

» straying stock *information for stock owners*

Issued December 2016



» **Stock owners**

Straying stock (i.e. cattle, horses, goats and sheep) can be a problem in rural areas, especially if residents are absent from property for a period of time. Stock owners are obliged to keep their fences maintained, and to keep their stock from straying onto neighbouring properties and/or public land such as roads.

» **Penalty infringement notices**

Council Rangers can help if stock is on a public road and/or on public lands by removing the stock and putting them back into a paddock.

A Penalty Infringement Notice and a Fencing Order under the Local Government Act may be issued to the owner of the land and/or to the person agisting cattle on the land if a problem exists with fencing that immediately adjoins public land and/or stock have strayed onto surrounding public roads.

» **Straying stock on private land**

Straying stock issues that arise from stock wandering from private property to private property, are private concerns between neighbours. Even if stock is damaging property, it is a civil matter between both parties. Council does not get involved in these private matters and it is recommended that affected people in this situation take their own legal advice and/or visit the local Chamber Magistrate to discuss further.

» **Legislation**

Two pieces of legislation that deal with straying stock are the Rural Lands Protection Act 1989 and the Impounding Act 1993. Under the Rural Lands Protection Act, stock is considered to be 'abandoned' if left unattended on a public road or public land. Abandoned or trespassing animals may be impounded by a Rural Lands Protection Board officer or a Council ranger and there is a fee to have them released. A fine also may be imposed.

Occupiers of private land can impound any animals that stray on to it. If they know the owners of the stock they must inform them within 24 hours. Refer to the Impounding Act for further information <http://www.legislation.nsw.gov.au/#/view/act/1993/31>.

» **Care of impounded stock**

An occupier must ensure that any animal kept on their land after it is impounded:

- is provided with adequate food, water and veterinary care, if required;
- is kept in a place that is well drained and maintained in a clean condition;
- is provided with adequate shade for the climatic conditions;
- is kept secure; and,
- is separated from other animals that are diseased or, if the animal is/or appears to be diseased, is kept separate from other animals.

Local Land Services shares responsibilities for stock health with the NSW Department of Primary Industries. If you see any stock that appears to be in ill health and/or have concerns regarding stock contact the Local Land Services, further information is available at www.dpi.nsw.gov.au/locallandservices or at the Lismore (district main office), 79 Conway Street, Lismore NSW 2480, PO Box 16, Lismore NSW 2480, Ph (02) 6621 2317 Fax (02) 6621 2928

» **If you have any questions or concerns please contact:
the Council Rangers, Ph 6686 1210**

