

Permission to erect gates, cattlestops and cattle underpass' across roads

Permission to erect and maintain gates and/or cattlestops/cattle underpass across the road is granted in accordance with Section 344 of the Local Government Act 1974, subject to the following conditions:

1. That they shall only be erected adjacent to the property (legal description required).
2. That they remain in position at the pleasure of Council, and must be removed without the payment of compensation of any kind, at any time that the Council may so direct.
3. That the applicant accepts full responsibility for any claims or damages which may arise as a result of the erection of gates and/or cattlestops/cattle underpass.
4. That this permit shall not be operative until after the applicant has signed and returned the enclosed duplicate copy acknowledging the acceptance of the conditions contained herein.
5. Prior to the commencement of any work the applicant shall submit to the Roading Manager and have approved by him a plan of works.
6. No vested right shall be hereby created and this licence shall not be transferred.
7. The work of erecting the gates/ cattlestops/cattle underpass shall be carried out to the satisfaction of the Roading Manager or his representative.
8. That the licensee shall in erecting, repairing, or removing the gates/ cattlestops/cattle underpass to ensure that no interference is caused to the use of the road by the public.
9. On the breach of any of the conditions of this licence the Council may withdraw the licence by giving notice to the licensee who shall immediately remove the gates/ cattlestops/cattle underpass and leave the road in good order and condition to the satisfaction of the Roading Manager.
10. Any gate erected under this licence shall have fixed to each side a sign with the words "Public Road" legibly painted thereon, in letters not less than 75 millimetres high. The signs to be maintained in a legible condition at all times.
11. The cost of any work required by the Council to remedy any failure by the licensee to comply with these provisions may be recovered by the Council as a debt.
12. The licensee will not be entitled to any compensation on the withdrawal or termination of this licence.
13. Nothing in this licence shall be constructed to derogate from the rights of the Crown, the Council or any Service Authority to enter upon the land for the purpose of installing, maintaining, repairing or removing any new or existing service over, under or on the land or for any other lawful purpose.
14. That the licensee will during the continuance of this keep the gates/ cattlestops/cattle underpass in the order and condition specified by the Roading Manager.
15. That the licensee will not disturb the surface of the land near the cattlestops beyond a depth of 200mm nor do anything to cause change in the surface shape of the land.
16. That the licensee will be responsible for contacting the service authorities and ascertain the exact location of any services in the area before carrying out work in their vicinity.
17. The Council shall install and maintain permanent warning signs at the site of any cattlestop. The full cost of providing the signs shall be the licensee's responsibility.
18. No gate shall be locked or in any way discourage or prohibit public use of the road.

Approved By: _____
ROADING MANAGER

Date: _____

I hereby accept the conditions set out above and in consideration of it granting me permission to erect the said temporary gates / cattlestops / cattle underpass. I agree to indemnify the Council against any claims whatsoever which may arise as a result of the erection of the gates / cattlestops /cattle underpass.

_____ (Signature)

_____ (Printed Name)

_____ (Date)