

<b>Policy title</b>	Grazing of Stock on Public Roads
<b>Responsible manager(s)</b>	Director, Infrastructure Services
<b>Contact officer(s)</b>	Divisional Manager, Works
<b>Directorate</b>	Infrastructure Services
<b>Approval date</b>	2016
<b>Focus area</b>	<i>Liveable Communities</i> Objective 2.2: Shared responsibility for community safety
<b>Delivery Program link</b>	<i>Community Spaces</i> L5.2 Manage and maintain a safe, sustainable and accessible range of community spaces
<b>Operational Plan link</b>	<i>Community Spaces</i> L5.2.1 Undertake maintenance program

### Purpose

This Policy establishes the requirements to minimise the risk arising from the grazing of stock on public roads.

### Policy aims

This Policy aims to:

- promote an integrated framework for dealing with grazing stock on public roads;
- ensure consistency and fairness in the manner in which Council deals with farmers and graziers and the travelling public;
- ensure compliance with legislative requirements under the Rural Lands Protection Act 1998;
- promote awareness of the requirements of the Act with respect to stock permits;
- take such steps as are appropriate to ensure Council is indemnified against public liability claims associated with or resulting from the grazing of stock on road reserves; and
- make Council's policies and requirements for grazing of stock on public roads readily accessible and understandable to the public.

### Policy details

<b>1</b>	<b>Application</b> This Policy identifies the need and procedure for Council to be indemnified against public liability claims associated with or resulting from the grazing of stock on road reserves under Council's control.  This Policy also specifies the conditions to be imposed to reduce the risk to the travelling public.
<b>2</b>	<b>Legislation</b> Eurobodalla Shire Council will comply with the <a href="#">Rural Lands Protection Act 1998</a>

**Implementation**

Requirements		Responsibility
1	Persons wishing to graze stock on a road reserve under Council’s control require approval from the South East Livestock Health and Pest Authority (SELHPA). The <i>Rural Lands Protection Act 1998</i> Section 101 (3) requires that a stock permit cannot be issued authorising a person to graze stock (other than travelling stock) on a public road without the concurrence of the local authority in which the road is vested.	Applicant
2	Council’s Public Liability insurance cover does not extend to the liability of farmers and graziers utilising roadside reserves for stock grazing. Council will require the person seeking approval to hold public liability insurance cover for \$20,000,000, including appropriate clauses listing Council as an ‘interested party’.	Applicant Council
3	Council will also require appropriate conditions of consent including acceptable traffic management arrangements.	Applicant Council
4	Approvals for grazing stock on road reserves will be limited to low volume local roads (typically less than 200 vehicles per day).	Council
5	<b>Staff</b> Under supervision, and once appropriate training has been received, relevant Council staff will be responsible for ensuring that this Policy is implemented within their work area.	Council officers
6	<b>Concerns</b> Public concerns communicated to Council in relation to this Policy will be recorded on Council’s records system and handled in accordance with Council’s Customer Service or Complaints Policy. These records will be used to determine any follow-up actions and analyse the history of reported public concerns.	Council officers
7	<b>Consultation</b> Any consultation deemed necessary will occur as required with key stakeholders, which may include (but not be limited to) the community, other agencies, statutory and industry bodies. Public submissions regarding this Policy are invited for consideration during the exhibition period.	As applicable

**Review**

The Policy will be automatically revoked at the expiration of twelve months after the declaration of the poll for the next general NSW Local Government election, unless Council revokes it sooner.

**Note:** *Automatic revocation of the policy is provided for by Section 165(4) of the Local Government Act 1993. The next general local government election is expected to be held in September 2020.*

This Policy may also be reviewed and updated as necessary if legislation requires it; or when Council’s functions, structure or activities change; or when technological advances or new systems change the way that Council manages the grazing of stock on public roads.

Reviews of the effectiveness of this Policy could include the following:

Performance indicator	Data source(s)
Delivery Program/Operational Plan outcomes achieved	Council reporting
Concerns or complaints registered	Council records
Customer feedback, survey responses	Surveys
Internal or external audit	Audit

### Governance

This Policy should be read in conjunction with any related legislation, codes of practice, relevant internal policies and guidelines.

#### Related legislation and policies

Name	Link
Related Council Policy or Code of Practice	<a href="http://www.esc.nsw.gov.au/inside-council/council/council-policies">www.esc.nsw.gov.au/inside-council/council/council-policies</a>
Local Government Act 1993	<a href="http://www.legislation.nsw.gov.au/#/view/act/1993/30">www.legislation.nsw.gov.au/#/view/act/1993/30</a>
Rural Lands Protection Act 1998	<a href="http://www.legislation.nsw.gov.au/#/view/act/1998/143">www.legislation.nsw.gov.au/#/view/act/1998/143</a>
Southeast Local Land Services (formerly South East Livestock Health and Pest Authority)	<a href="http://southeast.lls.nsw.gov.au/">http://southeast.lls.nsw.gov.au/</a>

#### Related external references

Name	Link
Office of Local Government	<a href="http://www.olg.nsw.gov.au">www.olg.nsw.gov.au</a>

#### Change history

Version	Approval date	Approved by	Minute No	File No	Change
1	24 Nov 2009	Council	09/369	E02.6988 E09.3418	Policy reviewed and adopted – report G09/145
2	23 Jul 2013	Council	13/172	E06.0375 E13.7095	Updated Template, review date, references and links – report O13/112
3	28 Feb 2017	Council	17/31	E06.0375 E16.0297	Reviewed and updated (start of new Council term)

#### Internal use

Responsible officer	Director, Infrastructure Services		Approved by	Council	
Minute	17/31	Report	GMR17/006	Effective date	28 Feb 2017
File	E06.0375 E16.0297	Review date	Sep 2020	Pages	3