

<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>	9 August 2022
<b>Outcome area</b>	1. Our sustainable shire celebrates our natural environment and outdoor lifestyles
<b>Strategy</b>	1.1 Move together for a sustainable future
<b>Delivery Program</b>	1.1.3. Facilitate waste management services guided by the strategy and asset management plan
<b>Operational Plan</b>	1.1.3.1 Build, renew, operate and maintain waste landfill sites and transfer stations

## 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="#">Local Land Services Act 2013</a>

## Implementation

Requirements		Responsibility
<b>1</b>	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>Local Land Services Act 2013</i> Section 78 (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
<b>2</b>	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
<b>3</b>	Council will also require appropriate conditions of consent including acceptable traffic management arrangements.	Applicant Council
<b>4</b>	Approvals for grazing stock on road reserves will be limited to low volume local roads (typically less than 200 vehicles per day).	Council
<b>5</b>	<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
<b>6</b>	<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
<b>7</b>	<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

This policy will be reviewed every 4 years. It may also be reviewed and updated as necessary if legislation requires it; or when Council's related policies, 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.

The policy may be revoked at the expiration of twelve months after the declaration of the poll for the next general NSW local government election, unless Council updates or revokes it sooner.

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>
Local Land Services Act 2013	<a href="https://legislation.nsw.gov.au/view/html/inforce/current/act-2013-051">https://legislation.nsw.gov.au/view/html/inforce/current/act-2013-051</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) GMR17/006
4	9 Aug 2022	Council	22/190	E06.0375 E16.0297	Reviewed and updated (start of new Council term) GMR22/190

### Internal use

Responsible officer	Director, Infrastructure Services		Approved by	Council	
Minute	22/190	Report	GMR22/190	Effective date	9 Aug 2022
File	E06.0375 E16.0297	Review date	May 2022	Pages	3