



MOYNE SHIRE COUNCIL

GENERAL LOCAL LAW NO. 1 OF 2015 – PART 12

GUIDELINES FOR THE ISSUE OF PERMITS FOR ROADSIDE GRAZING OF LIVESTOCK WITHIN THE MOYNE SHIRE MUNICIPAL DISTRICT

1. INTRODUCTION

- 1.1 These guidelines are the policy of Council to be considered prior to the issue of a grazing Permit within the Moyne Shire Municipal District.
- 1.2 Failure to obtain a permit and pay the prescribed fee prior to commencing grazing of livestock within the Municipal District shall attract penalties as described in General Local Law No.1 of 2015.

2. SYNOPSIS

Grazing of road reserves is considered to be an important extension to many farming enterprises. It provides access to substantial areas for grazing and provided it is undertaken within Council's guidelines and with a permit it is seen to be a benefit to both the farmers and the Shire by reducing fire hazards and thus saving slashing expenses.

Although not essential, the first priority to grazing should be given to the adjoining farming enterprise.

Council has imposed restrictions on the issue of grazing permits. These restrictions are to ensure safety of road users, prevent damage to Council property and to reduce the likelihood of damage to other farming enterprise.

The restriction on issuing grazing permits for horses and prohibiting the issue of grazing permits for bulls are in place to help meet these concerns.

3. DEFINITIONS

Council: means the Moyne Shire Council

Grazing of Livestock: means causing livestock to enter and remain on a road or roads within the municipal district for purposes of grazing rather than for purposes of droving or movement of livestock. It relates to grazing a particular or designated area and not to indiscriminate droving for purposes of or including supplementing feeding.

Permit: means a Permit in writing granted under the provision of this Local Law.

GENERAL LOCAL LAW NO. 1 OF 2015 – PART 12

4. OBJECTIVES

- 4.1 To control and regulate the activity of grazing so as to maintain the safety of vehicular traffic along the roads.
- 4.2 To preserve and protect the Council's assets from damage.
- 4.3 To preserve and protect areas of native vegetation and rare and threatened species of flora on road reserves.
- 4.4 To reduce the likelihood of interfering with other farming enterprises.
- 4.5 To reduce wildfire fuel loads and assist local fire brigades maintain strategic and secondary fire breaks.

5. GENERAL CONDITIONS

- 5.1 A permit must be applied for not less than 7 days before the time it is proposed to graze livestock on a roadside within the Municipal District.
- 5.2 A permit application must show the location of the area to be grazed, type and number of animals to be grazed, name and address of owners of abutting land, address and phone number of applicant.
- 5.3 No person shall handfeed any livestock which are being grazed under permit on a roadside within the Municipal District.
- 5.4 No permit shall be issued to graze if it is considered that such grazing will result in any damage to Council property including any road, drain, post or sign.
- 5.5 Any livestock found to be outside the temporary fencing referred to in the Livestock Grazing Application shall be considered to be straying and may be impounded and the permit holder prosecuted.
- 5.6 No person shall permit any livestock unattended on any road or reservation within the Municipal District unless such livestock is secured by fencing and confined to an area with a current grazing permit.
- 5.7 No grazing shall be permitted between sunset and sunrise.
- 5.8 No permit shall be issued for the grazing of horses unless such horses are tethered or otherwise controlled to the satisfaction of the Authorised Officer.
- 5.9 No permit shall be issued for the grazing of bulls.

GENERAL LOCAL LAW NO. 1 OF 2015 – PART 12

5. GENERAL CONDITIONS (cont'd)

- 5.10 Permits will only be issued for Municipal roads, under the management of the Moyne Shire, or roads that authorisation is delegated to the Municipality to issue such permits.
- 5.11 The Council shall not be responsible or liable for any loss or theft or death or for any injury or damage to or by or straying of any livestock grazing under permit, nor for the supply or sufficiency of feed or water.
- 5.12 Council reserves the right to amend or add additional conditions to permits when considered necessary.

6. SPECIFIC CONDITIONS

Native Vegetation

- 6.1 No permit shall be issued for an area which has remnant native vegetation and/or rare and threatened species of flora (Medium or High value areas defined in the Moyne Shire Roadside Conservation Plan), where grazing will be detrimental to biodiversity values of such areas as determined by the Department of Sustainability and Environment.
- 6.2 A Planning Permit may be required before approval is granted to graze an area where remnant native vegetation is present, and where grazing will include the removal or destruction of native vegetation as a result of holding stock in a temporary fence (including an electric fence).

Fire Prevention

- 6.3 Permit holders are to ensure areas are grazed prior to the onset of the fire danger period.

Permit holders must allow members of the Country Fire Authority, Shire Staff, or contractors engaged by the Shire, access to the area if entry is required to undertake works in accordance with the Municipal Fire Prevention Plan/ Roadside Weed and pest animal control plan.

Standards of Fencing

- 6.4 The fence should consist of a minimum of two electric wires and comply with Australian Standards Electrical Installations – Electric Fences AS/NZS 3014, unless approved by an authorised officer.
- 6.5 Electric fences shall be constructed so that posts and wire are clearly visible to motorists and other road users and approved by an authorised officer.

GENERAL LOCAL LAW NO. 1 OF 2015 – PART 12

Standards of Fencing (cont'd)

- 6.6 Electric fences shall be erected at a minimum of one (1) metre behind the guide post line where the guide posts are present unless approved by an authorised officer, or a minimum of one (1) metre behind the graded edge of the road pavement where there are no guide posts unless approved by an authorised officer.
- 6.7 Electric fences shall be identified by clearly visible warning signs (symbol or words indicating electric fence) fastened to fence posts or firmly clamped to the fence wire. Warning sign spacings to be not more than 100 metres apart.
- 6.8 An electric fence once erected shall be removed to the satisfaction of an authorised officer of Council before/at expiry of the grazing permit, unless the grazing permit has been renewed for an extended period; or at the direction of an authorised officer of Council. Failure to comply with such condition or direction may result in removal of the fence by the Council at cost to the permit holder, or both.
- 6.9 Boundary fencing must be retained and maintained at all times.
- 6.10 Fencing must be adequate to retain the stock proposed to be grazed. Details of fencing must be provided with the application. The use of star steel posts is only permitted with the approval of an authorised officer. Details of fencing submitted must include the type of posts, numbers of strands of wire or details of electric fencing. The tops of posts may be required to be fitted with a protective cap or be painted in a light colour to improve night time visibility.
- 6.11 All fencing must be kept in good order. Electric fencing must be energised whilst the area is being grazed.

Insurance

- 6.12 A permit holder must provide a current copy of public liability insurance that includes cover for the loss or damage caused by roaming/straying livestock under care, management or ownership of the permit holder, wherever the livestock may roam/stray. The minimum amount of coverage required shall be not less than \$10 million.