

POLICY

STOCK GRID & GATE

APPROVALS

POLICY NUMBER	EI-POL-101	DOC.ID	4624431
CATEGORY	Community		
POLICY OWNER	Manager Infrastructure Planning and Technical Services		
APPROVAL DATE	26 June 2024	RESOLUTION NUMBER	8779

OBJECTIVE

To provide detailed information called upon by *Subordinate Local Law 1.16 (Gates and Grids) 2011* to regulate grids and gates across public roads to ensure they are safe and serviceable condition, to minimise as far as possible the danger grids and gates pose to the travelling public.

SCOPE

This policy sets out directions for installation and maintenance of stock grids and gates across Council roads to ensure compliance with CMDG and TMR standards and procedures.

DEFINITIONS

TERM / ACRONYM	MEANING
CMDG	Capricorn Municipal Development Guidelines.
Council	Isaac Regional Council / IRC.
Grid	A structure designed to allow the movement of pedestrian or vehicular traffic along a road but prevent the passage of livestock: <ul style="list-style-type: none">• Internal grid: located within one (1) property.• Boundary grid: shared ownership with neighbouring property/s.
MUTCD	Manual of Uniform Traffic Control Devices.
Non-Compliant	Not complying with the conditions set in this policy.
Relevant Person	The person (or entity) who would normally be considered to be the landowner accepting responsibility for the grid or gate. Note: Grids that are shared by more than one property will need to identify a primary owner (or entity) to be the Relevant Person.
Road	Roads governed and managed by IRC as set out under Section 59 of the <i>Local Government Act 2009</i> .
TMR	Department of Transport and Main Roads.

POLICY STATEMENT

This policy provides guidelines for the installation of stock grids and gates in a consistent manner to achieve a uniform standard and safe vehicle access on roads. This sets the legal framework for Council to control the existence of gates and grids upon public roads under its control.

POLICY PROVISIONS

RESPONSIBILITY

A Relevant Person is the person (or entity) responsible for the grid and associated infrastructure. Under Local Law, a responsible person for a grid and associated infrastructure installed across a road means:

- The person who installed the grid; and
- The person for whose use or benefit the grid was installed.

A Relevant Person has a duty of care to regularly monitor the condition of the grid, gates and adjacent roadway five (5) metres on either approach, and to initiate action with regards to maintaining the infrastructure in a safe operating condition for the travelling public.

If Council is unable to identify a Relevant Person as defined above, and unable to take enforcement action, Council may remove the grid and associated infrastructure at Council's cost.

APPLICATION PROCESS

To apply to install, replace or repair a grid on a road, a Relevant Person must submit the following:

- A completed and signed Application to Install/Replace/Repair Grid on Council Road;
- The prescribed application fee (applicable to new grid applications).

Council will not approve a new gate (only) within a fence line across a public road reserve. Council requires a grid to be used and these shall also have a gate installed adjacent to the grid within the road reserve. A special exemption may be applied for if this situation is not deemed suitable.

Following submission of the application, Council shall undertake public consultation, to determine if any local objections exist to such a structure.

STANDARD CONDITIONS FOR APPROVAL

Once the application is approved, Council will issue written approval to undertake installation works. Council will not assume the ongoing maintenance and repair costs of these items. The following conditions will apply to all approvals:

- a. Grids and associated infrastructure shall only be constructed on a public road at the location authorised by Council.
- b. All installation and maintenance work must be carried out by an appropriately qualified and experienced entity at a standard to the satisfaction of Council. Failure to do so will result in the issue of a Defect Notice.
- c. The technical specifications of grids and associated infrastructure shall be as outlined in the Stock Grids and Gates Technical Specification Guideline. Grids may be approved subject to their characteristics and design and in achieving the standards attached to this policy for the safety of road users.

- d. The Relevant Person shall maintain the grid, associated infrastructure, and the road to a satisfactory condition (including the destruction of all noxious weeds) for a distance of five (5) metres on either side of the grid so that public traffic is not impeded or obstructed.
- e. The Relevant Person shall secure with a reputable insurer, a Public Liability insurance policy to the value of \$20,000,000 for the term of the approval for the grid and associated infrastructure, indemnifying Council from any associated liability. A copy of the insurance policy is to be provided to Council (and accepted as satisfactory) before any work on a road commences.
- f. The Relevant Person accepts all liability associated with the grid (and any subsequent replacement or upgrade) during its lifetime. The cancellation, withdrawal or lapse of the insurance policy held by the Relevant Person does not absolve their liability.
- g. Council accepts no responsibility or liability for any damage caused to a grid and/or by a grid or associated infrastructure by entities other than Council.
- h. Council will not accept liability for any loss of, or provide compensation to, any entity when Council removes a grid in accordance with this policy.
- i. The liability for livestock will remain the responsibility of the landowner. The approval by Council for the installation and/or maintenance of a grid on a road does not constitute acceptance by Council of any liability for loss or damage arising from stock on a road.
- j. Council may, in accordance with the grounds set out in *Local Law No. 1 (Administration) 2011 Clause 17*, amend, suspend, or cancel an approval. In such cases any application fees paid will not be refunded.

REPAIR, REPLACEMENT OR UPGRADE OF GRIDS AND GATES

Maintenance of a grid, gate and any signage/reflectors attached is the responsibility of the Relevant Person. Following the initial installation, Council will maintain an advance warning sign (not fixed to the grid).

Proactive due diligence must be exercised in identifying any maintenance required to ensure the safety of the travelling public, and in initiating remedial action when required.

Council will issue the Relevant Person with a defect notice and it will be their responsibility to rectify any defects to Council's satisfaction and stated specification levels within the period stated in the notice. A full inspection will be carried out by Council once the defect has been rectified.

If the works are not carried out within the time stated in the defect notice, or in cases when Council is unable to contact the Relevant Person within a reasonable period, Council may undertake the works to rectify the defects on the grid and associated infrastructure and invoice the Relevant Person.

RECONSTRUCTION OF ROADWORK BY COUNCIL

In the event of Council performing new roadworks at the grid location, it is Council policy that the grid be upgraded to meet standards and specifications.

The responsibility in such a case is as follows:

Relevant Person:

- Completing Application to Install/Replace/Repair Grid on Council Road.
- Purchase of upgraded grid.
- Purchase of abutments to meet specified standards.
- Purchase of signage as per specification requirements.
- Transport of grid, abutments, and signage to site.
- Supply of materials and installation of any gates and fencing required (where applicable).
- Ongoing maintenance of the grid.

Council:

- Remove existing grid and abutments (where applicable).
- Construct temporary side track with appropriate construction works signage for the duration of the works.
- Installation of the new grids, abutment, and signage.
- Complete associated roadwork.

NON-COMPLIANT GRID

Where Council considers that a grid is non-compliant, Council will commence action under its *Local Law No. 1 (Administration) 2011* by way of issue of a defect notice to the Relevant Person.

Existing grids that Council considers to be at the end of their life are to be:

- Replaced with precast units as per this policy at the Relevant Person's cost, or
- Removed along with associated infrastructure and the road reinstated to Council standards.

FENCING OUT ROADS

Council encourages landowner(s) to fence out roads to eliminate the need for grids wherever possible/practicable.

LEGISLATIONS AND RELATED GUIDELINES

- *Local Government Act 2009 (LGA)*
- *Transport Operations (Road Use Management—Road Rules) Regulation 2009*
- [Capricorn Municipal Development Guidelines](#)
- [TMR Guidelines and Drawings](#)
- Local Law 1.16 (Gates & Grids)

REFERENCES

ID	NAME
IPTS-FRM-179	Application to Install/Replace/Repair Grid on Council Road
EI-GDS-172	Stock Grids and Gates Technical Specifications Guideline
EI-FRM-178	Certificate of Practical Completion of Grid