

# POLICY REGISTER

*Warren Shire Council*

## STOCK CONTROL ON COUNCIL CONTROLLED DEDICATED PUBLIC ROADS

**Reviewed:**

**Amended:**

**Policy adopted:** 24th June, 1999 Min.193.6.99

**File Ref:** P8-3, P4-1, F2-1

## ***I OBJECTIVE***

To provide guidance to the owners /controllers of stock as to Council's requirement for the control of stock on Council controlled dedicated public roads and to provide minimum requirements for the control of stock as are considered necessary to ensure the safety of the travelling public and to protect Council's road network.

## ***II DEFINITIONS***

- **"Road"** - includes all sealed or unsealed roads within the Warren Shire Area that are dedicated public roads in accordance with the Roads Act, 1993 (as amended) and under the control of Council, including fenced and unfenced roads and fenced travelling stock routes.
- **"Stock"** - includes sheep, cattle, horses, camels, goats and pigs.
- **"Travelling Stock"** - stock actually being driven.
- **"Camped Stock"** - stock being agisted on stock routes and private property including all stock not being driven.

## ***III POLICY STATEMENT***

### **A. LEGALITY**

1. This policy takes its statutory authority from the Roads Act, 1993 and Roads Regulation, 1994 (as amended). This policy supersedes all other policies within Council regarding stock control on Council Controlled Dedicated Public Roads.
2. This policy does not alter any provision of the Rural Lands Protection Act, 1989 (as amended).
3. This policy does not alter any provision of the Rural Lands Protection Regulation, 1995 (as amended).
4. This policy does not alter any provision of the Impounding Act, 1993 (as amended).
5. Council reserves the right to vary any requirement of this Policy, if in its opinion, special circumstances occur or additional requirements are necessary.

## **B. CAMPED STOCK AND TRAVELLING STOCK ON ROADS**

1. All camped stock or travelling stock within the Warren Shire area on roads must comply with the following:-

### **1.1 Fenced Roads Including Travelling Stock Routes**

- 1.1.1 No stock are to be permitted on the surface or shoulders of any road other than for the purposes of movement from one side of the road to the other and then only when under control to reduce damage to roads.
- 1.1.2 Stock are to be turned off roads where-ever possible to improve safety.
- 1.1.3 Stock are to be penned at night.
- 1.1.4 Stock are to be attended at all times by a responsible person except in those circumstances set out in Clause 98(10) of the Rural Lands Protection Act, 1989 (as amended) and the Rural Lands Protection Regulation, 1995 (as amended).
- 1.1.5 During periods of wet weather stock are to be kept off the surface or shoulders of roads to reduce damage.
- 1.1.6 Stock warning signs are to be displayed in accordance with Clauses 82-86 of the Rural Lands Protection Regulation, 1995 (as amended).
- 1.1.7 Stock are to be maintained within signs.
- 1.1.8 In all other respects the persons in charge of stock must comply with the provisions of the Rural Lands Protection Act, 1989 (as amended) and the Rural Lands Protection Regulation, 1995 (as amended).

### **1.2 Unfenced Roads Including Travelling Stock Routes**

- 1.2.1 Property owners must erect permanent stock warning signs at the property boundaries with separate signs delineating distances of unfenced roads.
- 1.2.2 Additional stock warning signs are required for travelling stock camped near roads.
- 1.2.3 Stock are to be turned off roads where ever possible to improve safety.
- 1.2.4 During periods of wet weather stock are to be kept off the surface or shoulders of roads to reduce damage.
- 1.2.5 In all other respects the persons in charge of stock must comply with the provisions of the Rural Lands Protection Act, 1989 (as amended) and the Rural Lands Protection Regulation, 1995 (as amended).

### **C. SIGN REQUIREMENTS FOR STOCK ON ROADS**

Council shall require the persons in charge of travelling stock to comply with the requirements for display of stock warning signs as set out in clauses 82-86 of the Rural Lands Protection Regulation, 1995 (as amended).

### **D. PENALTIES**

1. Council may recover costs incurred in repairing a road from the owner of stock who unreasonably allows the stock to cause damage to a Council Controlled Dedicated Public Road.
2. Council may issue a penalty notice against a person who unreasonably causes damage to a Council Controlled Dedicated Public Road by driving animals on the Council Controlled Dedicated Public Road.
3. Stock may be impounded by Council in accordance with the Impounding Act, 1993 (as amended) where those stock have been abandoned, left unattended or are trespassing.
4. Council may issue a penalty notice against a person who leaves an animal or animals unattended in a public place.
5. Stock may be impounded by an Officer of a Rural Lands Protection Board in accordance with the Rural Lands Protection Act, 1989 (as amended) where the stock have been abandoned, left unattended or are trespassing.
6. A Rural Lands Protection Board may issue a penalty notice for a range of offences in relation to, inter alia, unattended and abandoned stock, penning stock at night, the display of stock warning signs and the control of stock while on a Council Controlled Dedicated Public Road or Travelling Stock Reserve.

## ***IV REVIEW DETAILS***

Nil