



4.05 – DEPASTURING CATTLE POLICY

1. INTRODUCTION

Council will manage the depasturing of cattle on public lands sustainably in accordance with legislation, best land management and environmental practices and in accordance with the plans of management for public reserves.

2. POLICY OBJECTIVE

Specified public lands are available to be grazed by privately owned stock, in accordance with the *Pasturage and Enclosure Act 1949* (NI) and the plans of management for public reserves. Council has a duty of care to minimise risks and hazards to users of lands under Council control.

3. POLICY SCOPE

Noting that the definition of ‘stock’ in the *Pasturage and Enclosure Act 1949* (NI) ‘means horses or cattle’. This policy only manages the depasturing and providing pasturage tags for cattle. At this time Council does not provide common depasturing and pasturage tags for horses.

Council is not responsible for the health and wellbeing of depastured cattle, including cattle health or veterinary services other than where determined in advance.

4. DEFINITIONS

Authorised Officers	The General Manager may appoint persons under sub-sections 9(1)(c), (d), 12(1) and (3) of the <i>Pasturage and Enclosure Act 1949</i> (NI).
Cattle	Steer, heifer or cow over the age of six months.
Cattle Agent	A person nominated by the cattle owner who can and will act for the owner if the owner is not able to attend to his/her cattle.
Cattle Management Committee	The Cattle Management Committee comprises the Conservator, one other Responsible Council Officer and a representative of the Norfolk Island Cattle Association.
Cattle Owner	The owner of cattle, and as the owner makes the application and is issued a right of pasturage.
Conservator	Conservator of Public Reserves.
Depastured	An animal that has right of pasturage granted to its owner.
GHD Report	Calculation of Stocking Rates on Public Lands GHD Report, 18 February 2016
Land / Public Land	Any reserve owned by Council and any other public land owned or managed by Council. Also refer to ‘Right of pasturage’ definition below.
Pound Keeper	The Pound Keeper as appointed under the <i>Pounds Act 1934</i> (NI).
Responsible Council Officers	Conservator, Pound Keeper, Group Manager Services, Manager Infrastructure and Services, Manager Commercial Services.

- Right of pasturage** Means a right to depasture and water cattle on any land (whether the property of a private person or of a corporation or of the Crown) which is not enclosed by a cattle proof fence. (Definition from Pasturage and Enclosure Act 1949). Interpretation of 'fence' in the *Fencing Act 1913* (NI) at sub-section 2(1) – 'includes a cattle proof boundary which may consist of one or more of a wall, ditch or artificial structure or natural obstruction that would, under normal conditions, exclude trespass on land by quiet cattle and horses'.
- Stock Contractor** A person contracted by the Council to deliver services in relation to stock management as required and defined by Council.

5. LEGAL AND POLICY FRAMEWORK

Pasturage and Enclosure Act 1949 (NI)
Public Reserves Act 1997 (NI)
Pounds Act 1934 (NI)
Fencing Act 1913 (NI)
Plans of Management for all public reserves

6. IMPLEMENTATION

6.1 Communication

Council will publish this policy on it's website.

6.2 Associated Documents

- Cattle Pasturage Rights (Tag) Allocation and related matters Procedure
- Application for Right of Pasturage (Tags) Form
- Yearly Pasturage Contacts List (Cattle Owners or Agents and an Alternative Contact)
- Plans of Management for public reserves

7. POLICY

7.1. Setting stocking rates

The areas of public land that will be available for grazing by cattle is determined by the Conservator, applying two important principles:

- Sustainable carrying capacity of those lands based on the 2016 GHD Report 'Calculation of Stocking Rates on Public Lands' adopted by Council on 28 June 2017 resolution 2017/89;
- The appropriateness/sustainability of the land for grazing including taking into account - existing grazing conditions, erosion and soil fertility, slope, landscape and environmental values and land management issues.

7.2. Land Management

If Council, following consultation with the Norfolk Island Cattle Association, determines an area of land is no longer suitable for grazing cattle that determination shall not apply until 1 April of the following year.

7.3. Cattle Management

Cattle management is undertaken by the Cattle Management Committee in conjunction with the Stock Contractor who will ensure:

- that grazing is sustainable and does not/is not damaging the land
- cattle access to fenced areas is controlled
- where appropriate, sensitive areas will be fenced to improve land management

- depastured cattle are monitored, noting/recording tag numbers of the cattle depastured on land/public land
- the drench/delouse for the biannual cattle muster is organised at Council's expense.

7.4. The Pound Paddock

The Pound Paddock is currently located at the corner of Quality Row and Rooty Hill Road Kingston and has been declared to be the Pound under the *Pounds Act 1934* (NI).

- the Pound Paddock is managed by Council under the direction of the Pound Keeper
- the Pound Paddock is available for grazing by the depastured herd, but will be managed so as to maintain sufficient feed should it be necessary to impound beasts
- the Pound Paddock will also be available to cattle owners for mustering cattle.

7.5. Grazing on public land that is not specified for common depasture

From time to time Council may deem it is beneficial to have horses or cattle graze on a section of land it owns, but it may not be able to be accessed by the entire depastured cattle herd. In determining the suitability of this, Council will take the following into consideration:

- all resolutions if passed by Council relating to cattle or other grazing stock
- grazing on the land is compatible with the objectives of the Norfolk Island Plan
- the land, or neighbouring land, would not be subject to erosion or other negative environmental effects
- there is sufficient pasture to provide for the stock that may responsibly be grazed
- the opportunity to graze the land is provided to all in the community by Council following its Procurement Policy and advertising an expression of interest, request for quote or tender process
- a contract to be prepared between Council and the stock owner(s) to clearly outline responsibilities of each party for the duration of the contract.

7.6 Cattle Owner Responsibilities

- Pay pasturage fee(s).
- Ensure the reflective individually numbered tags provided by Council are attached to each head of cattle that has a right of pasturage, and keep it so attached during the time the right of pasturage in respect of that animal is exercised. Calves will be tagged with a calf tag by the age of one month and if the owner wants the calf to remain depastured over the age of six months a right of pasturage tag must be allocated to that calf.
- Notify Council of contact details for a person (also known as a cattle agent) who can and will act for the owner if the owner is not able to attend to his/her cattle.
- Cooperate with and respond to all calls from members of the public, owners of land, police, authorised officers and responsible Council officers relating to his/her cattle
 - the owner or agent of the depastured stock can be contacted (24/7, as necessary) to respond to and deal with any issues relating to his/her cattle to the best of their ability, such as
 - incursions into private property or public lands not specified for depasture;
 - dealing with cattle involved in a motor vehicle collision; or
 - assisting cattle in distress (such as caught in a fence or creek).
- The owner of the depastured cattle is responsible for all appropriate costs incurred by other parties as a result of responding to any issues relating to his/her cattle on private or public lands.
- Manage his/her cattle humanely and in accordance with good cattle management practices to ensure their cattle are at all times in good health and free of disease.
- Ensure cattle has sufficient water: providing water if necessary.
- Ensure cattle has sufficient feed: providing feed if necessary.

- Remove nuisance head of cattle. If nuisance cattle has:
 - entered a restricted area
 - caused damage to fences or property
 - caused a fright to any person, on more than one occasion or caused harm to any person.
- Remove injured cattle.
- Remove carcasses.
- Not erect any fence or other structure on public lands without prior written permission from the Conservator.
- Cattle owner or his/her cattle agent must attend and participate in the twice-yearly muster of depastured cattle.
- Comply with directions given by Authorised Officers or Responsible Officers of Council.
- Reimburse Council for any appropriate costs incurred by Council as a result of any of its officers attending to, or providing, or calling upon the services of any other person to provide any aid in any form to ensure the health and safety of any depastured stock.

8. REVIEW AND VERSION CONTROL

Policy Number	4.05		Responsible Officer	Group Manager Services
Effective Date	21 November 2018		Next Review Date	2021
Version Number	Version	Resolution No.	Effective Date	Version description
	V1	2018/187	21 November 2018	Developed and Adopted