



PUBLIC GATES AND CATTLE GRIDS ON PUBLIC ROADS

Approval Date: 11 February 2015

Review Date: February 2017

Responsible Officer: Director Engineering Services

1. PURPOSE

- 1.1 To reduce risk to public, Council and landowners.
- 1.2 To support procedures for application and issuing of permits, inspection, assessment and maintenance of Public Gates and Cattle Grids.

2. POLICY STATEMENT

- 2.1 The Council aims to provide a management approach to the provision of Public Gates and Cattle Grids infrastructure.
- 2.2 This shall be achieved by developing and maintaining a systematic approach to approval, inspection, assessment, maintenance and repair of all Public Gates and Cattle Grids as identified in the Coonamble Shire Council's Public Gates and Cattle Grids Register and by implementation and enforcement of the Public Gates and Cattle Grids permit system.
- 2.3 The Policy, together with the procedures, provides a framework for the management of Public Gates and Cattle Grids.
- 2.4 The Policy aims to;
 - 2.4.1 Establish a transparent system for the development, submission and assessment of applications for the construction of Public Gates and Cattle Grids.
 - 2.4.2 Identify standards for the construction of Public Gates and Cattle Grids.
 - 2.4.3 Define the responsibilities of the Public Gates and Cattle Grids permit holders.
 - 2.4.4 Define registration and recording procedures for the Public Gates and Cattle Grids infrastructure within the Coonamble Shire Council local government area

3. PRINCIPLE

- 3.1 To ensure public safety for all users of the road network.
- 3.2 To reduce the number of obstructions to the free flow of traffic.

4. EXEMPTION POLICY

- 4.1 All exiting Public Gates and Cattle Grids constructed prior to 1st February 2015 are exempt subject to the following conditions:
 - 4.1.1 Property owners must self-assess for compliance all the existing Public Gates and Cattle Grids located on their land against the related policies, regulations and standards (Clause 6.0).
 - 4.1.2 The self-assessment report must be submitted to the Council no later than 30 September 2015.
 - 4.1.3 All non-conforming Public Gates and Cattle Grids must be either rebuilt in accordance with the relevant standards and regulations (Clause 6.0) or removed by 29th February 2016.

5. BACKGROUND

- 5.1 The Roads Act 1993 and the Roads (General) Regulation 2008 refers to the Cattle Grid or Stock Crossing as a Bypass. Since the term Cattle Grid is commonly used term in the Coonamble Shire the term Bypass will not be used in this policy.
- 5.2 Public Gates and Cattle Grids exist on the public road network within the municipal area of the Coonamble Shire presenting potential risk to public, property owners and the Council.
- 5.3 While the Council has the control and management responsibility of its public roads, the ownership and maintenance responsibility for Public Gates and Cattle Grids rests with the landowner, as defined in the Roads Act 1993.
- 5.4 The Policy and procedures are based on the industry best practice and the provisions of the Roads Act 1993 which enable the Council to grant permits for installation of Public Gates and Cattle Grids.
- 5.5 This Policy applies to all roads maintained by the Council within the Coonamble Shire local government area. It does not apply to Crown Roads. The NSW Department of Lands is responsible for Crown Roads.
- 5.6 It is a Council requirement under the Roads Act 1993 that the design and construction of all proposed Public Gates and Cattle Grids conform with this Policy, relevant standards and regulations.
- 5.7 It is a Council requirement under the Roads Act 1993 that all existing Public Gates and Cattle Grids are regularly reviewed for compliance with this Policy, relevant standards and regulations.

6. RELATED POLICIES, REGULATIONS AND STANDARDS

- 6.1 NSW Roads Act 1993.
- 6.2 Roads (General) Regulation 2008
- 6.3 Australian Standard 5100 (AS5100).
- 6.4 The Coonamble Shire Council Road Register
- 6.5 Approved inspection and assessment procedures.

7. APPROVAL AND PERMIT PROCEDURES

7.1 Permit Application for New Public Gates and Cattle Grids

7.1.1 Council will consider application for a Public Gate and Cattle Grid Permit only when all of the following conditions are satisfied:

- 7.1.1.1 Where no viable alternative such as fencing, exists;
- 7.1.1.2 The application does not relate to an excluded road as defined in Table 1 furnished below;
- 7.1.1.3 The road intersects a boundary fence.

Table 1 – Public Gates and Cattle Grid Exclusion

Road Classification	Public Gates/Cattle Grid Exclusion
State Highway or Regional Road	Not Permitted
Arterial and Sub-Arterial	Not Permitted
Collector	Not Permitted
Major Local more than 200 vehicles per day	Double Cattle Grid and Gate
Minor Local	Single Cattle Grid and Gate

7.3 Application Assessment Criteria

7.3.1 Assessment of applications will be undertaken to ensure compliance with all relevant policy, standards and regulations. In particular with Clauses 128 to 137 of the Roads Act 1993 and Clauses 67 to 70 of the Roads (General) Regulation 2008.

7.3.2 The regulation delineates that all gates must be white with standard signage and reflectors on both sides of the structure. Gates and cattle grids must be in good repair. Road approaches for a minimum distance of 20 metres on each side of the structure must be maintained by the permit holder.

7.3.3 As required by the legislation, Council must consider any submissions made by the public following public notification, before granting a permit.

7.4 Permit Periods

7.4.1 Clause 130 of the Roads Act 1993 states that the Council may at any time revoke a Public Gate and Cattle Grid Permit. Without limiting the circumstances in which Council can revoke a permit, the Council will revoke a permit when it is reasonably satisfied that the structure is not being maintained or is a risk to public safety.

7.4.2 All Public Gates and Cattle Grid permits have a maximum permit period of 36 months from the date of issue of the permit.

7.5 Permit Renewal

7.5.1 Property owners must self-assess for compliance all the existing Public Gates and Cattle Grids located on their land against the related policies, regulations and standards (Clause 6.0) and report to the Council 30 days prior to the expiry of the Permit.

7.5.2 The Council will renew free of charge all permits if it is reasonably satisfied that the structures comply with the requirements of the Clause 6.0 Related Policies, Regulations and Standards.

8. DESIGN AND CONSTRUCTION STANDARDS

8.1 All work is to be carried out in accordance with the Council's Public Gates and Cattle Grids Policy, all relevant national and state acts, regulations and standards including the NSW Roads Act 1993 and Australian Standard 5100 (AS5100) and any other deemed to be appropriate by the Council. In some circumstances the Council may require the applicant to provide specific design details for the structure and the design certification by an authorised Structural Engineer.

9. MAINTENANCE STANDARDS

9.1 Maintenance Standards

The land owner is responsible to maintain the structure and signage of the of the Public Gates and Cattle Grids to ensure performance in compliance with the Design and Construction (Clause 7.1). All maintenance work is to be carried out in accordance with NSW Work, Health and Safety regulations, the Roads Act 1993, Roads (General) Regulation 2008 and applicable Australian Standards.

9.2 Road Carriageway.

9.2.1 The permit holder is responsible for the maintenance of the road carriageway for a minimum distance of 20m either side of the structure as identified in Part 6 Clause 70 of the Roads (General) Regulation 2008. The Council may vary maintained carriageway length depending on the specific site requirements.

9.2.2 The permit holder must comply with all maintenance conditions of the permit throughout the permit period.

9.2.3 If during the permit period the permit holder fails to comply with the maintenance conditions of the permit, the Council may carry out maintenance of the carriageway at the permit holder's expense.

10. INSPECTIONS

10.1 Regular Inspections.

10.1.1 The Permit Holder must carry out regular inspections and maintain the whole structure and carriageway to ensure compliance with all standards and regulations referred to in Clause 7 and 8.

10.1.2 Notwithstanding the requirements of Clause 10.1.1 the Council will carry out regular inspections of all Public Gates and Cattle Grids located within the local government area of the Coonamble Shire as part of the scheduled road network inspections. Any noncompliance with the permit conditions or defects will be communicated to the permit holder in writing. The permit holder will have 40 days from

the date of the Council letter to rectify any defects to the satisfaction of the Council.

11. APPLICATION PROCEDURES

11.1 Lodgement

The applicant must lodge all required fees, forms and documentation supporting the application in person by visiting the Coonamble Shire Offices located at 80 Castlereagh Street, Coonamble NSW 2829 during the standard working hours 8:30 am till 5:00 pm Monday To Friday, excluding public holidays. Or by posting to PO Box 249, Coonamble NSW 2829.

It must include the following:

11.1.1 Design and Layout of the proposed structure;

11.1.2 Construction specification:

11.1.3 Name and contact details of the contractor;

11.1.4 The applicant and construction contractor public liability (minimum of \$10,000,000.00) and professional liability insurance details.

11.1.5 Traffic Management Plan

11.1.6 Construction/maintenance bond

11.2 Preliminary Inspection

The Council will inspect the proposed location for the structure to assess its suitability for the establishment of the proposed structure. The proponent will be advised in writing of the outcome of the inspection. Should the site be determined to be unsuitable for the proposed development second inspection fees will be refunded to the proponent.

11.3 Community Consultation

The proposed structure details and location will be advertised by the Council in the Local Newspaper seeking public comments/submissions on the proposed structure.

11.4 Final Inspection

11.3.1 Upon completion of all construction works the proponent shall advise the Council that the works are completed and request the Final Inspection in writing.

11.4.2 Upon completion of the Final Inspection the Council will advise the proponent of the outcome of the inspection within 10 working days from the date of the inspection.

11.4.3 Should further works be required to ensure that the structure complies with all relevant legislation and design standards, a follow up inspection will be scheduled after communication with the proponent.

11.5 Permit

The Council will advise the proponent in writing that the permit was granted, and the Councils' register updated to include the permitted structure.

11.6 Construction Bond

Construction Bond refunded.

12. FEES AND CHARGES

12.1 Fees will be charged in accordance with Council's adopted Schedule of Fees and Charges.

13. COONAMBLE SHIRE PUBLIC GATE AND CATTLE GRID REGISTER

13.1 Register of Public Gates and Cattle Grids details

Public Gates and Cattle Grid Number	date of the permit
Location and Land Reference:	
Permit Holder Name:	
Date of Application:	
Date of Advertisement:	
Date of Determination:	
Specific Requirements	
Inspection Record	
Permit End Date	

14. APPENDICES

14.1 Specification

14.2 Standard Drawings

SPECIFICATION FOR THE CONSTRUCTION OF STANDARD PUBLIC GATES & GRIDS

a) GENERAL

The erection of a public gate and by-pass is subject to the provisions of the Roads Act 1993 and Roads (General) Regulation 2008. This specification sets out Council's standard requirements for public gates and grids on dedicated roads.

b) COUNCIL REQUIREMENTS

1. The public gate and grid shall be constructed as per Australian Standard 5100 (AS5100) at a site approved by Council upon seven (7) days notice given by the Contractor.
2. A suitable detour shall be provided prior to excavation for the ramp.
3. Temporary warning signs shall be erected by the Contractor in accordance with the attached traffic control plan. The signs may be obtained from the Council (pending availability) on **\$250** (T722201) deposit, which is refundable on the return of the signs in a satisfactory condition. Council ***MUST*** be contacted to check that the signs have been erected correctly.
4. A sum of **\$730.00** shall be lodged with Council comprising of a security deposit of **\$600.00** (T722201) and an inspection fee of **\$130.00** (120004) prior to excavation commencing. The security deposit shall be refunded on satisfactory completion and restoration of the road. The inspection fee is retained by Council to cover the cost of inspections and supervision.
5. Council to be indemnified against any action which may arise as a result of the grid and by-pass being installed. The applicant must submit a Certificate of Currency for their Public Liability Insurance to a value not less than \$10,000,000, prior to any works being carried out.
6. Excavation, installation and restoration of the approaches shall be carried out by the Contractor to the Council's satisfaction.
7. Council Officers shall inspect the formwork and reinforcement (must be certified by an Engineer) prior to pouring of concrete and shall inspect the works on completion.
8. Council reserves the right to complete the works at the owner's expense if a satisfactory rate of progress is not maintained.
9. The public gates shall have a minimum clear opening of 7.32 meters and shall be constructed in accordance with the best practice and from good materials to enable the passage of broad acre farming equipment.
10. Guardrail and sighting plate shall be painted white and to Council's standards.
11. The public gate shall be painted white and shall bear the words "PUBLIC GATE" not less than 75mm in height, painted legible characters together with any number allocated by Council.
12. The appropriate permanent warning signs to Australian Standard - AS1742 as indicated below, shall be provided and erected by the Contractor to Council's requirements.
13. The owner of the public gate or grid shall construct and maintain to Council's satisfaction the road carriageway approaches twenty (20) meters each side of gate or grid.

The appropriate signs detailed on page 10 shall be erected as shown on the diagram on page 11 for each grid or gate.

c) STRUCTURAL REQUIREMENTS

1. All materials must comply with relevant Australian Standards.
2. All grids are to be prefabricated extra heavy duty (18 ton) manufactured to RMS standards.
3. Gates are to be prefabricated to Australian Standards.

d) **GATES AND GRIDS ADMINISTERED BY COUNCILS THROUGH STATE AND LOCAL GOVERNMENT ACT**

1. Gates and grids will not be approved on Regional Roads. Gates will not be approved on Local Roads without a grid. Grids will not be approved on Local Roads without a gate. Such gates and grids shall comply with Section (d)4 and Section (b)9 as a minimum standard.
2. Where roads are to be sealed, every effort to eliminate existing gates and grids must be made. Ideally, fencing out road reserves is the ultimate.
3. Where roads are foreseen to be sealed and the installation, retention, replacement or relocation of a grid and gate cannot be avoided at that time, the grid is to have a minimum width of 7.4 meters.
4. With low and relatively static traffic volumes and no intention to seal the road, a single width grid of not less than 4.0 meters wide is acceptable.

e) **WHERE COUNCIL PROPOSES TO RECONSTRUCT THE EXISTING ROAD THROUGH THE SAME AREA ON A NEW CENTRELINE, THE COUNCIL WILL:**

1. In the case of existing grids and gates THAT COMPLY with requirements, alter such structures to the new line and levels at Council's cost.
2. Where an existing grid or gate DOES NOT COMPLY the owner or lessee will supply, at their own cost, an approved grid and gate that Council will install at its cost.
3. Where there is no grid, only a gate, the owner will apply to install a grid at their own cost.

f) **WHERE APPROVALS ARE GIVEN FOR INSTALLATION OF A GRID**

1. In such cases, formal agreements are desirable, thus eliminating any future doubts and rights of Council.

h) **MAINTENANCE**

1. Owners of grids installed with permission are required to maintain same to Council's requirements.
2. Where grids are not maintained in a safe condition, Council will draw same to the attention of the landowner.
3. If the owner fails to comply with an order to repair, Council may prosecute the owner, remedy repairs and recover costs. Alternatively, after forty (40) days formal notice of failure to effect repairs, continued permission for the grid to exist will be revoked. If permission is revoked, the land owner is obliged to remove the grid. Failure may result in prosecution and Council removing the grid at the owner's cost.
4. Where dangerous conditions arise at a grid at short notice, and where Council can readily remedy in owner's absence, Council will carry out the work and immediately advise the owner to complete the necessary repairs.
5. Unauthorised grids and gates will be removed by owners. Failure to do so can result in Council taking action and recovering costs from owners.

i) **DEFECT NOTICES**

1. Where defective ramps exist, the following procedures will apply:
 - i) Notice to allow up to forty (40) days to effect repairs to Council's standards.
 - ii) If no action is taken within the specified period, Council will remove the defective grid at landowners cost, and permission to retain the grid at the site will be revoked.

NOTICE OF REPAIR - PUBLIC GATE OR GRID

File Number: _____ : _____

Document Number: _____

Date: _____

Dear Sir/Madam,

RE: NOTICE OF REPAIR PUBLIC GATE OR GRID ON ROAD NUMBER: _____ ROAD.

DEFECTIVE GRID AND/OR GATE

According to Council's records, you are the occupant of land and are held by Council to be wholly responsible for the upkeep and repair of a Public Grid for motor vehicles, located approximately _____ distance along _____ Road.

On a recent inspection, it was note that the Public Grid and/or Gate were defective in those matters indicated in the list hereunder:

- | | |
|---|--------------------------|
| 1. Inadequate abutments of cattle grid and/or public gate | <input type="checkbox"/> |
| 2. Inadequate width of the cattle grid and/or public gate | <input type="checkbox"/> |
| 3. Inadequate or damaged side rails on cattle grid | <input type="checkbox"/> |
| 4. Worn out, damaged or non-existent signage | <input type="checkbox"/> |
| 5. Damaged road approach/approaches within 20m of cattle grid | <input type="checkbox"/> |
| 6. Inadequate public gates - clear 7.32m opening required | <input type="checkbox"/> |
| 7. Structurally or mechanically unsound public gate | <input type="checkbox"/> |
| 8. Cattle grid not painted white or non-existent reflectors | <input type="checkbox"/> |
| 9. Public gate not painted white | <input type="checkbox"/> |
| 10. Worn out, damaged or non-existent reflectors on public gate | <input type="checkbox"/> |

Notice of Repair Public Grid and/or Gate

Under the Local Government Act 1993 Council is charged with the responsibility of ensuring that landholders maintain ramps under their control. The legislation gives Council further power to ensure that repairs are affected within a stipulated timeframe.

Council hereby directs you as the owner of the Grid and/or Gate to undertake all necessary repairs within 40 days of the date of this notice. If repairs are not carried out in this timeframe, Council will be forced to remove the subject grid and/ gate and you will be billed accordingly.

Should you have any queries in regards to the contents of this letter, please do not hesitate to contact Council's Engineering Department on 02 6827 1900 in the first instance.

Yours faithfully

RICK WARREN
General Manager

Sign combinations that are necessary to indicate an upcoming grid, gate, grid and gate or stock as referenced on page 7.



W5-14



W5-15



W5-16

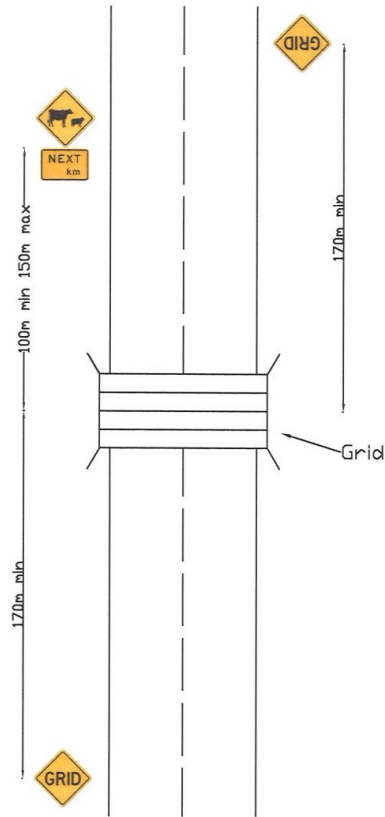


W5-214



W8-17-1

NOTICE OF REPAIR - PUBLIC GATE OR CATTLE GRID



Sign Distances from Grid

Roads Act 1993 No 33

Section 133

- (3) A by-pass is to consist of:
 (b) a cattle/sheep grid located beside the gate,
 And must be constructed in accordance with such specifications as may be approved by the roads authority.

Section 136

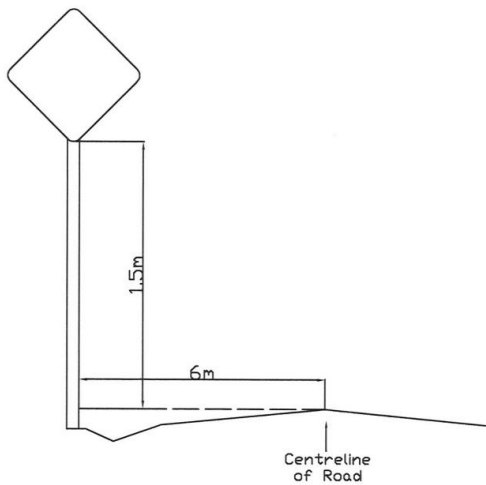
- (1) The roads authority may revoke a permit given in respect to a by-pass by means of a notice served on the holder of the permit.
 (2) The occupier of the land the subject permit must, within the time specified in the notice:
 (a) Remove the by-pass and its notices, and
 (b) Take such steps as are specified in the notice to ensure the safety of persons using the road.



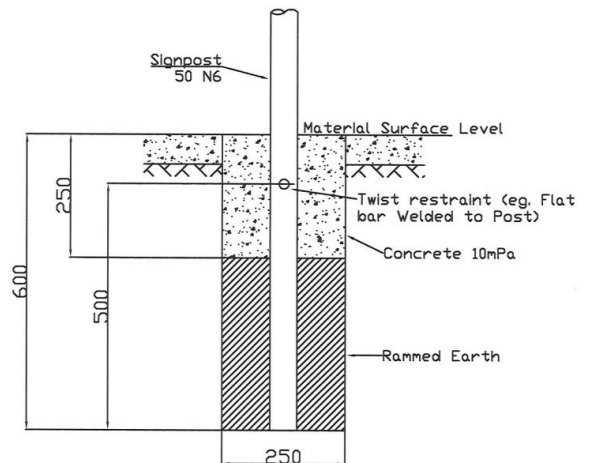
The stock sign (W5-214b) shall be used if there is a need to warn of the unexpected presence of wandering stock in the road reserve. The NEXT x km (W8-17-1b) supplementary plate should be used in conjunction with this sign when used for this purpose.



The GATE AND GRID sign (W5-15b) shall be erected at a minimum distance of 170 metres from the gate and grid.



Post height & Offset



Signpost Footing Detail

SIGN PACKAGE DEALS

Package 1: \$169.00 (J/N 110508)
1 x Stock Ahead sign
1 x Next __ km sign
1 x post
4 x brackets
1 x cap
N° Stickers (e.g.: 15)

Package 2: \$128.00 (J/N 110508)
1 x Gate & Grid sign
1 x Post
4 x Brackets
1 x Cap

Package 3: \$34.00 (J/N 110508)
4 x Reflectors (guard rail)

Package 4: \$480.00 (J/N 110508)
1 x Stock Ahead sign
1 x Next __ km sign
2 x Gate & Grid sign
3 x posts
8 x brackets
3 x caps
4 x Reflectors (guard rail)
N° Stickers (e.g.: 15)

Prices may change without notice.



**Application For Permit
To Erect A Public Gate With/Without Cattle Grid**

I hereby apply for permission to erect a Public Gate with Cattle Grid across an unfenced section of theRoad within Lot No. in the Parish of..... County of.....at the following locations:-

a) Location of the gate

Approximatelykm from the commencement of the road at its junction withRoad

b) Width of gatemetres

c) Is the gate already in existence? (Yes/No)

d) Is the fence a boundary or subdivision fence? (Yes/No)

e) If boundary fence, name of adjacent owner

f) Is a cattle grid to be included? (Yes/No)

g) I am the owner/occupier of the land (delete one – if occupier, state legal nature of occupation)

I enclose the prescribed fee of \$..... in respect of this application.

Name:

Address:

.....
(Signature of Applicant)

.....
(Date)



Check List

	Yes	No
1. Adequate abutments of Cattle Grid and Public Gate	<input type="checkbox"/>	<input type="checkbox"/>
2. Adequate width of the Cattle Grid and Public Gate	<input type="checkbox"/>	<input type="checkbox"/>
3. Inadequate or damaged side rails on Cattle Grid	<input type="checkbox"/>	<input type="checkbox"/>
4. Worn out, damaged or non-existent signage	<input type="checkbox"/>	<input type="checkbox"/>
5. Damaged road approach/approaches within 20m of Cattle Grid	<input type="checkbox"/>	<input type="checkbox"/>
6. Inadequate Public Gate - clear 7.32m opening required	<input type="checkbox"/>	<input type="checkbox"/>
7. Structurally or mechanically unsound Public Gate	<input type="checkbox"/>	<input type="checkbox"/>
8. Cattle Grid not painted white or non-existent reflectors	<input type="checkbox"/>	<input type="checkbox"/>
9. Public Gate not painted white	<input type="checkbox"/>	<input type="checkbox"/>
10. Worn out, damaged or non-existent reflectors on Public Gate	<input type="checkbox"/>	<input type="checkbox"/>