

LOCAL LAW NO. 1 COMMUNITY LIVING 2018

PART 6 – KEEPING OF ANIMALS, BIRDS AND POULTRY

6.7 Droving of Livestock

A person must not drive livestock on any road without a permit.

6.8 Grazing of Livestock

A person must not graze livestock on any road without a permit.

6.9 Movement of Livestock

A person who is in charge of movement of livestock on any road does not require a permit under this Local Law but shall comply with the following requirements:

- (a) ensure all livestock shall reach their destination by the most direct route consistent with the requirements of this Local Law and any direction of an authorised officer;
- (b) ensure livestock are only to be on the road for the time it reasonably takes to move them to their destination;
- (c) ensure, as far as possible, the livestock are moved during daylight hours;
- (d) comply with any direction from an authorised officer with regard to:
 - (i) the route to be followed; and
 - (ii) the protection from damage likely to be caused by livestock to the road, native roadside vegetation, any construction on the road, roadside drainage or private property;
- (e) ensure the livestock are supervised and under effective control by a person who is competent in the management of livestock;
- (f) ensure any livestock excretion, mud or other debris deposits on the road pavement are removed if required by an authorised officer for prevention of danger to other road users; and
- (g) comply with:
 - (i) other legislation, including the *Impounding of Livestock Act 1994*; and
 - (ii) all the requirements of the guidelines prepared by the Roads Corporation and referred to in the *Road Safety Road Rules 2017*.

6.10 Non Application of Clause

The provisions of clauses 6.7 to 6.9 do not apply to:

- (a) livestock being transported by vehicle or other means in circumstances where there is no contact between the livestock and the road; or
- (b) a horse being ridden or led by some attachment.

6.11 Prohibited Roads

- (a) Council may specify roads or parts of roads as prohibited roads.
- (b) A person must not, without a permit, drive, move or graze livestock on a prohibited road.

6.12 Responsibility of Owners or Occupiers

The owner or occupier of any land to or from which livestock are being driven, moved or grazed shall be responsible to ensure:

- (a) adequate surface treatment measures in accordance with Council's requirements are applied between the carriageway and each property access point; and
- (b) a vehicular crossing constructed in accordance with Council's requirements is provided and maintained at points where livestock either enter or exit the land.

6.13 Right of Way

- (a) Travelling livestock (being livestock being driven in accordance with a valid permit) have right of way over other livestock on the road.
- (b) If a person responsible for livestock on a road is notified of the approach of travelling livestock, the person must remove the livestock for which he or she is responsible to an adjoining location or keep them separate from the travelling livestock by means suitable for the purpose.

6.14 Warning Signs

- (a) A person involved in droving, movement or grazing of livestock must ensure that adequate warning of the presence of livestock on the road is given to other road users or potential road users.
- (b) Apart from any other warnings considered appropriate by the person engaged in such activities under sub-clause (a), such person must display signs conforming to guidelines prepared by the Roads Corporation and referred to in the *Road Safety Road Rules 2017*.
- (c) A person involved in droving, movement or grazing of livestock must ensure that any signs referred to in sub-clause (b) are removed from the road at the time of completing such droving, movement or grazing of livestock.
- (d) In addition to complying with any permit or other conditions relating to warning signs to other road users, lighting requirements and the location, size, contents and colour of such devices, the person in charge of livestock must have regard to:
 - (i) any Australian Standards for such purposes;
 - (ii) any other signage necessary for road safety having regard to topography, conditions, livestock type and numbers; and
 - (iii) any other requirements of the Roads Corporation.