



ESC – C045 – Town Common Policy

POLICY VERSION AND REVISION

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1. PURPOSE

The purpose of this policy is to provide a uniform approach to managing the Shire's Town Commons, for the use of the shires residents.

2. SCOPE

Etheridge Shire Council is the Trustee of Reserves held for public purposes, including its townships' town commons: -

- Georgetown Town Common (remnant parcels)
- Forsayth Town Common
- Einasleigh Town Common
- Mt Surprise Town Common (remnant parcels)
- Durham Town Common
- Cumberland
- Big Reef
- Charleston

Of the Town Commons, only Einasleigh, Forsayth and Georgetown Commons remain under Council's direct control. The other Commons have varying areas under tenure, granted by the Department of Resources.

3. POLICY STATEMENT

3.1. GENERAL PRINCIPLES

It is Council's Policy to:

- Preserve the Town Commons within the Shire, free from any tenure rights granted to third parties by Department of Resources, for the ongoing use and enjoyment of Shire residents
- Acquiring adjoining land to reinstate a useable Town Common for Georgetown, as opportunities present
- Allow eligible shire residents the opportunity to agist livestock on Town Commons, subject to a valid approval issued by Council (no animal shall be depastured on a town common without a current approval).
- Maintain internal fence and water infrastructure where constructed on commons with further development of grazing infrastructure (such as fencing and water points) to be undertaken as funds permit.
- Permit agistment in accordance with this policy and relevant management plan for each individual Town Common.
- The maximum number of livestock permitted per household and per Town Common will be determined by Council
- Travelling livestock are permitted to depasture in accordance with the *Stock Route Management Act 2002*

3.2. ELIGIBILITY

All stock must be the bona-fide property of the applicant.

The residence or non-residence requirements for eligibility to agist on a Town Common is defined in the relevant Town Common Management Plan.

3.3. APPLICATIONS AND APPROVALS

Intending applicants are to submit an Agistment Application Form and supporting information to Council, including but not limited to:

- Brand
- Biosecurity Entity Registration Number
- Proof of Ownership

The Chief Executive Officer or Director of Corporate Services have authority to approve or refuse applications based on this policy.



No animals may be placed on the town common without valid approval, or payment of associated fee(s). Upon grant of approval, the applicant is to pay the applicable agistment fees.

Approval to agist stock on a Common is granted with the expectation that all parties involved will maintain a cooperative and effective relationship.

3.1. CANCELLATION OF APPROVAL & UNAUTHORISED DEPASTURAGE

Failure to observe the policy, any condition of approval or subsequent management plan may lead to the cancellation of the approval. Depending on the breach of condition, Council's CEO may cancel an approval by giving the owner a written notice outlining reasons for cancellation. At the CEO's discretion, the agistee will be given an opportunity to respond to a proposal to cancel their approval for breach of conditions.

Upon cancellation of an approval, the owner must immediately remove all stock from the town common. Any stock remaining on the common after a period of seven (7) days from the effective date of cancellation will be deemed strays, and subject to impoundment by Council under its Local Laws.

Animals found on a common without a valid approval shall be deemed strays, and subject to impoundment under Council's Local Laws.

3.2. TOWN COMMON MUSTERS

Town Common musters will be conducted as per the Town Common Management Plan. Agistees are to assist and cooperate in Town Common musters. Council reserves the right to muster the common with contractors at the agistee's expense.

No unauthorised musters are permitted. Council may notify the Queensland Stock & Rural Crimes Investigation Squad of Town Common musters (if required).

3.3. AGISTMENT FEES

Council set's Agistment fees each year by resolution. Agistment fees are invoiced by Council monthly and shall be paid monthly in advance. Fees that remain unpaid for a period longer than 60 days without substantial financial hardship evidence, will result in cancellation of the owner's approval to agist stock on the common.

Fees won't be charged upon progeny born between common musters. Progeny will be counted at 6 monthly musters, with fees becoming payable from the date of muster.

3.4. NLIS & STOCK MOVEMENT

NLIS

All cattle must be correctly tagged with a NLIS tag and will be scanned and identified before being released onto the common. The list of tag numbers will be attached the agistment application.

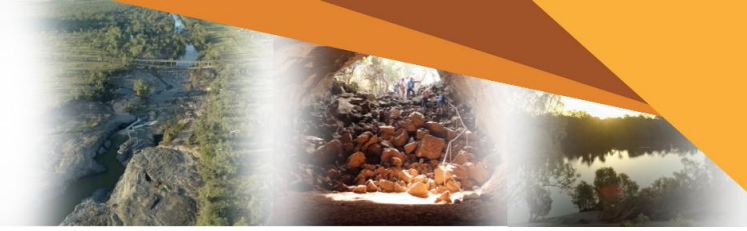
It is the responsibility of the owner to ensure that all NLIS transfers on and off the Common are accurately recorded, with transfer data provided to the Rural Lands Officer for transmission to the NLIS Registry.

Cattle missing NLIS tags, including progeny born between musters must be fitted with an NLIS tag during the muster. The owner remains responsible for accurately recording and providing NLIS data to the Rural Lands Officer or Town Common Ranger (if applicable) for reporting to the NLIS Registry.

Stock Movement

Stock owners are to advise the RLO or Town Common Ranger in writing, at least seven (7) days in advance, of movements or variations to their stock numbers unless urgent circumstances can be proven. A copy of the waybill (NVD) must be shown to the RLO or Town Common Ranger so that the proper adjustments to common records can be made.

Failure to give notice of stock removal will result in agistment being charged up to the date that advice of livestock removal is given, or until the approved agistment period expires.



3.5. OTHER PRINCIPLES

It is the stock owner's responsibility to ensure good welfare practices are implemented and continuously monitored. Stock owners must ensure no diseased, maimed or malnourished stock are placed or left on any Common once identified, as per the *Biosecurity Act 2014*.

4. CONDITIONS OF AGISTMENT

4.1. MANDATORY CONDITIONS

- 4.1.1 Stock owners must observe all relevant legislative requirements at all times including remaining a registered biosecurity entity for the duration of the period of agistment.
- 4.1.2 Stock owners must observe and comply with all policies, management plans and directions given by the chief executive officer (or delegate including **Director of Corporate Services, Rural Lands Officer or Town Common Ranger** if applicable)
- 4.1.3 Stock agisted on a town common remain the responsibility of the registered owner. Council assumes no responsibility or liability for the condition or welfare of stock agisted on the common

4.2. SPECIAL CONDITIONS

- 4.2.1 Council, by resolution, may vary this policy as required including imposing special conditions. E.g. Council may impose requirements including mandatory vaccination to enhanced biosecurity measures in the event of an outbreak within the shire, or within close proximity.

5. ROLES & RESPONSIBILITIES

Council

Etheridge Shire Council has legislated power for the governance of its local government area. This grants Council decision making power over the resources under its control, in this instance, the land under Council's trusteeship and public monies for the operation and development of the town commons and the infrastructure built thereon. Council's decision making is to be guided by the local government principles and be in the current and future interests of residents of the local government area.

Chief Executive Officer

The CEO's role in administering council policies involves implementing the policies set by Council and ensuring they are effectively executed. This includes overseeing operations, allocating resources and ensuring compliance with regulations while ensuring alignment with organisational goals.

Director of Corporate Services

The Director of Corporate Services manages the corporate and administrative functions related to rural land management. Their responsibilities include approving agistment applications, ensuring compliance with council policies, and overseeing the financial and operational aspects of rural land use. The Director provides strategic guidance to the Rural Lands Officer, monitors performance, and ensures the efficient use of resources. They also report to the CEO on progress, manage budgets, and liaise with other departments and stakeholders to support the council's rural land objectives, ensuring sustainable land use and proper governance.

Rural Lands Officer

The Rural Lands Officer is responsible for implementing and managing the council's Town Common policy. They ensure that the land is used in accordance with the policy, focusing on land access, environmental sustainability, and proper land use. The officer monitors activities on the common land, ensuring compliance and addressing any violations. They provide advice to the council on land management issues, report on the condition of the land, and recommend necessary policy adjustments. Additionally, the officer engages with the community and stakeholders, ensuring the sustainable use of the land while addressing concerns and promoting effective management practices. The Rural Lands Officer will maintain the Register of Agistment Approvals and co-ordinate musters.



Town Common Ranger (if applicable)

The Town Common Ranger is responsible for managing the council's Town Common areas. They monitor the land usage in accordance with the policy, focusing on land access, environmental sustainability, and proper land use. The officer monitors activities on the common land, ensuring compliance and addressing any violations. They conduct regular inspections, maintain infrastructure, and report any issues, damage or unauthorised grazing to the Rural Lands Officer, Director of Corporate Services or Chief Executive Officer. The Town Common Ranger plays a key role in ensuring land accessibility while fostering positive relationships with local residents and stakeholders.

Agistees

Agistees are to comply with the conditions of their approval to agist livestock on a town common, and any direction given by Council. Agistees are to respect the rights of others to use the Town Common, especially travelling stock traversing the State's Stock Route Network. Agistees are required to use the land sustainably, preventing overgrazing and damage including adhering to animal welfare. Agistees are responsible for the care, feeding and management of their livestock. They must pay the agreed agistment fees and may be required to maintain the land and infrastructure such as fences and water sources. Agistees must also report any issues or damage to Council.

6. DEFINITIONS

Agistment: A written approval from Council granting a stock owner grazing use of a town common.

Big Reef Town Reserve: described as Lot / Plan. L13 GH101

Cumberland Town Common: described as Lot / Plan. 24/GB100

Cumberland Water Reserve: described as Lot / Plan. 21C153517

Einasleigh Town Common: described as Lot / Plan. 21/CD4, 38/GB22, 40/GB97
PIC No. QIER0120

Etheridge Stock Routes: PIC No. QDER8000

Etheridge Shire Council: Registered Biosecurity Entity (RBE) for Georgetown Rodeo Grounds and Common, Etheridge Stock Routes, Einasleigh Common. ID details: RBE155209

Forsayth Town Common: described as Lot / Plan. 34/AP11612, 5/AP11612, 2/SP287759, 1/AP21262, 3/AP22305, 4/AP11612, 12/GB98, 1/AP22305, 10/AP22315, 149AP11612, 14/SP323729 - (South of Georgetown to Forsayth Road at Queenslander Creek)

Area for Charleston Dam Water Reserve: described as Lot/Plan. 14/SP323729, 15/SP287759

Georgetown Town Common: described as Lot / Plan. 54SP217473, 9/SP266610, 8/SP266610, 6/SP206970, 1/SP288858, 8/GB86, 12/GB89, 98/SP329448, 5SP206971, 994/SP258857, 1SP343211, 2SP343211, 30SP206959. PIC No. QBER0128

Durham Township Town Common/Reserve: described as Lot / Plan. 19/SP296232, 21/SP296232

Household: The person's principal place of residence and includes all family members living therein.

Livestock: a general description of animals depastured under an Agistment Approval. The term includes: cattle, horses, goats, sheep, donkeys / mules, llamas, alpacas, buffalo etc. The term is interchangeable with Stock.

Mt Surprise Town Common: described as Lot / Plan. 38/SP252513, 1/SP252513, 6/SP252513, 7/SP252513, 8/SP252513, 40/SP252513, 39/SP252513, 2SP252513, 3SP252513, 4SP252513, 5/SP252513, 1SP252513, 10/SP252513, 14SP129833

NVD: National Vendor Declaration Form



Rig(s): A male horse carrying either one or two testicles concealed in its abdomen, making it visually appear to be a gelding, while behaving like a stallion.

RLO: Council's Rural Lands Officer

Stock: refer Livestock

Unhandled: A horse that cannot be caught, led or tied up.

7. RELATED LEGISLATION, DOCUMENTS AND REFERENCES

Local Government Act 2009

Local Government Regulation 2012

Animal Care & Protection Act 2001

Environmental Protection Act 1994

Stock Route Management Act 2002

Biosecurity Act 2014

Land Act 1994

Local Law No. 2 – Animal Management

Subordinate Local Law No. 2 – Animal Management

PLN001 – Einasleigh Town Common Management Plan

NWQROC Regional Biosecurity Plan

Agistment Application Form

8. REVIEW

This Policy shall be reviewed every 2 years.