
Scope

This policy applies to the management of stock grids and motor by-pass routes on Council controlled roads.

Purpose

The purpose of this policy is to manage the safety of public roads by assisting landowners to locate and install stock grids to allow for the movement of livestock across road reserves without causing adverse effect on road access.

The policy also outlines the construction and management practices for the provision of stock grids.

Definitions

Council means Edward River Council.

Councillor means a person elected to the governing body of Edward River Council as per section 222 of the Local Government Act 1993.

Council officer means staff of Edward River Council.

The Landowner means any person in lawful possession of land, including occupants.

Stock grid means a steel grid and associated support structures, Barriers, Warning signs and fencing. Stock grid, stock grates have the same meaning.

Motor by-pass means the provision of wide gates to one side of the stock grid to enable wider vehicles safe passage past a stock grid.

Reference Documents

Specification for construction of stock grids across public roads under Council control

Standard Agreement for the provision of Stock Grids and Motor By-Pass

Legislative Requirements

- Local Government Act 1993
- Roads Act 1993
- Government Information (Public Access) Act 2009

Policy Statement

1. Background

Stock grids are structures constructed on a road for the purpose of controlling stock movements and to manage safe passage along Council Roads for all road users. A stock grid's primary purpose is to control stock. Stock grids benefit adjoining landowners as they enable their livestock to travel across the road reserve unrestricted.

Stock grids are a structure across a road and therefore are under the regulatory control of the Council. All stock grids are required to be constructed and maintained to a standard acceptable to Council and Australian Standards.

Ownership and responsibility of the structure and all associated items, including signs, shall be vested in the landowner or their successor in title, as per the Roads Act 1993 Part 9 Division 3. Should no owner for a structure be identified, Council shall be entitled to remove the structure.

Applications for the installation of grids in new locations require Council approval and are considered by Council each on its own merit.

1.1 Repairs and Replacement

In line with the requirements of the Roads Act 1993 Part 9 Division 3, the owner of the grid or their successor in title is responsible for the satisfactory state of repair of the grid structure. This includes twenty (20) metres of roadway either side of the grid, stock by-pass, associated fencing and the gates located within the road reserve.

Maintenance of the grid and associated items is the responsibility of the landholder. This includes contacting Council if repairs are required, for approval to carry out work.

The landowner can request Council to undertake repairs and/or replacement of a grid subject to an agreement being entered by the Applicant and Council. Arrangements will be based on all costs being repaid to Council as set out in an agreement

If a road pavement 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. 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 invoice the landowner. If Council deems the stock grid to be unsafe or that it may require urgent maintenance work, Council will carry out these works and invoice the landowner for all works once the works are complete.

Where an existing grid is, in the opinion of Council's engineer, in such a state of disrepair as to constitute a danger to traffic, it will be removed or replaced at the cost of the landowner.

1.2 Roadworks

If Council is renewing its road at a grid location, the grid will be upgraded to meet Council's current specifications. The responsibilities in such a case are as follows:

Landowner

- To pay Council for the purchase of a grid and associated items that meets Council's approval and for grid signage as per specification if required
- The supply of materials and installation of any gates and fencing

Council

- The removal of the existing grid abutments and deliver to a mutually agreeable location
- Transport of grid to site
- Installation of grid and grid signage supplied by the landowner
- Construct a temporary side-track with appropriate signage for the duration of the works
- Complete associated roadworks
- Seal both approaches to the grid for a length of twenty (20) metres on gravel roads

In respect of any structure which is re-located by the Council under the terms of this policy, the landowner/s concerned shall be responsible for all subsequent maintenance, including replacement when necessary.

1.3 Fencing out Roads

Where the landowner opts to fence out the road reserve and remove an existing grid on a road, Council will offer a financial incentive of \$1000 per grid. This incentive will be shared equally if the grid is a boundary grid. An existing grid is a grid in place as of the date of the adoption of this policy. In this instance Council will remove the existing grid free of charge and undertake all works to repair the road pavement.

1.4 Standards

All works to construct and maintain the stock grid and motor by-pass must comply with the requirements of the Specification of Construction of Stock Grids across Public Roads.

1.5 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 AS1742.2. The cost of the signage will be borne by the landowner.

1.6 Indemnity

The landowner shall indemnify and keep indemnified the Council from and against all claims and demands, howsoever and whensoever 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 direction for the Council, or agents or otherwise.

The landowner must provide Council with evidence that this is in effect on an annual basis.

1.7 Revoke 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 ensuring the safety of persons using the road.

If this permission is revoked because of a lack of maintenance of the stock grid, then the landowner will be fully liable for all costs involved.

2. General Principles

The installations, including the work of construction and maintenance, shall comply with the standards and specifications prescribed from time to time by Edward River Council, Roads & Maritime Services, Australian Standards, and as in the following attachment:

“Specification for construction of stock grids across public roads under Council Control”

3. Agreement

An Agreement for construction of a structure across a road under Council control shall be lodged by the landowner with Council, requesting permission to construct a stock grid and associated items or any such structure, prior to commencing work. The conditions relating to contributions and granting of permission by Council are set out in the agreement.

Policy Version Control

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Associated Policies and Procedures

Nil