

Guidelines for Carrying Out Works on a Road or Interfering with a Road or its Operation

Policy Type	Governance Guideline	Version:	1.0
Responsible Officer	Manager Technical Services	Date Approved:	16/07/2025
Review Officer:	Director Infrastructure Services	Review Due:	16/06/2029
Author:	Coordinator Health & Local Laws	Commencement:	16/07/2025

1. PURPOSE

To provide a framework for assessment of applications to undertake works (construction of vehicular access to premises, gates or grids, and other types of works) on dedicated roads within the Mareeba Shire Council jurisdiction in accordance with relevant legislation and local laws¹ to ensure the safety of members of the public is not compromised and to provide for the effective management of risk.

2. SCOPE

The guideline applies to all applications for approval to undertake a prescribed activity as described under Schedule 30 of Subordinate *Local Law No. 1 (Administration) 2018 (SLL1)* to include installation of vehicular access to a premises, gates or grids, and other works undertaken within a dedicated road corridor. The guideline applies across Council and to the public.

3. PROCEDURE STATEMENT

ALL APPLICATIONS

The following conditions will apply to all applications for carrying out works on a road or interfering with a road or its operation:

- All applications shall be made in writing on the approved form.
- An application for approval must be accompanied by full details of how the proposed activity will be undertaken, including any relevant work methods, signage, maps, specifications, plans and vehicles to be used.
- Where an application is received without sufficient documentary evidence of public liability insurance, the application may not be approved.

Council's delegated officer is authorised to approve applications and issue an approval or refuse an application. The applicant will be notified in writing of the outcome of the application and where the application is not approved, reasoning will be provided.

Approvals

¹ See *Local Government Act 2009* (Qld) s 75(2). See also *Local Law No. 1 (Administration) 2018* ss 7-10. See also *Subordinate Local Law No. 1 (Administration) 2018* sch 30.

The following is applicable to all approvals:

- The term (length of time) of the approval shall be the term stated in the approval.
- The approval will expire on 30 June each year unless otherwise specified in the approval. Applications for renewal of the approval should be made well prior to the expiry of the approval.
- As a condition of the approval and in compliance with the relevant Local Law, it is the responsibility of the applicant to maintain adequate public liability insurance for the term of an approval.
- Approvals may be issued with conditions, including the need to comply with specific requirements. Approval holders must comply with the conditions attached to the approval.

Assessment criteria

For all applications, the additional criteria to be considered by Council will include:

- the physical suitability of the area or road for the proposed activity.
- the likelihood of the proposed activity causing nuisance, inconvenience or annoyance to the occupiers of the adjoining land, vehicular traffic or pedestrians.
- the likely effect of the proposed activity on the amenity of the surrounding area.
- the likely effect on the local environment and any risk of pollution or other environmental damage.
- the appropriateness, quality and condition of equipment to be used in the proposed activity.

Measures in place for ensuring that harm will not occur to Aboriginal Cultural Heritage

- the likely impact on the ability of the general public to use the site concurrently with the proposed activity.
- whether the application provides documented evidence that the applicant holds a public liability insurance policy that complies with Council's published *Standard Requirements for Public Liability Insurance for Approval Holders* policy.

Public liability insurance

All applications must be accompanied by documentary evidence that the applicant has obtained public liability insurance for an amount of not less than the stated recommended amount of cover declared for the type of proposed activity outlined in the Appendix matrix in Council's *Standard Requirements for Public Liability Insurance for Approval Holders* Policy document.

Works on roads is assessed as holding an extreme to moderate risk level. Accordingly, Council's preference is listed as a 'Named Insured' party on any insurance policy and applicants for public liability insurance should advise their insurance company of this when negotiating the policy. Council

may, at its sole discretion, accept an alternative arrangement and such will have regard to the context of the application and the type of activity being conducted and the assessed level of specific activity risk involved. Guidance on requirements for insurance as aligned with the type of works proposed is also provided in section D of the application form titled *Application for Approval to Carry Out Works on a Road or Interfere with a Road or its Operation – Vehicular Access, Gates or Grids and Other Works*.

The public liability insurance must be kept current for the whole of the period covered by the approval. The insurance cover must be valid to 30 June in the current year. Responsibility for ensuring that valid insurance remains in place for the term of the Approval rests with the Approval holder. Failure to ensure insurance is in place and to provide evidence of such to Council upon demand may result in cancellation of the approval.

Enforcement procedures

Approval holders must comply with the conditions attached to an approval for the duration of the term of the approval.

Enforcement for any alleged breaches of LL1 will be undertaken in accordance with requirements under Council's relevant compliance and enforcement documentation as follows:

- The extent and nature of the alleged breach will be assessed to determine the existence of material evidence relevant to each element of an offence.
- Where appropriate, a non-statutory compliance letter may be issued where remedial action could be taken to remedy the breach and there is no significant risk to public health or safety.
- A compliance notice may be issued outlining the action required by the approval holder and the action that Council will take upon further non-compliance with the approval conditions or breaches of the Local Law. Where the breach is that no approval is currently in place, advice will also be provided on how to make an application for approval.
- Council may also cancel or suspend an approval on reasonable grounds.²
- **Where a person fails to comply with a compliance notice, any materials or items relevant to the activity may be removed from the relevant location by an authorised person.**

Fees

Refer to Council's current schedule of Fees & Charges, sub-section Local Laws.

² See Local Law No. 1 (Administration) 2018 ss 17-18.

FURTHER INFORMATION

VEHICULAR ACCESS

Where approval is for a vehicular access, further guidelines and conditions are applicable.

Council adopts the standards required by the *FNQROC Regional Development Manual*. This manual stipulates minimum construction standards and compliant site grades, to allow safe and reasonable access to the property. The following sections need to be referenced for access requirements.

1. **Design Guidelines: D1 Road Geometry and D2 Site Regrading; and**
2. **Standard Drawings: S1015 Access Crossovers, S1105 Rural Allotment Accesses & S1110 Concrete driveway for allotment access.**

These standards can be viewed here: <http://www.fnqroc.qld.gov.au/regional-programs/regional-development-manual.html>

To determine whether a vehicular access is compliant or non-compliant, the applicant will need to carry out a self-assessment against the adopted standards. This means that the applicant self-assesses the proposed design and works against Council's required standards.

If the new vehicular access or modification **complies** with the standards, the structure is deemed **compliant**.

Assessment guidelines

In assessing an application for a vehicular access, the following will apply:

- The Applicant must carry out a self-assessment of the vehicular access against the adopted standards to ensure that the vehicular access is compliant. A compliant vehicular access meets the standards adopted by the Mareeba Shire Council. If these standards cannot be met, the vehicular access is classed as non-compliant, and an agreed set of conditions will apply to the vehicular access.
- Council relies on the applicant's assessment to be accurate to ensure that the vehicular access will not have a negative impact on Council's infrastructure, the environment, or the community.
- The following requirements must be addressed to ensure that the vehicular access is constructed to Council requirements unless otherwise specified in an Approval.
 - does the vehicular access provide access to and from a State controlled road? Accesses from State controlled roads are administered by the State Department of Transport and Main Roads. Visit www.tmr.qld.gov.au for further information.
 - The applicant must inspect the condition of all existing kerb, channel, footpath, and road surfaces. If there is existing damage, a photograph or note can be submitted with the application. Any damage caused by the works from the applicant or damage not identified to Council, prior to the work commencing, will be repaired at the applicant's expense.
 - All vehicular access must be constructed in accordance with the FNQROC standards for vehicular access construction. To obtain a copy of FNQROC standard drawings, visit <http://www.fnqroc.qld.gov.au/regional-programs/regional-development-manual.html> or

contact Mareeba Shire Council. Standard drawings for vehicular access are numbered S1015, S1105 and S1110 (as amended). The applicant must refer to standard drawings for the relevant type of vehicular access applicable.

- The applicant must ensure the vehicular access surface and grades are appropriate for the type of traffic that will use the vehicular access. Appropriate surface types are included in the drawings listed below. vehicular access surfaces must be non-slip and grades must be in accordance with the relevant standards.
- Rural access sight distances must comply with the *Manual of Uniform Traffic Control Devices (Queensland)* (MUTCD) sight distances guidelines.
- Rural access pipe sizes and headwalls must comply with the Design Guidelines contained in the *FNQROC Regional Development Manual*.
- All existing concrete footpath strips must be incorporated into the driveway component. The applicant's vehicular access must not interfere with the safe passage of pedestrians.
- If excavation will occur as part of the vehicular access construction, the applicant must contact Before You Dig, to locate utility services such as communication, water, and electricity.
- All footpaths and roads must be restored to a satisfactory standard and approved by Council's Delegated Officer.
- If the construction of the driveway component will completely obstruct the footpath and require pedestrians to take another path, applicant must put adequate signage and redirection measures in place.
- All roads and footpaths must be made safe at the end of each day to allow the safe flow of vehicle and pedestrian traffic.
- If the applicant intends to close a road, lane or Council parking bay, a Road Closure Application must be lodged with Council's Infrastructure Services section for assessment.
- If the proposed works interferes with traffic, the applicant must lodge a 'Works on Road Application' with Council's Infrastructure Services department for assessment.
- If the proposed vehicular access is located near traffic control or calming measures such as slip lanes, median strips, corner truncations or Council street signs, the applicant must refer to FNQROC standard drawings for required setbacks to any utilities and services.
- The vehicular access must not obstruct access or cause damage to public utilities such as bus stops, bikeways, parking bays, taxi ranks, stormwater drains, fire hydrants, utility service pits and power or light poles.
- The applicant must take every precaution to ensure street trees are not damaged. If there is a chance that root systems or canopies of any street trees may be damaged during construction, the applicant must notify Council prior to commencing work.
- The applicant must ensure appropriate measures are put in place to prevent erosion. Sediment runoff or concrete should not enter the stormwater system. For information on preventative measures visit <http://www.fnqroc.qld.gov.au/regional-programs/regional-development-manual.html>

If the standards **cannot be met**, the vehicular access is deemed as **non-compliant**. In this case, a set of site-specific standards must be met. Please contact Council on 1300 308 461 to arrange for a site inspection to ensure that the proposed works are carried out to the satisfaction of Council.

Note: where a constructed vehicular access is assessed as non-compliant, it remains the responsibility of the approval holder to ensure that public liability insurance remains in effect up to and including the date upon which the structure is assessed to meet compliance.



Refer to FNQROC Standard Drawing S1105 Rural Allotment Accesses for details on the different types of Precast Headwalls and when they should be applied.





Sloped Headwalls

Sloping face headwalls are manufactured to Queensland Main Roads specifications and are available to suit pipes from 300mm to 600mm diameter.

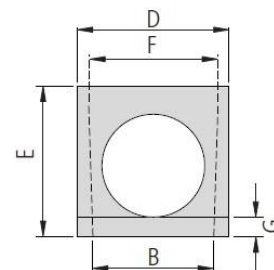
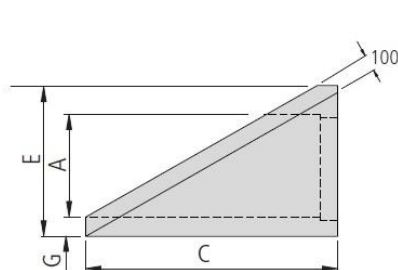


Sloping face headwall

Sloping Face Headwalls

Product Code	Pipe Size	Nominal Dimensions (mm)						
		A	B	C	D	E	F	G
HWL300AH	300	457	650	1250	840	820	700	125
HWL375AH	375	457	650	1250	840	820	700	125
HWL450AH	450	457	650	1250	840	820	700	125
HWL525AH	525	612	800	1500	900	920	850	115
HWL600AH	600	612	800	1500	900	920	850	115

Note: Flat section at top of sloping face headwalls is 55mm wide on 300 to 450 sizes and 85mm wide on larger sizes.



It may be possible that existing non-complying grades may be rectified in the planning stage of a new dwelling, by determining the height of the new dwelling in relation to the road edge and the dwelling's property setback prior to construction. If this is done prior to the building stage by the designer or contractor, complying grades may be achieved. Bulk earthworks to make a site comply with the required grades may trigger the requirement for a planning Development Application for Operational Works. Please contact Council's Planning Services section on 1300 308 461.

Approval conditions

The applicant must adhere to all the conditions attached to the approval, in particular:

- if an allotment is located on a corner—the vehicular access to the premises is not constructed along the arc of the kerb return into the side street; and
Example for paragraph — A vehicular access to the premises cannot lie between the tangent points of the turnout arc.
- the vehicular access to the premises is—

- 600 millimetres clear of stormwater drainage and catchpits; and
 - 800 millimetres clear of power poles or light poles;
 - the vehicular access is not built over hydrants or other services;
 - where a vehicular access is built over a service cover, the cover is altered and reconstructed to the level of the new vehicular access;
- the vehicular access is constructed in accordance with the engineering guidelines adopted by the local government.

Fees

Refer to Council's current Schedule of Fees & Charges, sub-section 'Gates and Grids'.

APPLICATION FOR WORKS ON A ROAD – VEHICULAR ACCESS – DRIVEWAY AND OTHER

Council may accept and assess applications under this procedure for construction of a vehicular access within a road (to include a road) which does not contain an existing practically constructed road or other types of works within a road. Approvals issued under these types of applications may require the inclusion of **non-standard conditions**.³

By way of example, applications for vehicular access through a dedicate but unformed road corridor may include but may not be limited to, a requirement for the applicant to:

1. undertake and provide to Council an ecological assessment of the proposed vehicle access route prior to commencement of works to determine any requirement for a vegetation clearing permit, identify any potential harm the proposed works may impose on any rare and endangered flora and fauna and identify any risk of harm to Aboriginal cultural heritage.
2. Secure and evidence possession of a valid vegetation clearing permit.
3. undertake a cadastral survey by a licensed surveyor of the proposed vehicle access route to confirm the road corridor boundaries to ensure that the works do not encroach upon private land holdings adjoining the subject road corridor.
4. Payment of relevant fees for issuing of a new rural address number.
5. Agree to assume responsibility for all ongoing maintenance of the new vehicle access route following practical construction works.

Where it is determined that non-standard conditions apply and Council issues an approval subject to non-standard conditions, Council must provide the applicant with an information notice under the authorising local law.⁴ The information notice must additionally provide for applicant right of review of Council's decision within 14 days of the issuing of the notice of Council's original decision.⁵

Fees

Refer to Council's current Schedule of Fees & Charges, sub-section Local Laws.

³ See *Local Law No. 1 (Administration) 2018* s 9(5).

⁴ *Ibid* s 9(4).

⁵ *Ibid* s 22.

GATES AND GRIDS

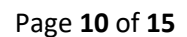
Where an approval is for a gate or grid, further guidelines and conditions are applicable.

Assessment guidelines

1. The application must be accompanied by—
 - (a) full details of the proposed works on the road or interference with its operation; and
 - (b) if the applicant proposes to erect or install a structure on, over or under the road – plans and specifications of the structure; and
 - (c) details of building or other work to be carried out under the approval.
 - (d) Adjacent property details to which gate or grid is to be associated.
2. For approvals for installation of a gate or grid, an application must also be accompanied by—
 - (a) the name, address and telephone number of the person who will be installing the gate or grid; and
 - (b) details of the gate or grid to be installed including—
 - (i) its design, dimensions and construction, including details of the grid structure, the foundations, the abutment, the approach ramps and the horizontal and vertical alignment; and
 - (ii) when, where and how the gate or grid is to be installed; and
 - (iii) a site plan to scale and specifications of the gate or grid to be installed; and
 - (c) details of all insurances held by the person who will be installing the gate or grid.

The installation and ongoing maintenance and insurance of an approved gate or grid remains the responsibility of the applicant.

Grids are the preferred option by Council in most cases, however gates may be approved on roads with low traffic volumes or where the road provides access to only one property.





LOCATION OF WARNING SIGNS IN ADVANCE OF GRID

DIMENSION	V_{95} KM/H		
	<75	75-90	>90
A	80-120	120-180	180-250
B	50	60	70



W.T.S.

HEIGHT (M)	LENGTH (M)		LENGTH OF GRADE (M)
	H	L	
1.0	80	20	
0.9	78	18	
0.8	76	16	
0.7	74	14	
0.6	72	12	
0.5	70	10	
0.4	68	8	
0.3	66	6	

INSTALLATION OF SIGNS FOR GRIDS ON MSC CONTROLLED ROADS

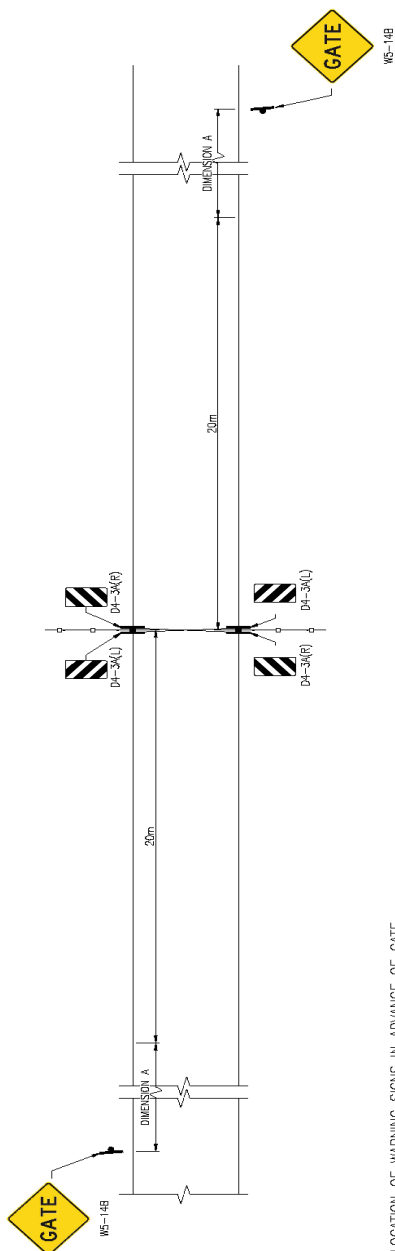
SMAJIS 0185

- TO BE INSTALLED ON EACH SIDE OF THE GRID AS PER TABLE SHOWN
- | ALL SIZES | REFER TO MUTCO FOR INSTALLATION PROCEDURES AND GUIDELINES |
|--|---|
| ONE LANE | |
| A "ONE LANE" SIGN IS TO BE INSTALLED ON THE APPROACH TO A ONE LANE ROAD WITH PRIORITY TRAFFIC FLOW GIVEN TO THE APPROACH WITH LESSER SIGN DISTANCE | |
| A "ONE LANE" SIGN IS TO BE INSTALLED WHERE ONE GRID SEGMENT IS INSTALLED | |
| HAZARD MARKERS | |
| HAZARD MARKERS ARE TO BE INSTALLED ON EACH SIDE OF THE GRID AS SHOWN | |

0361038 SIGNS DIS-

- [illegible]

[illegible]



LOCATION OF WARNING SIGNS IN ADVANCE OF GATE

LOCATION OF WEAVING STING IN POWER OF ONE	
	V_{85} KM/H
DIMENSION	<div> <div><75</div> <div>75-90</div> <div>>90</div> </div>
A	<div> <div>80-120</div> <div>120-180</div> <div>180-250</div> </div>

GATE SIGNAGE PLAN
SCALE 1:100 (A1)

INSTALLATION OF SIGNS FOR GATES ON MSC CONTROLLED ROADS

GATE SIGNS

- TO BE INSTALLED ON EACH SIDE OF THE GATE AS PER TABLE SHOWN

ALL SIGNS

- REFER TO MUTED FOR INSTALLATION PROCEDURES AND GUIDELINES

GATE SIGNS REQUIRED

- 2x "GATE" WARNING SIGNS (WS-14B)
2x WIDTH MARKER - LEFT (D4-38 (L))
2x WIDTH MARKER - RIGHT (D4-38 (R))

ALL SIGNS TO BE INSTALLED AS PER FNRQC STD. DWG. S1041

[illegible]

Approval conditions⁶

For approvals for installing or operating gates or grids on a road, the conditions that will ordinarily be imposed are that the approval holder must ensure that:

- (a) the gate or grid, the approaches to the gate or grid and the warning signs are 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 is constructed at a skew of 1 in 12 to the centreline of the road;
 - (iii) the centre of the grid or gate coincides with the centreline of the road;
 - (iv) a gate is constructed at right angles to the road centreline;
 - (v) the grade of the motor grid conforms to the grade of the road unless otherwise ordered by the local government;
 - (vi) the levels of the grid surface (including crossfalls) are in accordance with the directions of the local government;
 - (vii) when the grid is on a curve, the crossfall conforms to the cant of the curve;
 - (viii) the surface of the grid is 0.5 metres (with a tolerance of 0.1 metre) above the natural surface of the surrounding country;
 - (ix) approach ramps are constructed for the full width of the running surface of the grid;
 - (x) the longitudinal grade of the approach ramps are such that the surface levels of the ramps deviate from the existing average grade of the road by not more than 1%;
 - (xi) the fill used in the approach ramps is thoroughly compacted and finished to the satisfaction of the local government;
 - (xii) a grid is constructed of steel or concrete and is:
 - (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; and
 - (xiii) the grid structure, the foundations, the abutment, the approach ramps and the horizontal and vertical alignment:
 - (A) are sufficient to guarantee the safe transit of vehicles;
 - (B) will not interfere with the natural drainage of the area; and
 - (xiv) the construction of the grid will allow for the movement of stock by a suitable gate erected:
 - (A) beside the grid; and
 - (B) within the road reserve;
 - (xv) sufficient guideposts and rails are provided, as shown on the drawings, to satisfy road traffic safety requirements at the specific location;

⁶ See *Subordinate Local Law No. 1 (Administration) 2018* sch 30.

(xvi) reflectorised grid warning signs which satisfy the requirements of the Manual of Uniform Traffic Control Devices (Queensland) are provided at the approaches to the grid in accordance with best traffic safety practice;

- (b) the gate or grid, the approaches thereto and the warning signs are maintained to the standard specified in the local government's standard specification;
- (c) maintain public liability insurance for an amount of no less than the amount listed in the local government's *Standard Requirements for Public Liability Insurance for Approval Holders* published on the local government's website which indemnifies the local government in respect to any liability arising from the activity;
- (d) a management program is maintained, which details how and when the gate or grid will be monitored and maintained.

Fees

Refer to Council's current schedule of Fees & Charges, sub-section Planning – Urban and Regional.

4. REPORTING

No additional reporting is required

5. DEFINITIONS

Approval – includes a consent, permission, licence, permit or authorisation.

Compliance notice – means a compliance notice given under:

- section 26; or
- another local law that authorises the giving of a compliance notice.

Council – means the Mareeba Shire Council including all elected representatives, employees, contractors, volunteers, a Standing or Joint Standing Committee, committee members and any entity under direct Council ownership, management, sponsorship or financial control.

Crossover – means the section or component of a vehicular access that traverses the road verge/road kerbing or road edge to provide for vehicular movement across the boundary between the road corridor and the premises.

Gate - means a hinged or sliding barrier used to close an opening in a wall, fence or hedge.

Grid – means a structure designed to:

- a) permit the movement of pedestrian or vehicular traffic along a road; but
- b) prevent the passage of livestock

Road – means:

- a) a road as defined in the *Local Government Act 2009* (Qld), section 59; and

b) a State-controlled Road –

- i) prescribed under a subordinate local law for this subparagraph as a road to which this local law applies unless otherwise provided; and
- ii) in respect of which the chief executive has given written agreement under the *Transport Operations (Road Use Management) Act 1995* (Qld), section 66(5)(b).

Vehicular Access – means a constructed ground surface that provides safe vehicle access to a premises which may or may not incorporate a crossover component.

6. RELATED DOCUMENTS AND REFERENCES

FNQROC Regional Development Manual – Far North Queensland Regional Organisation of Councils Local Government Act 2009 (Qld)
Local Law No. 1 (Administration) 2018 (MSC)
Manual of Uniform Traffic Control Devices (Queensland)
Subordinate Local Law No. 1 (Administration) 2018 (MSC)
Standard Requirements for Public Liability Insurance for Approval Holders (MSC)

7. REVIEW

It is the responsibility of the Manager Technical Services to monitor the adequacy of this procedure and implement and approve appropriate changes. This procedure will be formally reviewed every four (4) years or as required from time to time.