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| ADOPTED | VERSION NO | 1.1 |
| COUNCIL MEETING MIN NO 25/24 | REVIEW DATE | FEBRUARY 2027 |
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Objective

To advise applicants for grazing on public road reserves of Council's requirements prior to seeking the issue of a Permits by the Local Land Services.

This type of permit is issued for a short period of time over a specific section of road in times of drought or for hazard reduction.

This policy will assist Council in achieving Theme 4, Goal 4.1 of the Community Plan, 'Connecting our Region High Quality Road Network that is Safe and Efficient'

Legislative requirements

Local Land Services Act 2013 No. 51 – NSW Legislation

Local Land Services Regulation 2014 – NSW Legislation

Crown Lands Act 1989

Policy

Permits for grazing on public roads reserves are obtained through Local Land Services. As part of the application process Local Land Services will seek concurrence from the relevant road authority. In most cases the roads authority will be Council however in the case of a Crown Road concurrence is required from the Minister administering the Crown Lands Act 1989.

Under the Local Land Services Act 2013 No. 51 and Regulation 2014, all applicable fees are collected by Local Land Services, not Council

Council will provide consent to the issue of temporary grazing permits for roads in the Local Government Area under its control pursuant to the Local Land Services Act 2013 No.51 and Regulation 2014, subject to:

Local Land Services Act Section 78 Stock permits authorising certain uses of travelling stock reserves and public roads

1. Any person grazing stock on a road under Council care and control shall take out a Public Liability Insurance Policy to cover any accident that may occur, with a recommended minimum level of indemnity of \$20 million, and such policy shall be suitably endorsed to cover Council.
2. Any condition/requirement imposed by the Local Land Services under the Local Land Services Act 2013 and Regulation 2014.

Council reserves the right to revoke its approval where road or other damage is occurring or is likely to occur.

If road reserves have high priority weed species then access may be denied or delayed to minimise the spread of the weed.

If the road reserve has recently been chemically treated then access may be delayed if withholding periods apply

It is recognised that grazing by domestic stock can severely affect native vegetation and, in particular, can prevent or impede regeneration of native species. At the same time, the droving of stock is often a necessary activity. The droving of stock along road reserves is accepted where it is a legitimate part of property management but, where the road reserves have important native vegetation, the use of alternative routes will be encouraged where this is a practical option;

Where road reserves contain high, medium and/or low conservation value or threatened species, the applicant should flash graze to ensure the least amount of impact on the significant vegetation. In addition, applicants are unable to temporarily fence livestock in these sensitive areas. Council will provide conservation value details if present;

Longer term grazing of roadsides that contain native vegetation is not permitted unless it complies with the relevant conditions in the “Unmaintained Roads Policy” and has been leased from the Council as per the ‘Road Reserve Leasing Policy’.

Local Land Services Act 2013 No. 51 Section 78

78 Stock permits authorising certain uses of travelling stock reserves and public roads

- (1) An authorised officer of Local Land Services may issue a permit (a stock permit) to any person authorising the person to do anything (or omit to do anything) on or in relation to any public road or travelling stock reserve (whether controlled or managed) specified in the permit in respect of stock owned or in the charge of the person and that would otherwise contravene a provision of this Division.
- (2) Without limiting subsection (1), an authorised officer may issue a stock permit authorising a person to do any one or more of the following—
 - (a) enter a controlled travelling stock reserve with stock,
 - (b) remain on a controlled travelling stock reserve with stock,
 - (c) walk stock on a public road or travelling stock reserve,
 - (d) graze stock on a public road or controlled travelling stock reserve.
- (3) A stock permit cannot be issued authorising a person to graze stock (other than travelling stock) on a public road without the concurrence of—
 - (a) in the case of a public road that is not a Crown road—the local authority in which the road is vested, or
 - (b) in the case of a Crown road—the Minister administering the Crown Land Management Act 2016.

Note—Under section 40 of the National Parks and Wildlife Act 1974 the concurrence of the Minister is required before the issue of a permit to graze over a travelling stock reserve within the boundaries of a national park or historic site.

- (4) A stock permit is to be in the approved form.
- (5) Nothing in this section authorises or permits an authorised officer to issue a stock permit authorising a person to do (or omit to do) anything on or in relation to a freeway or tollway within the meaning of the Roads Act 1993.