TOWN COMMON – RESERVE LAND POLICY

Policy Version 8.0

Category: Management

Adopted: 21 May 2026

Phone 07 4657 2666
Address PO Box 288, Winton, QLD, 4735

Town Common – Reserve Land Policy

Purpose

The purpose of this policy is to provide clear and consistent guidelines for the management of tenure arrangements on Reserve Land within Winton Shire Council's local government area commonly referred to as "Town Commons".

Scope

This policy applies to all Town Common Reserve Land in Winton Shire Council's local government area where residents seek to agist or graze their livestock on Reserves for which Council is the Trustee and will be applied in accordance with the relevant legislative requirements and consistently with this Policy.

Definitions

The following definitions are provided for the purpose of interpretation and application of this policy.

Term	Definition
Adult Equivalent	The standard measure for grazing loads in extensive grazing areas. Generally, the measure unit is based on a 450kg Steer at maintenance.
Agistment	means the use of Reserve Land for grazing of Livestock.
Corfield Clubs	means any not-for-profit club or association that is operating in the Corfield township.
Land Act	means the *Land Act 1994* (Qld), as amended from time to time.
LPA	is the Livestock Production Assurance program, which is an on-farm assurance program that underpins food safety, biosecurity and market access for Australian red meat.
Livestock	means the cattle and/or horses of the applicant, including the young progeny thereof.
NLIS	National Livestock Identification System.
Reserve Land	refers to land dedicated as a reserve under the Land Act, and includes Lot 17 on MK44 (Corfield); Lot 22 on G24982 and Lot 21 on G250245 (Middleton); and Lot 118 on AE151 (Winton).
Steer	means a male animal that has been neutered.
Stock Route	means a road or route that is ordinarily used for travelling stock, or another road or route identified as a stock route on the stock route map, and includes the Reserve Land, pursuant to the *Stock Route Management Act 2002*.
Town Common	refers to the general reference given to the Reserve Land within Winton Shire Council's local government area for which the purpose allows for the agistment of Livestock.

Policy statement

Reserve Land is Trust Land pursuant to the Land Act, which is owned by the State. Winton Shire Council (**Council**) has been appointed as Trustee of the following Trust Land with the associated purpose for each Reserve:

- **Corfield:**
  - Located on Lot 17 on MK44
  - Purpose: Camping and Water
- **Middleton**
  - Located on Lot 22 on G24982 and Lot 21 on G250245
  - Purpose: Camping and Water
- **Winton**
  - Located on Lot 118 on AE151
  - Purpose: Pasturage

Section 46 of the Land Act outlines Council's administrative functions as Trustee of the Reserve, which includes broadly:

- managing the trust land in a way that is consistent with achieving the purpose for which the land was dedicated as a reserve;
- controlling pest plants and animals;
- protecting and maintaining, so far as is reasonable, all improvements on the trust land (which includes fencing);
- complying with its duty of care for the land; and
- complying with any directions of the Minister.

As Trustee, Council is required to manage and maintain the Reserves in a way that is consistent with the purpose of the Trust Land. The purpose of the 'Town Commons' is for pasturage or camping and water, and the use of the Reserves for grazing or livestock agistment is a use that is consistent with the purpose of each Reserves.

Each Reserve is part of Council's Stock Route Management Network and they are reserves for travelling stock requirements. Council has developed a Stock Route Management Plan pursuant to the *Stock Route Management Act 2002*, which provides guidance on the sustainable management and improvement of Stock Routes within the Winton Shire.

As part of managing the Trust Land, the Land Act allows Council to issue either a Trustee Lease or a Trustee Permit for purposes that are consistent, or in the case of a Trustee Permit, not inconsistent, with the purpose of the Reserve.

Council will allow the use of the Reserve Land for the purposes of agistment of Livestock in the following circumstances:

(a) Where multiple applicants seek to use the Reserve for agistment purposes on a non-exclusive basis, Council will allow a 1-year Trustee Permit to be issued to successful applicants.

(b) Where an applicant seeks to use the Reserve for agistment purposes on an exclusive basis, Council will consider whether a Trustee Lease is appropriate, with all of the costs associated with registration of the Trustee Lease to be paid by the applicant.

Eligibility

1. Owners of livestock wishing to agist cattle and/or horses on any Reserve Land must fully complete Council's application form with all of the required details and supporting documentation required.

2. A person is eligible to apply if:

   (i) the person is a resident ratepayer or occupier living in the township where the Reserve Land is located (for example, to apply to agist livestock on the Winton Reserve, the person must reside in the Winton township with specific eligibility provisions for Corfield and Middleton contained in clauses 6 and 7);

   (ii) the property is the applicant's principal place of residence;

   (iii) the person does not have any overdue debts with Council at the time of application and prior to approval;

   (iv) the person does not own or have grazing land that has a carrying capacity for livestock of more than the limits allowed for under this policy;

   (v) the person is the lawful owner of the livestock, as Council will not permit livestock to be agisted on the Reserves for other residents, relatives or individuals;

   (vi) the person only applies for no more than the maximum carrying capacity specified in clause 3 and 4 below;

   (vii) the person is a Registered Biosecurity Entity pursuant to the *Biosecurity Act 2014*;

   (viii) the person must be accredited with the LPA; and

   (ix) the person complies with the NLIS and all cattle are clearly branded with a registered brand in the applicant's name and ear tagged with an identification number.

3. The criteria for carrying capacity and number limitations for cattle on each Reserve are as follows:

   (a) Corfield Reserve – 40 head of cattle;

   (b) Middleton Reserve – 75 head of cattle; and

   (c) Winton Reserve – 35 head of cattle.

4. The number of Horse permitted on the Reserves will be at the discretion of Council, but they must:

   (a) be identifiable;

   (b) not be unhandled over six (6) months of age; and

   (c) not be an entire horse, that is, they must be castrated if over the age of six (6) months.

5. Each successful applicant will be permitted to have one (1) bull on the Reserve Land, in addition to the maximum numbers outlined above.

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6. **Middleton Reserve Land**

(a) Council acknowledges the important link between agistment conditions for the Middleton Town Common and the financial operations and viability of the Middleton Hotel. As such, Council has determined the special eligibility criteria and conditions for the current owner or operator of the Middleton Hotel (**Middleton Applicant**) to use the Middelton Reserve for agistment purposes to assist in supporting the long-term sustainability of the Middleton Hotel.

(b) The Middleton Applicant:

(i) must comply with the eligibility criteria above, except for clause 3(b);

(ii) will be permitted to apply for up to 300 Adult Equivalent (subject to subclause (d) below); and

(iii) will not be charged agistment fees for the first 100 head of Livestock, however, the balance of Livestock numbers seeking to be agisted on the Middleton Reserve will be payable in accordance with Council's Fees and Charges Schedule;

(iv) must comply with the Application Process and, if successful, enter into Council's Trustee Permit on Reserve Land, and comply with the conditions.

(c) The above special eligibility criteria only applies whilst the Middleton Hotel continues to operate on a regular basis as defined in the Memorandum of Understanding with the owner or operator.

(d) If a new resident(s) moves into the Middleton township and they make application for agistment of up to 75 Adult Equivalent head, then the Middleton Applicant will be required to reduce their Livestock numbers to ensure only a 300 Adult Equivalent head limit is maintained on the Middleton Reserve at all times.

7. **Corfield Reserve Land**

(a) The Eligibility criteria above applies to all Corfield Clubs, except for clause 2(i) and (ii).

(b) The following additional criteria applies, and replaces any eligibility criteria above where inconsistent:

(i) Corfield Clubs are entitled to have 5 head of cattle each on the Corfield Reserve Land and will be required to pay the set agistment fees; and

(ii) All Livestock must be desexed.

Application Process

1. An eligible person may apply to Council to agist livestock on the Trust Land.

2. The NLIS electronic ear tag numbers must be provided to Council on the application form. The preferred method of providing this data is by providing an uploaded file with the relevant Stock ID numbers. Should other NLIS devices be used, these must be able to be scanned by Council Officers.

3. Council Officers will assess the application and, if successful, applicants will be granted a one (1) year Trustee Permit to agist livestock on the Trust Land in accordance with Council's standard terms for a Trustee Permit on Reserve Land.

4. Council will manage the arrangements in accordance with the terms of the Trustee Permit.

Roles and responsibilities

The Chief Executive Officer, Director of Works and the Rural Services Manager are responsible for ensuring compliance with this policy and the application and Trustee Permit approval process.

All successful applicants who become Permittees under a Trustee Permit with Council are expected to adhere to all aspects of this policy. Any breaches of the terms of the Trustee Permit will be addressed in accordance with those terms.

Related Council documentation

- Biosecurity Management Plan
- Stock Route Management Plan
- Trustee Permit – Reserve Land Application Form
- Trustee Permit – Reserve Land Change Notification Form

Legislation, Recognised Authorities, and Other Sources

- *Animal Care and Protection Act 2001*
- *Biosecurity Act 2014*
- *Biosecurity Regulation 2016*
- *Environmental Protection Act 1994*
- *Local Government Act 2009*
- *Local Government Regulation 2012*
- *Nature Conservation Act 1992*
- *Stock Route Management Act 2022*
- Stock Route Management Strategy 2021-2025 (and subsequent versions)
- Town commons records: Research Guide to town commons records at Queensland State Archives
- National guide to describing and managing beef cattle in low body condition
- Duty of care to agisted animals

Review of Policy

This policy will be reviewed every three years and remains in force until amended or repealed by resolution of Council.

Record of amendments and adoptions

Date	Version	Reason for amendment	Date adopted by Council & Resolution Number
November 2019	1.0	Drafted for Council adoption	November 2019 25.11.19
August 2020	2.0	Addition of operational rule	August 2020 20.08.10
October 2020	3.0	Special conditions for Middleton Common	October 2020 20.10.30
February 2021	4.0	Addition of supplements	January 2021 21.01.05
April 2022	5.0	Review, including special conditions for Corfield Common	21 April 2022 22.04.20
August 2022	6.0	Review of policy	15 September 2022 22.09.16
January 2025	7.0	Review of policy	20 February 2025 25.02.23
May 2026	8.0	Amendment of policy	27 May 2026 2026/179