

1. Policy Purpose

The objective of the policy is to provide Council with a strategic, consistent and comprehensive approach to assessing applications and managing approvals to graze Council owned freehold land.

2. Policy Scope

This policy applies to requests to graze Maranoa Regional Council owned land.

This policy does not apply to applications to graze trust land, reserves, stock route agistment permits or stock route travel permits.

3. Definitions

Council Land	Land owned by Council.
Trust Land	As per the <i>Land Act 1994</i> , land comprising a reserve or deed of grant in trust.
Reserve	Land set aside for a community purpose or public purpose under the <i>Land Act 1994 (Qld)</i> .
Expression of Interest	The process used by Council to determine the most suitable applicant for vacant Council owned land under a licence agreement.
Tender	Process of going to the external market with the intent of inviting offers to use land under a lease agreement.
Evaluation criteria	Measures that will be used by the evaluation panel for selecting the most appropriate response to an approach to market.
Lease	An agreement whereby Council conveys to a Lessee, in return for a payment, the right to use Council land for an agreed period of time.
Licence	An agreement whereby Council conveys a contractual right to occupy or use Council owned land for an agreed payment amount for an agreed period of time.

4. Policy Details

Council owns freehold land suitable for grazing of livestock. Where land is deemed surplus to operational requirements, Council may opt to offer the land for grazing of cattle, horses or sheep under a lease or licence arrangement.

With consideration for its legislative obligations, Council may invite the public to submit an offer to graze the land via tender or expression of interest process.

5.0 Standard Conditions for Grazing

5.1 Tenants Responsibilities

- Stock the Land with their own cattle, horses (other than a stallion or rig), or sheep in such number as is agreed between the tenant and Council.
- The number of stock will be determined as to prevent damage to the grassland, considering the type, quality, productivity and drainage of the soil.
- Ensure an adequate supply of water is always available.
- Maintain the boundary and internal fences to stock-proof standard.
- Comply with all laws, standards and guidelines on animal welfare, bio-security and stock management and prevent animals straying away from the Land.
- Comply with any limitations on stocking density, mowing, fertilising, spraying and other management conditions imposed by Council as a local government authority.
- Slash the paddock if not grazed to a level satisfactory to Council.
- Keep the Land clean and free from noxious weeds.
- Not allow animal manure to accumulate and cause nuisance to neighbouring properties.
- Make sure all vaccinations and other treatments required by good husbandry have been given to animals at the appropriate times prior to delivery of the animals to the Land and also during agreement period.
- Remove the carcass immediately if any animal dies on the Land.
- Maintain the state and condition of the land.
- Maintain any fences, gates, locks, structures and other fixtures or installations in the condition in which they were at the commencement of the agreement.
- Maintain water infrastructure and pipework located within the area.

- Maintain the area free of all declared (notifiable) weeds and pests.
- Maintain coverage of \$20,000,000 public liability insurance annually.

5.2 Restrictions on Tenants

In grazing the land, the tenant must not:

- Construct any building or structure on the Land.
- Deposit or bury any rubbish on the Land.
- Accumulate or allow to accumulate anything on the Land, the accumulation of which could contravene any law, rule or regulation.
- Bring onto or allow to remain on the Land any animal infected with a contagious or notifiable disease. The tenant must notify Council immediately if any animal suffers or has been in contact with any significant or notifiable sickness, disease or injury.
- Introduce any disease affecting the Land.
- Bring onto or store on the Land any goods whatever except goods connected with the tenant's grazing of the Land.
- Contaminate or obstruct any waterway running through or adjacent to the Land.
- Obstruct any easement or private or public right of way or any access by any other party to any other land belonging to Council.
- Construct or maintain road accesses without Council's written permission.
- Cause a nuisance to Council or any other person. If complaints are made by neighbouring properties, Council reserves the right to discuss this with the tenant and make reasonable actions to address the issue if verified (excessive dust, encroachment of stock on boundary etc).

Council reserves the right to undertake 6 monthly inspections or compliance checks. Council will issue the tenant with a notice to make rectifications.

6.0 Allocation of grazing

Applications to graze Council land will be assessed on merit in accordance with Council's strategic direction and operational requirements. A market rate of rental will apply. Council has the right to waive or reduce the rental amount.

Where grazing rights are invited via tender or expression of interest, Council will evaluate submissions on the following criteria.

- Plans for the site (intended stock use and stocking numbers)
- Lease price offered to Council
- Contribution to the local economy

Council will have the option of allocating previous/existing tenants +/- 5% overall loading in recognition of the previous/existing tenant's performance in managing the land and paying grazing fees to Council.

7.0 Standard Term of Lease / Licence Agreements

- Grazing leases 2 years with an option for a further 2 years.
- Grazing licences - 2 years.
- Dargal Road Paddocks (Licences) – 2 years.

8.0 Cancellation of Lease / Licence Agreements

- Council reserves the right to cancel the grazing agreement if the policy requirements are not met.

9.0 Related Policies and Legislation

Land Act 1994

Local Government Act 2009

Local Government Regulation 2012

Local Law No. 1 (Administration) 2011

Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011

Maranoa Planning Scheme

Procurement Policy 2020

Chief Executive Officer

Date: / /