

ROAD VERGE FOR STORAGE

1. Introduction

- 1.1 The purpose of this Policy is to regulate the use of road verge for storage purposes
- 1.2 This Policy does not apply to State Highways.
- 1.3 This Policy shall apply from the date of its adoption by Council.

2. Law

- 2.2 Local Government Act 1974. Section 357 - Damage to roads
Every person commits an offence who, not being authorised by the Council, or by or under any Act, -
 - (a) Encroaches on a road by making or erecting any building, fence, ditch or other obstacle or work of any kind upon, over, or under the road, or by planting any tree or shrub thereon or
 - (b) Places or leaves on a road, any timber, earth, stones or other thing.**
- 2.3 Local Government Act 1974. Section 356 Removal of abandoned vehicles from roads. This section permits the Council to remove vehicles from roads if they appear to be abandoned.

3. Council Approval

- 3.1 Persons wishing to store hay bales on the road verge, need not apply to Council for permission provided all of the requirements of this Policy are complied with.
- 3.2 Persons wishing to store any other item or material on the road verge shall apply to the Council in writing for permission to do so. Appropriate conditions will be applied to each approval.
- 3.2 Approval shall be in the form of a letter of approval from the Council. The approval may be amended or revoked by the Council at any time. If revoked the applicant shall immediately remove the item or material and return the road verge to its prior condition without compensation.
- 3.3 The approval will be granted in the name of the applicant who shall be personally responsible for ensuring all conditions of the approval are complied with.
- 3.5 Council approval must be granted before any physical works commence.
- 3.6 The applicant shall at all times indemnify the Council in respect of any loss, damage or expense suffered or incurred by the Council as a direct or indirect consequence of any act, error or omission by the occupier and for which the occupier is legally liable.
- 3.7 The applicant shall take out and maintain at his own cost, for the duration of the approval, Public Liability insurance for an amount of not less than \$2,000,000. All such insurance shall be for such terms and with such insurers as the Council may reasonably require. The applicant shall, if reasonably requested by the Council, provide evidence that the insurance required is in force and current premiums are paid.
- 3.8 Any costs incurred by the Council arising from this Policy shall be recoverable from the applicant by the Council as a debt.

4. Storage of Hay Bales

- 4.1 There must be clear visibility along the roadway of 210 metres from each end of the storage area of hay bales,
- 4.2 The hay bales must be removed by the end of the winter following their initial placement.
- 4.3 At no time shall hay bales be placed closer than three metres from the carriageway.
- 4.4 Any baling wrap, string etc that becomes separated from the bale contents must be immediately removed from the site.
- 4.5 All mud and debris that is tracked on to the road by machinery must be immediately

removed. The cost of removal of mud and debris required to be carried out by the Council shall be recoverable from the hay bale owner as a debt.

4.6 Any damage to the road or drainage system required to be carried out by the Council shall be recoverable from the hay bale owner as a debt.