



Subordinate Local Law No. 11.3

(Gates and Grids) 2011

Reprinted as in force on 17 March 2017

Reprint No. 1

This law is a reprint copy that shows the law as made and amended by all amendments that commenced on or before the date of the reprint.

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Chief Executive Officer



Subordinate Local Law No. 11.3 (Gates and Grids) 2011

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Logan City Council

Subordinate Local Law No. 11.3

(Gates and Grids) 2011.

Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 11.3 (Gates and Grids) 2011*.

2 Authorising local law

This subordinate local law is made pursuant to *Local Law No. 11 (Roads) 1999*.

3 Objects

The object of this subordinate local law is to assist in the implementation of *Local Law No. 11 (Roads) 1999* by regulating the use of roads, in particular the installation of gates and grids to prevent—

- (a) harm to human health or safety or personal injury; or
- (b) property damage or loss of amenity; or
- (c) environmental harm or environmental nuisance; or
- (d) a nuisance; or
- (e) interference with the safe movement of traffic or safe use of a footpath;
or
- (f) damage to roads.

4 Definitions

In this subordinate local law:

grid means a structure designed to permit the movement of pedestrian or vehicular traffic along a road but to prevent the passage of stock.

Part 2 Permits

5 Application for a permit

For the purposes of section 14 (Application for a permit) of *Local Law No. 11 (Roads) 1999*, an application for a permit for the installation of a gate or grid on a

road must (unless otherwise required by the local government) be accompanied by:

- (a) the legal description of the property that will benefit from the gate or grid;
- (b) the name, address and telephone number of the person who will be installing the gate or grid; and
- (c) details of the gate or grid to be installed including:
 - (i) its design, dimensions and construction; and
 - (ii) when, where and how the gate or grid is to be installed; and
- (d) a site plan to scale and specifications of the gate or grid to be installed; and
- (e) details of all insurances held by the person who will be installing the gate or grid.

6 Grant of a permit

For the purposes of section 15 (Grant of a permit) of *Local Law No. 11 (Roads) 1999*, the local government may grant a permit for the installation of a gate or grid if satisfied that:

- (a) the gate or grid will not unduly obstruct pedestrian or vehicular traffic; and
- (b) the gate or grid will not prejudice the safety of pedestrian or vehicular traffic; and
- (c) the gate or grid will not prejudice the proper maintenance of the road; and
- (d) the matters which are the subject of the conditions specified in section 7 (Conditions of a permit) of this subordinate local law which are relevant to the installation of the gate or grid can be adequately addressed by the imposition of those conditions.

7 Conditions of a permit

- (1) For the purposes of section 17(3) of *Local Law No. 11 (Roads) 1999*, the local government may impose all or any of the following conditions on a permit for the installation of a gate or grid:

- (a) The gate or grid, the approaches to the gate or grid and the warning signs must be erected and installed in accordance with the following requirements:
- (i) A grid or gate must be erected
 - (A) at locations approved by the local government; and
 - (B) as directed by the local government.
 - (ii) A grid must be constructed at a skew of 1 in 12 to the centreline of the road.
 - (iii) The centre of the grid or gate must coincide with the centreline of the road.
 - (iv) A gate must be constructed at right angles to the road centreline.
 - (v) The grade of the motor grid must conform to the grade of the road unless otherwise ordered by the local government.
 - (vi) The levels of the grid surface (including crossfalls) must be in accordance with the directions of the local government. When the grid is on a curve, the crossfall must conform to the cant of the curve.
 - (vii) The surface of the grid must be 0.5m (\pm 0.1m) above the natural surface of the surrounding country.
 - (viii) Approach ramps must be constructed for the full width of the running surface of the grid. The longitudinal grade of the approach ramps must be such that the surface levels of the ramps deviate from the existing average grade of the road by not more than 1%. The fill used in the approach ramps must be thoroughly compacted and finished to the satisfaction of the local government.
 - (ix) A grid must be constructed of steel or concrete and must be:
 - (A) of dimensions not less than 3.66 metres by 1.80 metres; or
 - (B) of such greater dimensions as may be required by the local government.
 - (x) Details of the grid structure, the foundations, the abutment, the approach ramps and the horizontal and vertical alignment must:

- (A) be submitted with the application; and
 - (B) be sufficient to guarantee the safe transit of vehicles; and
 - (C) not interfere with the natural drainage of the area.
 - (xi) The construction of the grid must allow for the movement of stock by a suitable gate erected:
 - (A) beside the grid; and
 - (B) within the road reserve.
 - (xii) Sufficient guide posts and rails must be provided, as shown on the drawings, to satisfy road traffic safety requirements at the specific location.
 - (xiii) Reflectorised grid warning signs which satisfy the requirements of the Manual of Uniform Traffic Control Devices (Queensland) must be provided at the approaches to the grid in accordance with best traffic safety practice.
- (b) The holder of the permit must maintain the gate or grid, the approaches thereto and the warning signs to the standard specified in the local government's standard specification.
- (c) A sign on which the words "Permitted Public Gate/Grid" are prominently and permanently displayed must be exhibited on a conspicuous part of the structure so that it can be viewed by members of the public.
- (d) The holder of the permit must take out and maintain public liability insurance in relation to the gate or grid for an amount of \$10 million or such an amount as determined by the local government.
- (2) For the purposes of section 17(3) of *Local Law No. 11 (Roads) 1999*, the local government may impose all or any of the following conditions on a permit for the installation of an electrified grid:
- (a) The energising unit must conform to international standards and must be installed strictly in accordance with the manufacturer's requirements.
 - (b) Grid mats must cover in the case of:
 - (i) sealed roads – a minimum area of 6 metres by 1.8 metres; and
 - (ii) other roads – a minimum area of 3.6 metres by 1.8 metres.

- (c) Grid mats must be placed symmetrically about the centre line of the pavement unless directed otherwise by the local government.
- (d) Mats and mesh must be installed in accordance with the manufacturer's instructions.
- (e) A sign on which the words "Caution – Electrified" are prominently and permanently displayed must be exhibited on a conspicuous part of the structure so that it can be viewed by members of the public.
- (f) Warning signs W8-1B (Red Triangle), W5-16B (Grid) and W8-Special B (Caution electrified) must be erected on both approaches so that:
 - (i) the warning signs are not less than 75 metres and not more than 225 metres from the grid; and
 - (ii) the lateral placement of the warning signs is not less than 2 metres and not more than 4 metres from the pavement edge.

8 Cancellation of permits

The local government may, by written notice given to the holder of an permit under this part, cancel the permit if—

- (a) the holder of the permit contravenes a condition of the permit; or
- (b) the removal of the gate or grid becomes necessary in the interests of public safety or otherwise in the public interest.

9 Removal of gate or grid

- (1) The local government may, by written notice to a person, require the person to remove a gate or grid if—
 - (a) a permit to install the gate or grid has lapsed or has been cancelled; or
 - (b) the gate or grid has been installed by the person without permit.
- (2) If a person fails to remove a gate or grid within the time allowed by a notice under this section, the local government may itself have the work carried out and recover the cost of the work, as a debt, from the person in default.

Part 3 Enforcement

10 Compliance with conditions

- (1) The holder of a permit is required to provide in writing to the local government by June 30 each year, a declaration that the gate or grid continues to comply with the

conditions of the permit, and that the holder of the permit continues to hold a current public liability insurance policy in relation to the gate or grid.

- (2) If for any reason, there has been a condition that has not been complied with, the non-compliance and the reason for the non-compliance must be included in the declaration required under section 10(1) of this subordinate local law.

11 Records to be kept

For the purposes of section 24(2) of *Local Law No. 11 (Roads) 1999*:

- (a) records must be kept by the holder of the permit; and
- (b) the records must contain details of the dates, times and manners of the maintenance and service of the gate or grid; and
- (c) the records must be kept for a period of seven (7) years.

12 Inspection monitoring or management program

For the purposes of section 22(4)(b) of *Local Law No. 11 (Roads) 1999*, the holder of the permit must (unless otherwise required by the local government) maintain a management program which details how and when the gate or grid will be monitored and maintained.

Endnotes

1 Index to Endnotes

- 2 Date to which amendments incorporated
- 3 Key
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- 5 List of legislation
- 6 List of annotations

2 Date to which amendments incorporated

This reprint includes all amendments that commenced operation on or before the 17 March 2017.

3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation
amd	= amended
ch	= chapter
def	= definition
div	= division
hdg	= heading
ins	= inserted
om	= omitted
p	= page
pt	= part
renum	= renumbered
rep	= repealed
s	= section
sch	= schedule
sdiv	= subdivision

4 Table of reprints

A reprint is issued upon the commencement of an amending instrument. A reprint is given the date of commencement of the amending instrument.

Table of reprints of this subordinate local law

Reprint No.	Amendments included	Reprint date
1	<i>Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2017</i>	17 March 2017

5 List of legislation

Original Local Law

Local Law No. 11 (Roads) 1999
date of gazettal 25 June 1999

Amending Local Laws

Amending Local Law No. 1 (Miscellaneous Local Laws) 2001
date of gazettal 9 March 2001

Amending Local Law No. 1 (Miscellaneous Local Laws) 2003
date of gazettal 11 July 2003

Amending Local Law No. 1 (Miscellaneous Local Laws) 2005
date of gazettal 24 June 2005

Amending Local Law No. 2 (Miscellaneous Local Laws) 2005
date of gazettal 10 February 2006

Amending Local Law No. 1 (Miscellaneous Local Laws) 2007
date of gazettal 9 November 2007

Amending Local Law No. 1 (Miscellaneous Local Laws) 2017
date of gazettal 17 March 2017

Original Subordinate Local Law

Subordinate Local Law No. 11.1 (Interference with Local Government Roads) 2003
date of public notice 1 August 2003

Subordinate Local Law No. 11.2 (Installation of Utility Infrastructure) 2011
date of public notice 18 November 2011

Subordinate Local Law No. 11.3 (Gates and Grids) 2011
date of public notice 18 November 2011

Amending Subordinate Local Law

Amending Subordinate Local Law No. 4 (Miscellaneous Subordinate Local Laws) 2005
date of public notice 15 February 2006

Amending Subordinate Local Law No. 5 (Roads Subordinate Local Laws) 2011
date of public notice 18 November 2011

Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2015
date of public notice 7 August 2015

Amending Subordinate Local Law No. 1 (Miscellaneous Local Laws) 2017
date of public notice 17 March 2017

6 List of annotations

PART 1—PRELIMINARY

Objects

s 3 amd Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2017 s 29

PART 2—PERMITS

Application for a permit

s 5 amd Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2017 s 30

Grant of a permit

s 6 amd Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2017 s 31

Conditions of a permit

s 7 amd Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2017 s 32

PART 2—ENFORCEMENT

Records to be kept

s 11 amd Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2017 s 33

Inspection monitoring or management program

s 12 amd Amending Subordinate Local Law No. 1 (Miscellaneous Subordinate Local Laws) 2017 s 34