

What to do if you find livestock on your property

Straying stock (i.e. cattle, horses, goats and sheep) can be a problem in rural areas, especially if the residents are absent from the 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 public lands by removing the stock and returning them to a paddock.

A penalty infringement Notice and a Fencing Order under the Local Government Act 1993 may be issued to the owner of the land and/or the person agisting livestock 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 court 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 may also 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 Impound Act 1993 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.

