner**

- To pay Council for the purchase of a grid and associated items that meet Council's approval, and for grid signage and installation as per specification, as required:
- Where applicable, supply of materials and installation of any gates and fencing
- Maintenance of grid

##### **4.4.2 Council**

- Where applicable remove the existing grid and abutments and deliver to a mutually agreeable location.
- In respect of any structure which is relocated by the Council under the terms of this policy, the landowner/s concerned shall be responsible for all subsequent maintenance, including replacement when necessary as funds permit.

#### **4.5 Removal of Grids**

Where the landholder opts to fence out the road reserve and remove an existing grid on a road, Council will, in this instance, remove the existing grid free of charge and undertake all works to repair the road pavement.

#### **4.6 Standards**

Minimum Acceptable Standard for Public Gates and Stock Grids:

##### **4.6.1 Public Gates**

- Minimum clear opening of 3.5 metres
- Adequate sight distance must be available along each direction of approach
- Gate and approaches must be arranged to allow practical use by stock and heavy vehicles
- Gate must not be locked at any time

- Gate must be painted white (required by Roads Regulation 2018)
- Reflectors shall be provided on each side of the gate, showing red on the left hand side and white on the right hand side for approaching traffic
- A notice must be attached to both sides of the gate bearing the words "PUBLIC GATE" in letters at least 75mm high

#### *4.6.2 Stock Grid (Motor Bypass) and Warning Sign specifications*

- Minimum clear width of 3.5 metres
- Adequate sight distance must be available along each direction of approach
- The grid must be certified as capable of carrying traffic with loadings of 14 tonnes per axle.
- The grid shall be located on a straight length of road, with the level of the top of the grid matching the level of the adjacent road pavement
- The cavity under the grid shall be drained
- Reflectors shall be provided on each side of the grid, showing red on the left hand side and white on the right hand side for approaching traffic
- A notice must be clearly displayed at each end of the stock grid bearing the words "MAX. AXLE LOAD 14 TONNES" in letters at least 75mm high
- The notices shall also state the Council permit number and grid owner's name in letters at least 75mm high
- Standard "Grid" warning signs (W5-16B) and "One Lane" signs (W8-16B) shall be erected on galvanised steel posts at a distance of 100 metres from the grid on each approach. These signs shall be erected to that the bottom of the sign is 1.5 metres above the adjacent road centreline. Grid must have a bypass gate and track with a minimum width 3.5m and of gravel construction allowing 2WD and heavy vehicle all weather access, also subject to Council approval.
- Attached sketch shows grid layout (excluding all signs)

#### **4.7 Warning Signs**

Warning signs and associated measures to increase the visibility of structures across public roads shall be erected on each approach in such position as to be readily seen from a vehicle approaching the structure. Such safety measures shall be of the materials, height, size, design and appearance prescribed in AS1742.1.

Maintenance will be at full cost to the permit holder.

#### **4.8 Indemnity**

The landowner shall indemnify and keep indemnified the Council from and against all claims and demands, however and whenever arising through any act or omission on the part of the occupant in and about the construction, reconstruction, repairs or failure to repair the said structure, gate/gates, fencing, or other associated items, whether arising out of any action or direction of the Council, or its agents or otherwise.

The landowner shall at all times maintain public liability insurance cover over each grid in an amount of not less than \$20 million. This policy must mention Tumbarumba Shire Council as an interested party and a copy provided to Council at annual inspection time.

#### **4.9 Revocation of Permission**

Council at any time may revoke any permission granted by it under this policy for private structures on public roads and the person by whom the structure was erected or his successor in title shall within the time specified in the notice of revocation served on him by the Council remove the structure and warning signs displayed in connection therewith and take such steps as the Council may require to ensure the safety of persons using the road.

#### **4.10 Work on Public Roads**

To address public and workplace safety issues, all maintenance and construction works at grids and gates on public roads shall only be performed by contractors approved by the Council for that work or by Council's workforce as private works jobs at the landowner's expense.

#### **4.11 Subdivisions**

Where rural properties are subdivided to create any additional lots that may contain dwellings, Council will require the removal of existing public gates and grids within the land being subdivided. Council will require road reserves in rural subdivisions to be fenced to control livestock.

In areas subject to significant subdivision development Council may require sub-dividers to remove existing grids on roads leading to their subdivisions as part of providing an adequate standard of road access.

Council does not provide financial assistance for boundary fencing or grid and gate removal in association with subdivisions.

### **5 RESPONSIBILITIES**

#### **Council – Elected members of Council**

Elected members of Council are responsible for the adoption of this Council policy and the consideration of resources towards the implementation of this policy.

#### **Chief Executive Officer**

The Chief Executive Officer is generally responsible for the efficient and effective operation of the Council's organisation and for ensuring the implementation, without undue delay, of decisions of the council.

#### **Directors and Managers**

Are responsible for

- The implementation of the policy and procedures in their work area.
- The monitoring of implementation and compliance with the policy and associated procedure.

To ensure a register of all grids and public gates is prepared and an annual inspection undertaken

#### **Supervisors**

SVC-ENG-PO-02-01  
Public Gates and Grids Policy

Page 6 of 8

Adopted:  
Reviewed:

To undertake annual inspections as directed and to report any defect identified at any time in writing to their Manager / Director

#### **Employees**

To notify their supervisor of any grid / gate defects identified in performance of their day to day duties.

### **6 ASSOCIATED LEGISLATION**

The Roads Act 1993 and Roads Regulation 2018.

### **7 ASSOCIATED COUNCIL DOCUMENTS**

Key Performance Indicators  
AS1742.1 - Manual of Uniform Traffic Control Devices

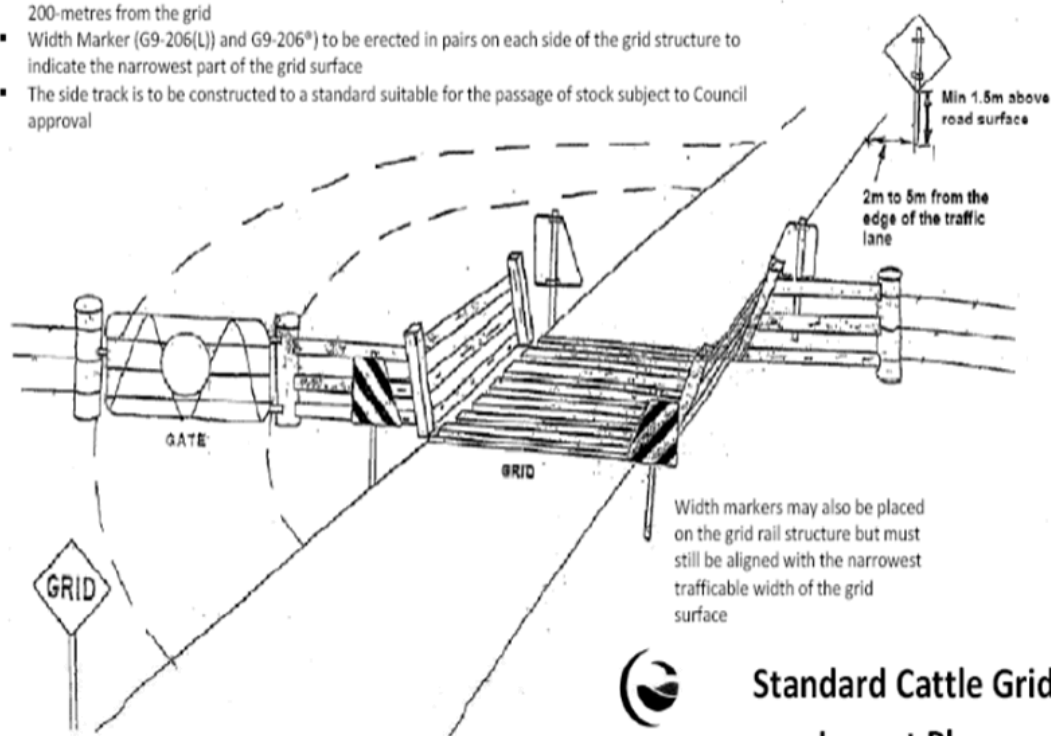
### **8 HISTORY**

Date	Action	Name	Policy Number	Resolution Date	Resolution Number
	Superseded	Stock Grid Formerly Tumut	Roads.08		
	Superseded	Public Gates and Grid Policy Formerly Tumbarumba	TSC-ENG-PO-062		

## Attachment 1

### Notes:

- Grid surface to be at a width specified by Council and a minimum of 2.1-metres along road
- Grid to have at least 300mm clearance underneath the entire grid
- Where possible, the roadside drainage should be directed under the grid to aid in self cleaning
- 'GRID' (W5-16) 750mm x 750mm signs to be erected on both approaches to the grid 50-metres to 200-metres from the grid
- Width Marker (G9-206(L)) and G9-206<sup>R</sup>) to be erected in pairs on each side of the grid structure to indicate the narrowest part of the grid surface
- The side track is to be constructed to a standard suitable for the passage of stock subject to Council approval



## Standard Cattle Grid Layout Plan

Colac Otway Shire  
Infrastructure and Services

Not to Scale  
Size A4