



Policy 59 – Stock Underpasses Council Roads

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Local Government Act 1993

Statutory Authority: ***Local Government (Highways) Act 1982***

Land Use Planning and Approvals Act 1993

OBJECTIVE

To ensure a uniformity of acceptable standard of construction and an appropriate approval process for construction of underpasses that allow for the movement of stock across a road carriageway safely without affecting other users of the carriageway, and to define those circumstances in which Council will make a financial contribution.

SCOPE

This Policy applies to the Council and any landowner wishing to install a stock underpass on a Council maintained road.

POLICY

Council will permit underpasses to be constructed within a Council Road Reserve subject to the adjoining property owner obtaining all relevant permits.

The property owner requesting the underpass shall be responsible for all costs. The Director – Works & Infrastructure may consider a contribution of up to 50% of the capital cost with an upper limit of \$50,000 where the stock underpass is on a major freight route and is a Council maintained road. This contribution, if approved, would be paid to the responsible property owner on completion of the underpass to Council's satisfaction.

Upon approval for construction of the underpass, the property owner shall enter into a Part 5 Agreement under the *Land Use Planning and Approvals Act 1993*, which formalises the requirements for ongoing maintenance or replacement of the underpass, which will be the responsibility of the property owner. Maintenance of the road pavement and any barriers will be the responsibility of Council.