

# Livestock Underpass and Grid Policy

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## Contents

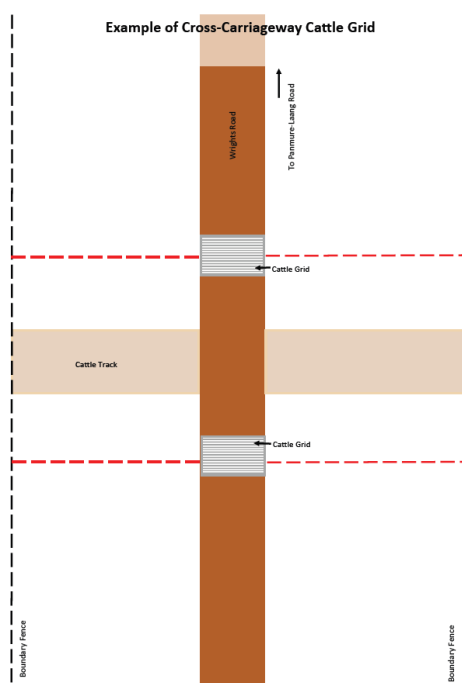
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## 1. Introduction

**Livestock underpasses** are structures constructed under roads to enable livestock to cross the road reserve safely without disrupting road and pedestrian traffic.



**Livestock grids** are an obstacle that may be installed within a road or roadside to prevent stock from straying onto the road or to control stock being moved across a road from one property to another. Livestock grids generally consist of a pit cut into the road surface which is transversed by metal bars or rails forming a grid. The grid gaps are wide enough to deter livestock from crossing but sufficiently wide enough for a vehicle to cross unimpeded.



As Council has legal obligations for road safety under the Road Management Act, Council is required to ensure livestock underpasses and grids are effective in controlling livestock, are installed appropriately and do not pose a risk to road users.

Livestock underpasses and grids are not Council assets rather are owned by the landowner, however, may be permitted by Council within a Council managed road reserve for the intended purpose of controlling livestock crossing the road.

The landowner installing the underpass/grid is responsible for the structure and is responsible for rectifying any faults with the structure. Council encourages geotechnical investigations to be undertaken as part of the design phase for an underpass/grid.

## 2. Purpose and intent of the Policy

The purpose of this policy and related procedures is to:

- a) Detail the appropriate procedure, funding arrangements for livestock underpasses and ongoing responsibility associated with the construction of livestock underpasses and grids.
- b) Define the circumstances whereby Council will provide consent to install a livestock underpass or grid within a Council Road reserve.
- c) Provide information on the application process required and any funding available.
- d) Outline the installation requirements, maintenance and removal responsibilities.

This policy only relates to livestock underpasses and grids installed or to be installed within Council managed roads and road reserves and does not apply to private land, VicRoads or other agencies land.

## 3. Policy details

- a) Prior to a livestock underpass or grid being installed in a Council controlled road reserve, the benefiting landowner must obtain written approval via an application process through Council.
- b) Council's Assets and Engineering Services department will assess all applications to determine that an underpass or grid can be located in a suitable location to allow for current and future traffic requirements of the road, be of suitable width to meet road safety requirements, and consideration of potential impacts to roadside vegetation.
- c) The owners of selected properties (as selected by Council) having access to the road, directly impacted by the application must be consulted with and any comments or feedback to be considered during the assessment of an application. This should be provided by the applicant within the application.
- d) As part of Council's Road Management Plan inspection regime, livestock underpasses and grids will be registered and inspected periodically to ensure that they are properly maintained, achieve their intended purpose and do not pose a risk to road users, with the benefiting landowner(s) holding relevant public liability insurance of at least \$10M.

- e) All costs associated with the construction, ongoing maintenance, renewal, and repair of livestock underpasses and grids are the responsibility of the owner of the land deriving benefit from the livestock grid or underpass.
- f) The location of livestock grids is generally limited to “No-Through” Access/Minor Roads as defined by Council’s Road Management Plan with a traffic count not exceeding 20 vehicles per day. Where vehicle movements per day exceed 20, an underpass may be considered as the preferred infrastructure. As the road authority, it is Council’s decision to stipulate whether a grid or underpass is required.
- g) In situations where a landowner wants to improve safety for the movement of livestock across a road and the traffic count for the road exceeds 50 vehicles per day, the installation of a stock underpass should be considered.
- h) Each year Council sets aside a nominal amount through the annual budget contributing to the construction of a livestock underpass of \$10,000 per application. Council does not contribute to the cost of installing a livestock grid.
- i) Upon the sale of the benefiting landowners’ property, the livestock underpass or grid ownership, maintenance and or termination obligations fall to the new landowner as with the transfer of other assets disposed of as part of the sale of land.  
Where a landowner is leasing land on one side of the underpass or grid, and there is a change of ownership or tenure of the leased land, and the purchaser does not agree to the conditions set forth in the Deed of Agreement, Council can withdraw its consent for use of the underpass/grid, and can direct the applicant to remove the underpass/grid and reinstate the road reserve.

#### 4. Relevant legislation / references

- Road Management Act 2004
- Livestock Management Act 2010
- Local Government Act 2020
- VicRoads Road Design Guidelines

#### **Moyne Shire documents:**

- Community Engagement Policy
- Road Management Plan
- Local Laws

#### 5. Gender Impact Assessment

A Gender Impact Assessment was not undertaken. The policy, program or service was deemed to not have a direct and significant impact on the public.

## 6. Human Rights commitment

It is considered that this Policy does not impact negatively on any rights identified in the Charter of Human Rights and Responsibilities Act (2006).

## 7. Policy owner

Manager Assets and Infrastructure

## Document history

Version	Date Endorsed	Reason for change	To be reviewed (date)
(001)	November 2021	IE-06 Cattle Underpasses Policy reviewed	
002	Council Meeting 19 December 2023	Policy reviewed and updated to include Livestock Grids and re-named	Dec 2027

*\*It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this document, such a change may be made administratively. Examples include a change to the name of a Council department, a change to the name of a Federal or State Government department, and a minor update to legislation which does not have a material impact. **However, any change or update which materially alters this document must be by resolution of Council.***

## Definitions of key terms and acronyms used within this Policy

Term	Definition / Explanation
None detailed in this policy	