



LOCAL LAW POLICY

LLP 12 GRAZING OF LIVESTOCK

INTRODUCTION

The Local Law No. 1 of 2018 Community Amenity was adopted by the Council of the Rural City of Wangaratta on 17 July 2018.

This policy sets out the conditions to be considered to permit grazing of livestock while protecting the values of roadsides and Council land.

CONTEXT

Many road reserves have natural vegetation which may be damaged by inappropriate use. Use can be permitted taking into account site values and condition.

SCOPE

All grazing on Council road reserves or other Council reserves. VicRoads reserves are not included.

PURPOSE

This policy will regulate activity on roadsides to control the risk of grazing to vegetation. In some circumstances the activity may not be permitted.

LOCAL LAW

Local Law No.1 of 2018 Community Amenity (Part D).

18. Grazing of Livestock

A person must not, without a permit, undertake Grazing of Livestock on Council Land or a Road.

A person who fails to obtain a permit is guilty of an offence against Local Law No. 1 of 2018 Community Amenity.

Penalty: 2 Penalty Units

A person must comply with:

- (a) any conditions of a permit; and
- (b) any additional requirements or limitations that this Local Law applies to the use or activity.

Penalty: 2 Penalty Units

The Council may grant exemptions from any other requirements or limitations that this Local Law applies to the use or activity.

In deciding whether to grant a permit the Council may take into consideration any of the criteria listed in Part K of the Local Law No.1 of 2018 Community Amenity or criteria listed in this Policy.

Grazing of Livestock

In addition to the requirement to obtain a permit for the grazing of livestock, Council roads may only be used for grazing if the requirements in the Council's *Community Amenity Local Law No. 1 - Local Laws Policies* are observed.

POLICY

DEFINITIONS

Movement of Stock: Movement of stock (during daylight hours and not less than one km per hr) between adjoining or adjacent paddocks or properties as part of normal farming practices. (See Local Law Policy 30 for conditions relating to Movement of Stock.)

Droving of Stock: means a person or persons driving of livestock in or through the municipal district or from one location to another for the purpose of changing their grazing area or for the purposes of sale or relocation after sale but does not include movement of livestock.

Grazing of Stock: means using a road within a particular or designated area in the municipal district for grazing including supplementary feeding rather than for droving or movement of livestock.

Further definitions pertaining to this policy can be found in the Definitions section, Local Law No.1 of 2018 Community Amenity Part A.

LOCAL LAW POLICY

This policy details the conditions that apply to the grazing of livestock.

1. An authorised officer may issue a permit for the grazing of livestock provided that the permission of the Council has been obtained where it is proposed to graze livestock on any declared road.

2. The Council may require a person making an application for a permit to give public notice, which will entitle any person to make a submission and to be heard in accordance with Section 223 of the Local Government Act 1989.
3. A permit issued for the grazing of a road by livestock must contain conditions that:
 - a) require livestock grazing roadsides to be under constant supervision by a person who is competent in the handling of livestock;
 - b) limit the grazing of livestock between the hours of sunrise and sunset;
 - c) require signs conforming with the requirements of the Roads Corporation are in place;
 - d) require appropriate precautions to be taken to ensure that no damage occurs to all road surfaces, road infrastructure, private driveways and to vegetation within a high conservation value road reserve or other area designated as prohibited for grazing in Council's Roadside Conservation Management Plan, and that erosion does not occur as a result of excessive grazing;
 - e) require the immediate removal of livestock where they are causing damage;
 - f) require the Council's interest to be noted on public liability insurance obtained by the owner and that proof of the notation is produced to the Council prior to the commencement of grazing;
 - g) require that an inspector of livestock of the Government agency administering the Livestock Disease Control Act 1994 is notified if the person in charge of the livestock becomes aware or suspects that the livestock or any of them have a disease or dies of a disease that is a notifiable disease under that Act;
 - h) require compliance with any other conditions that may be applied to any special circumstances prevailing in respect of the livestock or the area to be grazed;
 - i) require compliance with any relevant recommendations or guidelines of Council's Roadside Management Strategy and;
 - j) require compliance with any relevant recommendations of the Municipal Fire Prevention Strategy.

RESPONSIBILITIES

Preparation of application for Permit	Applicant
Approval of Permit	Community Compliance Unit
Issue of Permit	Community Compliance Unit
Enforcement	Community Compliance Unit
Decision - Appeals	Review Panel
Maintaining documentation	Community Compliance Unit

MANAGEMENT FRAMEWORK

Appeal of a refusal to grant a Local Laws Permit must be made in writing. Appeals will be considered by Council's Review Panel. This Panel meets monthly and comprises three members of Council's Senior Management Team, including the Director Development Services or the Manager Building, Planning & Compliance.

REPORTING

As required, the Review Panel may submit a report on the effectiveness of a particular Local Law and associated Local Law Policy. An annual report will be submitted to the Audit Advisory Committee detailing demand for Local Laws Permits and implementation of the Local Law Policy.

OTHER INTEGRATION ARRANGEMENTS

Officers will liaise with the Roads Corporation, as appropriate.

REFERENCES

Roadside Conservation Management Plan2014

REVIEW

Any change or update which materially impacts and alters this policy must be by CEO approval following review by the Audit Advisory Committee. Otherwise, this policy will be reviewed annually by the Audit Advisory Committee at a basic level and once every three years at a detailed level. The annual review must be included in the Committee's calendar in conjunction with a scheduled Committee meeting. Following the detailed review, recommendations will be made to the CEO.