

	Temporary Grazing Policy
	Strategic

1. Purpose

The purpose of this policy is to outline the management of Temporary Grazing Permits within the Warrumbungle Shire Local Government area.

2. Objectives of the Policy

The objective of this policy is to ensure that the process of granting Temporary Grazing Permits under Council's care are maintained and managed professionally.

3. Policy Scope

This policy applies to Warrumbungle Shire Council Staff who engage in the assistance to issue Temporary Grazing Permits

4. Background

This policy will take over from the previous policies regarding Temporary Grazing Permits Policy (endorsed by Council 16 June 2005, resolution 235).

The policy need to be updated as a requirement of legislation changes including; the need for a more extensive policy to cover Council and the assistance Council gives in issuing Temporary Grazing Permits across the shire.

5. Definitions

LHPA - the Local Health and Pest Authority (LHPA) Coonabarabran, Dubbo and Mudgee-Merriwa LHPA for a district constituted under the Rural Land Protection Act; Council – the Warrumbungle Shire Council;

Rural Lands Protection Act - the Rural Lands Protection Act 1998;

Local Government Act - the Local Government Act 1993;

Permit - a temporary grazing permit issued pursuant to Section 94 of the Rural Lands Protection Act;

RMS – Roads and Maritime Services;

MR – Main Road

6. Policy Statement

6.1 Issue of Permits

- a) The issue of a permit for a road is the responsibility of the Board.
- b) Council is not authorised to issue temporary grazing permits.
- c) A permit may only be issued by a Board:
 - i) For those parts of the road not normally used by road vehicles; and
 - ii) With the prior approval of Council.
- d) Council will not unreasonably refuse to grant approval of a permit. In particular, but without limiting the generality of this provision, Council will, subject to its obligations as a road authority, provide as much assistance as possible in times of drought or other natural difficulty or disaster.
- e) Council may charge a fee, pursuant to Section 608 of the Local Government Act 1993, for the granting of an approval, but that fee shall be related to the actual cost to the Council of processing an application for the approval.

6.2 Conditions of Council Agreement to Issue Permits

- a) A permit is subject to the conditions prescribed in Section 94 of the Rural Lands Protection Act 1989.
- b) A permit shall be subject to such other conditions as the Board prescribes, including:
 - i) a requirement for the display of stock warning signs in accordance with Section 96 of the Rural Lands Protection Act 1998; and
 - ii) any conditions stipulated by the Council subject to its approval.
- c) Council will stipulate as a condition of its approval that the permit holder shall indemnify it from all claims arising as a result of the presence of the stock on the road reserve - the subject of the permit - meaning that Warrumbungle Shire Council must be shown as an Interested Party on the Public Liability Certificate of Currency (to the value of \$20,000,000)
- d) The provisions of Section 94 of the Rural Lands Protection Act 1998 are to be observed strictly.

6.3 General Conditions

- a) The Board will notify, by way of confirmation to Council of the issue of every permit, the name and address of the permit holder, the duration of the permit and the conditions to which the permit is subject.
- b) The Board will not issue a permit in cases where the Council objects to the issue of the permit.
- c) Council is not authorised to issue temporary grazing permits.
- d) Unless there is a drought declaration, approval for the issue of permits will not be given to any landowner unless the permit sought is to land adjacent to the applicant's property.
- e) That no fee is charged for the granting of approvals issued by Council.

The above conditions apply for applications to graze cattle only on local roads controlled by Council.

6.4 For approval to issue a permit on regional roads

Road and Maritime Services (RMS) Conditions of Permits – Regional Roads

The RMS controlled regional roads will only allocate Grazing Permits if there is a drought declaration for the region and the following additional conditions for applications for grazing on these regional roads apply:

- a) "Stock Ahead" signs – whatever sign is deemed appropriate by the LHPA is to be displayed on both sides of the road formation on both approaches to the occupied area; monitoring of signs during the day is required to ensure that they give a timely warning and clear display to approaching traffic,
- b) Stock at all times are to be under constant surveillance,
- c) Stock are to be kept off the road formation at all times,
- d) A hot wire is to be run for the extent of occupation to minimise the effect of cattle on road traffic movements. The hot wire is to be located behind the existing guide post alignment,
- e) At night, cattle are to be removed from the road reserve and securely fenced to prevent any cattle from straying onto the road,
- f) In the event of wet weather, all stock is to be removed from the road reserve,
- g) The holder of the permit is to indemnify the RMS from all claims arising as a result of the presence in the road reserve of the stock subject to the permit –

- this means that both the RMS and Warrumbungle Shire Council must be shown as Interested Parties on the Public Liability Certificate of Currency,
- h) The approval of the relevant Council is obtained.
 - i) At the end of the grazing period, all fencing materials including posts, wires and electric tapes are to be removed from the road reserve. Failure to do this will mean that Council will carry out these works at cost to the adjoining property owner and/or the person who made application for grazing rights.
 - j) Stay on designated regional roads unless specified by council

The Regional Roads in Warrumbungle Shire are:

MR 129	(Coonabarabran – Premer, Baradine - Coonamble)
MR 329	(Baradine – Gwabegar)
MR 4053	(Timor Road)
MR 396	(Coonabarabran – Coolah)
MR 55	(Coolah – Mullaley)
MR 618	(Coolah – Merriwa)
MR 7519	(Mendooran – Dubbo)

Applications to graze stock on the following Highways or MR 334 must be obtained direct from the RMS Parkes Office Ph.: 131 782 (PO Box 334 Parkes 2870)

- Newell Highway
- Oxley Highway
- MR 334 (Mendooran Road)
- Golden Highway (Merriwa – Dubbo)
- Castlereagh Highway (Mudgee – Gilgandra)

Responsibilities

The Manager Properties will hold responsibility over this policy

Associated Documents

- Operational Plan and Delivery Program 2013/14 – 2016/17
- Warrumbungle Shire Council Temporary Grazing Permit Procedures
- Rural Lands Protection Act 1998
- Local Lands Services Bill 2013
- Local Government Act 1993

Getting Help

The staff member/s that can assist with enquiries about the policy
Position: Manager Property and Risk

Version Control

Review Date: September 2017 or when relevant legislation changes.
Staff Member Responsible for Review: Manager Property and Risk

Policy Name	Version	Resolution	Date
Temporary Grazing Permits Policy	1	235	16 June 2005
Temporary Grazing Permits Policy	2	119/1314	19 September 2013