

Cloncurry Shire Council

Subordinate Local Law No. 8 (Gates & Grids) 2014

Content

- Part 1 – Preliminary 2**
 - 1 Short title..... 2
 - 2 Object 2
 - 3 Definitions 2

- Part 2 - Control of Gates and Grids 2**
 - 4 Application for licence (see section 6(i) of the local law) 2
 - 5 Criteria for licence (see section 7(3) of the local law) 2
 - 6 Term of licence (see section 8(1) of the local law) 2
 - 7 Conditions of licence (see section 9(3) of the local law) 2

Part 1 - Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 8 (Gates and Grids) 2014*.

2 Object

The object of this subordinate local law is to provide the detailed information called upon by *Local Law No. 8 (Gates and Grids) 2010* in order to ensure that gates and grids installed across roads do not interfere with—

- (a) the safe movement of pedestrians and vehicles; and
- (b) the proper maintenance of roads.

3 Definitions

In this subordinate local law, “*the local law*” means *Local Law No. 8 (Gates and Grids) 2014* of the local government’s local laws.

Part 2 - Control of Gates and Grids

4 Application for licence (see section 6(i) of the local law)

No other information or materials are required.

5 Criteria for licence (see section 7(3) of the local law)

An application for a gate or grid will ordinarily be expected to comply with the following criteria—

- (a) the gate or grid must not unduly obstruct pedestrian or vehicular traffic;
- (b) the gate or grid must not prejudice the safety of pedestrians, property or vehicular traffic;
- (c) the gate or grid must not prejudice the proper maintenance of a road;

6 Term of licence (see section 8(1) of the local law)

The term of a licence is 1 year.

7 Conditions of licence (see section 9(3) of the local law)

The following conditions will ordinarily be imposed in a licence for a gate or grid—

- (a) the grid must be constructed in accordance with the local government’s specifications as detailed on the standard drawing for the relevant grid issued by the chief executive or be a prefabricated grid approved by the local government;
- (b) the grid on a road classified by the local government as a principal or secondary road with a traffic count in excess of 100 vehicles per day must be not less than 8 metres wide;
- (c) the grid on a local government road, other than a road classified by the local government as a principal road or secondary road, must be not less than 4 metres wide;
- (d) works for the installation of the gate or grid across, under or over a road must not be commenced until the responsible person for the gate or grid has been granted a

- licence;
- (e) adequate provision must be made for the safety of the public during the installation of the gate or grid and disruption of traffic is to be kept to a minimum. Such provision is to be to the satisfaction of the local government;
- (f) the responsible person must erect and maintain traffic warning signs for the gate or grid in the manner directed by an authorised person;
- (g) the responsible person must—
 - (i) maintain the gate or grid; and
 - (ii) the road approaches for a distance of 5 metres either side of the gate or grid, to the satisfaction of an authorised person;
- (h) if the licence is for a gate the gate must not be locked at any time;
- (i) the holder of a licence must take out a public liability insurance policy to the value of \$20,000,000, with the local government being endorsed as an insured party;
- (j) the public liability insurance policy referred to in paragraph (j) must be to the satisfaction of the local government and be submitted to it prior to the carrying out of any work under the licence;
- (k) the holder of a licence must enter into a binding agreement with the local government and must indemnify the local government against any claim (including a claim made against the holder of the licence by the local government) for personal injury (including death) and damage to property (including economic loss) arising by, through or in connection with the licence.

Certification

“This and the preceding two (2) pages bearing my initials is a certified copy of *Subordinate Local Law No. 8 (Gates and Grids) 2014*, made in accordance with the provisions of the *Local Government Act 1993*, by the Cloncurry Shire Council by resolution dated

David Neeves
Chief Executive Officer