

The devil is in the stock on roads detail

At its latest committee meeting, East Gippsland Community Action Group discussed processes being undertaken by East Gippsland Shire Council towards a shire permit system to control movement of stock on roads.

Farmers at the previous general meeting had raised concerns as to the lack of demonstrated need for the new permit system because under current VicRoads management, providing persons moving stock put out the required signage, onus is on drivers, not shire or farmers. As evidenced from the time before its removal in 2005, the permit system would be costly to administer not just to farmers but with shire budget needing to fill the considerable underfunded component, the group claims.

The group said there has been a lack of transparency in the process so far, with "minimal advertising for public input and serious concern with the lack of information as to permit requirements - not available on the shire's website or at the shire offices".

The group said persons wishing to make a submis-

sion have "little idea of the shire's intentions, fee structure or insurance requirements - a complex field when third parties are included. The only figure officially stated is of the \$1000 fine for a first offence".

Linette Treasure, a farmer from Buchan, said the shire's requirement for indemnity on policies could be a legal minefield.

"After inquiries to two major farm insurers I was told separate policies could not be created to cover movement of stock on roads - one company offering only partial cover - for grazing on farm nature strips - but this had to be attached to a whole of farm insurance, annual cost around \$600. The other company would not enter the area, its spokesperson suggesting that rather than trying to tack on third party clauses and police hundreds of farm policies, it would be more efficient for the shire to take out its own cover. Then he added, 'but why bother when VicRoads already has it covered'."

There are many areas of uncertainty, the group claims: with a requirement to have insurance indemnifying the shire, farmers could be

forced to take out a much wider cover that has nothing to do with stock on roads.

Further to this, a Local Law has no right to go beyond or duplicate powers of other Acts - which it would seem to be doing by moving into VicRoads jurisdiction, the group proposes.

A shire officer recently quoted, (in the *Advertiser*), selective legal advice to justify the new permit system, but requests for public access to the full advice have been denied.

"It's really important that people making submissions know what is intended," group vice president, Janiece Grenfell, said.

"How else can the public - and the councillors - make considered judgements? Without allowing full information, it's treating submissions with contempt. And if council approves it as it is, it can be made up on the run - it's an open cheque."

Members of the group are now in discussion with the Victorian Farmers Federation requesting that peak body to approach the Minister of Local Government to halt the current process until it can be recommenced with full details provided.