

	Temporary Grazing Permit Policy
	Strategic

1. Purpose

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

2. Objectives of the Policy

The objective of this policy is:

- to provide guidelines for the grazing of livestock on Council roads in consultation with Local Land Services
- to outline the provision under which the grazing of livestock will be permitted along Council road reserves.

3. Policy Scope

This policy applies to all temporary grazing applications seeking permits from Local Land Services to graze livestock on local and classified roads within Warrumbungle Shire Council.

4. Background

This policy will replace the previous policy entitled Temporary Grazing Policy (endorsed by Council 20 February 2014).

The policy is required to be updated to align with legislation changes.

5. Definitions

LLS - the Central West Local Land Services (LLS) a district constituted under the Local Lands Services Act 2013;

Classified Road – as defined in the Roads Act 1993;

Council – the Warrumbungle Shire Council;

LLS Act 2013 - Local Land Services Act 2013;

LG Act 1993 - the Local Government Act 1993;

Local Road – any formed road not a Classified Road within the Warrumbungle Shire Council local government area;

Permit - a road side grazing permit issued pursuant to Section 78, Local Land Services Act 2013;

MR – main road;

SR – state road.

6. Policy Statement

The following conditions will apply to any temporary grazing permits issued to utilise local or classified roads within Warrumbungle Shire Council:

6.1 General Conditions

- a) The issue of a permit for temporary grazing on a road is the responsibility of the LLS.
- b) Council is not authorised to issue temporary grazing permits
- c) A permit may only be issued by LLS:
 - i. For those parts of the road not normally used by road vehicles; and
 - ii. With the prior concurrence of Council.

	Temporary Grazing Permit Policy
	Strategic

- d) Council will not unreasonably refuse to grant concurrence for a permit. In particular, but without limiting the generality of this provision, Council will, subject to its obligations as the roads 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 LG Act 1993, for the granting of concurrence, but that fee shall be related to the actual cost to the Council of processing an application for the concurrence.
- f) A permit is subject to the conditions prescribed in Section 78 of the LLS Act 2013.
- g) A permit shall be subject to such other conditions as the LLS prescribes, including:
 - i. a requirement for the display of stock warning signs in accordance with Section 78 of the LLS Act 2013; and
 - ii. any conditions stipulated by the Council subject to its concurrence.
- h) Council will stipulate as a condition of its concurrence 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).
- i) The provisions of Section 78 of the LLS Act 2013 are to be observed strictly.
- j) The LLS 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.
- k) The LLS will not issue a permit in cases where the Council does not grant concurrence to the issue of the permit.
- l) Concurrence for the issue of a permit will not be given to any landowner unless the permit sought is to land adjacent to the applicant's property.
- m) That the grazing permit be issued for a maximum of 30 days.
- n) That the owner of the stock is to comply with all conditions and requirements of the LLS roadside grazing permit.
- o) The Council is the authorising authority to grant concurrence for temporary grazing permits on classified roads and will only provide concurrence if there is a drought declaration for the region.

6.2 Signage and Fencing Requirements

The following requirements must be followed when a permit has been issued;

- a) That stock warning signs as described in the LLS Act 2013 indicating the presence of stock on the road shall be prominently displayed 200 metres before and after the section of road being used.
- b) Stock signs must be displayed at all times when stock are on or adjacent to a roadway, and remove when stock are no longer present.

- c) That the distance over which stock are being grazed does not exceed 2 kilometres at any one time.
- d) When stock are being moved along the road, warning signs shall be no further than 5km apart.
- e) That at least one person shall be attending the stock at all times.
- f) That the stock may only be present on a public road during daylight hours.
- g) "Stock Ahead" signs – whatever sign is deemed appropriate by the LLS is to be displayed on one side of the road formation on the oncoming side 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.
- h) Stock must be under constant surveillance at all times.
- i) Stock are to be kept off the road formation at all times.
- j) At night, stock are to be removed from the road reserve and securely fenced to prevent any livestock from straying onto the road.
- k) In the event of wet weather, all stock are to be removed from the road reserve.
- l) The holder of the permit is to indemnify Council from all claims arising as a result of the presence in the road reserve of the stock subject to the permit – this means that Warrumbungle Shire Council must be shown as an Interested Party on the Public Liability Certificate of Currency.
- m) Temporary fencing must be erected at least 5m from edge of travel lane on local roads and at least 6m on classified roads. This distance is measured between the road edge and any temporary fencing.
- n) At the end of the grazing period, any temporary 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 person who made application for grazing rights.

6.3 Listing of Classified Roads with Warrumbungle Shire

The classified roads subject to the requirements of this policy are:

MR 129	Purlewaugh Road, Baradine Road
MR 329	Gwabegar Road
MR 4053	Timor Road
MR 396	Warrumbungles Way
MR 55	Black Stump Way
MR 618	Vinegaroy Road
MR 7519	Forest Road
MR 334	Mendooran Road
SR 17	Newell Highway
SR 11	Oxley Highway
SR27	Golden Highway
SR18	Castlereagh Highway

7. Responsibilities

The Manager Property and Risk will hold responsibility over this policy.

8. Associated Documents

WSC Operational Plan and Delivery Program
Local Land Services Act 2013
Local Land Services Regulations 2013
Local Government Act 1993

9. Getting Help

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

10. Version Control

Review Date: September 2021 or when relevant legislation changes.
Staff Member Responsible for Review: Manager Property and Risk

Policy Name	Action	Resolution No.	Date
Temporary Grazing Permits Policy	<i>Endorsed</i>	235	16 June 2005
Temporary Grazing Permits Policy	<i>Endorsed</i>	19/1314	19 September 2013
Temporary Grazing Permits Policy	<i>Endorsed</i>		20 February 2014
Temporary Grazing Permit Policy	<i>Endorsed</i>	67/1718	17 August 2017