



RICHMOND SHIRE COUNCIL GRID AND GATE POLICY

POLICY NUMBER:	082
INFOXPRT REF:	112313
TIME PERIOD OF REVIEW:	2 Year
DATE OF NEXT REVIEW:	May 2025

1. OBJECTIVE

The Transport Infrastructure Act 1994 and Transport Operations (Road Use Management) Act 1995 impose a statutory duty on Council to construct, maintain and operate public roads to promote the safe transport of persons and goods, while the Local Government Act 2009 grants Council control of all roads in our local government area.

This policy sets the legal framework for Council to control the existence of grids upon public roads under its control.

2. APPLICATION OF POLICY

This policy applies to all people who own or intend to install gates or grids across public roads.

This policy provides a simple and consistent process for the management of gates and grids on public roads to allow for the safe movement of stock on roads without causing adverse impact on road users. The policy sets out the specifications required of each grid as well as the process for installing, removing or replacing a gate or grid to allow for the permit holder (owner) and Richmond Shire Council to ensure governance of this policy.

3. DEFINITIONS

In this policy:

1. "Grid" means a structure designed to permit the movement of vehicular traffic along a road but prevents the passage of livestock.
2. "Gate" means a movable, hinged barrier for closing an opening in a fence line crossing a public road.
3. "Public Road" means a road for which the local government is responsible.
4. "Permit Holder (owner)" means the person responsible for a grid installed, or to be installed, across a public road who benefit from the grid that is or is to be installed.
5. "Frangible" means to be able to collapse or fall away easily and relatively safely under impact.

4. POLICY PROVISIONS

Responsibility:

A person must not install a stock grid on a public road unless the installation has been approved (permitted) by Council.

It is Council Policy that all stock grids and associated infrastructure are the responsibility of the owner, and installation is at the applicant's expense. The owner of the stock grid is responsible for maintenance of the grid structure, and for the associated fencing within the road reserve.

The permit holder shall accept all liability and must possess a public risk policy of insurance for an amount of at least \$10,000,000.00 (10 million dollars), specifically indicating coverage over the gate and grid and nominating Richmond Shire Council as an interested party. This is required to indemnify owner and Council against all claims for

personal injury and property damage resulting from the existence of the gate or grid, including for the initial construction period. Boundary gates or grids shall be indemnified by both parties and Council shall issue a permit for the gate or grid to both parties.

Owners of unauthorised gates and grids will be ordered to remove such structures or alternatively they will be removed by Council with costs recoverable from the property owner.

The permit holder has a duty of care to regularly monitor the condition of the gate or grid and adjacent roadway, and to initiate action with respect to maintaining the gate or grid in a safe operating condition for the travelling public.

General:

Council encourages owners to fence out roads to eliminate the need for grids wherever possible/practicable.

All gates and grids located on a designated State controlled road will be referred by the applicant to the Department of Transport and Main Roads.

New Installation:

Applications to install a new grid must be submitted to Council.

Where a grid is installed, the applicants, at their own expense, shall also install a gate. This gate shall be installed in the fence line at a distance of no more than 50 metres from the grid and minimum 4m wide.

Once installed it is an offence to lock such a gate and such gates shall be maintained in good working order so as to allow ease of access for any member of the travelling public wishing to use the gate.

Objections to an application:

Council will consider all submissions received in relation to an application for a grid but reserve the right to refuse an application based on any objection received.

Existing Gates and Grids:

All existing grids require a completed *Application for Gate or Grid Permit* and are maintained to the standard specified in this policy.

Where Council requires a grid to be upgraded to meet its current standard, Council will issue a "Notice" to the permit holder, and permit holder shall make all the necessary improvements as listed in the "Notice", at no cost to Council.

The permit holder may approach Council to carry out the works under a private works authorisation on a full cost-recovery basis. In such a case, Council will:-

- provide an estimate of the cost of the work;
- provide an expected date of commencement and completion, prior to the works authority agreement being signed; and
- carry out all works required, at such time as a suitable crew is in the area, so as to minimise travel/establishment costs.

Actual costs incurred will be charged to the permit holder.

Where a complete gate/grid replacement or gate/grid removal is necessary, Council will require the permit holder upgrading the gate/grid to submit a written application to Council, carry out all prescribed works in accordance with Richmond Shire Council Standard Drawings and specifications and pay the replacement and/or removal fee as listing in Council's scheduled fees and charges.,

Supply of Grids and Signs:

Council will install grids and signage as per the Richmond Shire Council fees and charges.

Maintenance of Installation:

Maintenance of a stock grid is the responsibility of the permit holder, and due diligence must be exercised proactively in identifying maintenance required to ensure safety of the travelling public, and in initiating remedial action when required.

Should Council identify that works are required to correct any problems, Council will issue a "Notice" to the owner and the owner shall rectify the defects.

If the works are not carried out within the time stated on the "Notice", then Council may undertake the works or remove the grid and recover the costs of such work as a debt due and owing from the owner.

The owner must agree in writing as a condition, prior to installing/upgrading the grid, to pay Council for all maintenance work carried out on the installation, whenever Council is unable to contact the owner within a reasonable period, or if the repair work identified in a "Notice" is not completed within the time stipulated in the "Notice".

In the event of a safety hazard being identified at the grid, the owner is required to immediately correct the problem to a safe condition, which is satisfactory to Council and to full specification level within a period stated in the "Notice".

Permit holder is to include a traffic guidance scheme and traffic management plan. The Director of Works can be contacted for help in this matter.

Other Terms and Conditions:

Subject to satisfactory installation of stock grids, as set out in this policy, the applicants may be issued a permit on the following terms and conditions:

The permit shall continue in force until cancelled by the Local Authority;

1. The permit holder shall maintain the grid in good condition, and shall also maintain the road in a good condition (including the destruction of all noxious weeds) for a distance of five metres on either side of the grid so that public traffic may not be impeded or obstructed;
2. The permit holder shall secure with a reputable insurer, insurance cover for each stock grid, with respect to public liability of an amount not less than ten (10) million dollars. This insurance cover shall indemnify and keep indemnified both the owner and the Local Authority from and against any claim, action or proceeding in respect to injury or damage to any person or property arising out of the existence of the grid, including for the duration of the construction period;
3. Such insurance shall be maintained current for the duration of the existence of the stock grid;
4. The owner shall within fourteen days of demand, deliver a copy of the insurance policy to the Local Authority as evidence of conformance with their obligations in regard to this condition;
5. If a grid permit is relinquished by the owner, or cancelled by Council, the owner shall be responsible for removing the grid, gate and appurtenances from the road and reinstating the roadway to the standard of the road on either side of the grid. This shall include the removal of any mounding used, and reinstatement and compaction of the gravel surface, and be completed within three (3) months from the date the permit is relinquished /cancelled. If the removal is not completed by the required time, or to the satisfaction of Council, Council will undertake the work and recover the costs of such work as a debt due and owing from the owner.

Location and Alignment:

1. Location

A stock grid shall only be constructed on a public road at the location (specified road chainage) authorised by the Council.

2. Alignment

A stock grid shall be constructed at right angles to the centre line of the road. This may mean that in some circumstances, the alignment of the stock grid will be skewed in relation to the alignment of the fence line.

The centre of the stock grid shall be coincident with the centre of the pavement, whether or not it has been widened for curve requirements, or otherwise.

The grade of the grid shall conform to the longitudinal grade of the road unless directed otherwise by the Director of Works.

The levels of the grid surface (including crossfall) shall be in accordance with the directions of the Director of Works

Construction:

1. Grid Size

Where a grid is being installed or replaced, it must be a minimum of 4 metres x 2.4 metres and 0.5 metres deep, with the option of open ended on a case-by-case basis.

Grids that are existent upon adoption of this policy will be deemed compliant in regard to width. From the adoption date of this policy the minimum grid width for new installation and replacements will be four metres.

2. Ground Preparation

In poor soil conditions Council may require select fill be used beneath the abutment and floor at the cost of the landowner.

In special circumstances the Council may require drainage under the grid which requires a concrete erosion protection slab between the footings at the cost of the landowner.

3. Endwalls/Wingwalls

Endwalls/Wingwalls shall be constructed and installed along with a grid. Their purpose is to prevent earth from collapsing from the road embankment at each end.

4. End Structures/Frangible Zone

Council is concerned to ensure that if there is a collision between a travelling vehicle and posts or rails on the sides of a stock grid, the posts or rails shall provide minimal resistance (i.e. be frangible) and collapse or fall away easily and relatively safely under the impact.

The frangible zone is three metres either side of the grid structure.

Maximum post/rail size within the frangible zone shall be maximum 65mm outside diameter or diagonal with 2.3mm wall thickness steel pipe, or equivalent.

Note that all horizontal rails parallel to the direction of traffic, shall have fully welded connections, and be housed within an outer frame.

No unrestrained horizontal rails parallel to the direction of traffic, of any description, are permitted, as they constitute a potential "horizontal spear hazard" for motorists.

If such currently exists they shall be removed and replaced with an acceptable arrangement.

5. Grid Warning Signs and Width Markers

Reflectorised grid warning signs shall be provided at both approaches to the grid (in accordance with the Manual Uniform Traffic Control Devices (MUTCD). Unless on approach from an arterial road whereby insufficient distance makes insertion of a grid sign ineffectual.

Unless directed otherwise by the Director of Works, warning signs for the grid shall be erected as follows:-

- a) On the left-hand side of the road (facing the oncoming traffic), distant from the grid not less than 75 metres and not more than 200 metres.
- b) Positioned not less than two metres and not more than five metres from the edge of the carriageway unless directed otherwise by the Director of Works.
- c) Angled to the road as necessary to provide satisfactory visibility to approaching traffic.
- d) On galvanised steel pipe, outside diameter/diagonal. 65mm maximum, 2.3mm wall thickness.

All posts shall be erected vertically and shall be embedded a minimum of 600mm into solid ground.

Materials List for 'GRID' signage is as follows:-

2	x	'GRID' warning signs	(W5-16B)
2	x	'ONE LANE' warning signs	(W8-16B) single grids only
2	x	Posts and sets of brackets	
2	x	Width marker – Left	(D4-3A(L)) single grids only
2	x	Width marker – Right	(D4-3A(R)) single grids only

Following installation by the permit holder the ongoing maintenance of grid signage (including "one lane" sign) will be the responsibility of Council.

In all cases width markers shall be erected at each end of the grid to define the grid width to approaching traffic.

Double Grids:

Where the stock grid is so wide that it requires construction using two separate grid panels, the two grids shall be connected together. The distance between the two grids shall be a maximum of 40mm.

Traffic Control during Installation:

Richmond Shire Council, prior to commencement and during the entire period necessary for installation of the grids, shall take all necessary steps for the protection of the travelling public during excavation, concrete works, laying and setting of the grid and fencing, by:-

- a) erecting suitable barriers together with appropriate warning signs and devices, in accordance with the Manual of Uniform Traffic Control Devices (MUTCD) warning of the work in progress;
- b) constructing a safe and adequate side-track to allow traffic to by-pass the construction site and as directed by Council's Director of Works; and
- c) repairing or causing to be repaired, any damage to the roadway caused through such excavation, concrete works, laying and setting of the grid and fencing, with repairs to be affected in such a manner so as to restore the roadway to a similar state and condition as existed prior to the commencement of the works.

5. POLICY REVIEW

The policy is to be reviewed whenever legislation changes, OR every two years if no changes have been required to be enacted, at the direction of the Chief Executive Officer.

Variations:

The Council reserves the right to vary, replace or terminate this policy from time to time.

Relevant Laws

- Local Government Act 2009
- Transport Infrastructure Act 1994
- Transport Operations (Road Use Management) Act 1995
- Local Law No.1 (Administration) 2011

6. ATTACHMENTS AND APPENDICES

The following is provided as an indicative guide, but the owner is responsible to fulfil their duty of care with respect to the travelling public and initiate their own actions as the need arises. The safety of the travelling public is of utmost importance and urgent action by the permit holder is required when appropriate.

Broken Grid Rails:	1 rail: to be replaced within 48 hours More than one rail – to be repaired immediately
Loose Grid Rails:	Broken welds are to be repaired within seven days
Fence Posts Construction:	Maximum post size within the frangible zone shall be maximum 65mm outside diameter/diagonal with 2.3mm wall thickness steel pipe, or equivalent.
Road Subsidence:	Where the roadway immediately adjacent the abutments suffers subsidence, the licensee shall take action to fill the depression with sound gravel material to bring the surface back to grade.
Visibility:	The owner shall ensure that the structure remains in a highly visible state at all times. Any vegetation growth in the vicinity of, or on the approaches to the structure, which obscures or partly obscures visibility of the grid, shall be removed. The owner shall ensure painted surfaces are maintained in a state of high visibility.
Horizontal Spear Hazards:	Any unrestrained horizontal railings aligned parallel to the direction of traffic, shall be immediately removed, as they present a particular hazard to traffic. Wire ties, small bolts or tack welding fixing the rails may not constitute satisfactory restraint in the event of impact by a vehicle.
Non-Frangible posts:	Posts of greater structural strength than a 65mm OD steel pipe shall be removed from the “frangible” zone.

7. IMPLEMENTATION

This Policy will commence from the Policy reviewed date and will be made available to all corporate staff on Council's intranet site/network, and to all outdoor staff via their supervisor/coordinator. Council reserves the right to vary, replace or terminate this Policy from time to time. This Policy will typically be reviewed when a review has been deemed appropriate by organisational processes (e.g., audit recommendations), or when legislative requirements change.

8. APPROVAL

Date of Adoption: 16 May 2023
Policy Reviewed: General Council Meeting 15 May 2023
Resolution Number: 20230516.14

Policy Authorised: Peter Bennett
Chief Executive Officer