

Animal Transport Accidents

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Policy Statement

Transport accidents involving animal carriers, usually livestock, are managed under NSW emergency management and rescue arrangements and in accordance with animal welfare legislation. Local Land Services (LLS) and other Agriculture and Animal Services Functional Area (AASFA) supporting organisations provide support in emergencies involving animals.

Scope

This policy applies to personnel of [Local Land Services](#), and participating and supporting organisations engaged in emergency management activities under NSW State Emergency Management Plan (EMPLAN). Local emergency management arrangements apply according to the local emergency management plan (Local EMPLAN).

Requirements

Authority

1. NSW Police are the combat agency and control transport accident scenes including those involving animals, except where dangerous goods are involved.
 - a. LLS and other AASFA supporting agencies/organisations provide support during traffic accidents involving animals. [Where possible and requested by NSW Police, LLS staff will attend transport accidents involving livestock. For the purpose of this policy and related procedure, livestock are cattle, pigs and small ruminants.](#)
 - b. AASFA agencies/organisations command their own personnel at accident scenes.
 - c. For accidents involving animals that are not livestock, an alternate veterinarian (other than LLS) should be sourced. [Where NSW Police have exhausted alternate options of local supporting agencies/organisations or specialist expertise, LLS may attend to provide support to NSW Police.](#)
2. Destruction of animals can be conducted without consent of 'person in charge of the animals' by inspectors (from NSW Police, RSPCA NSW, Animal Welfare League) and veterinarians where it is cruel to keep the animal alive in accordance with *Prevention of Cruelty to Animals Act 1979* (POCTA).
 - a. Section 24I – inspectors can examine animals.

- b. Section 24J – inspectors may destroy injured animals where it is cruel to keep it alive.
 - c. Section 24M – inspectors can obtain assistance to destroy animals.
 - d. Section 26AA – a veterinarian may destroy or cause to be destroyed injured animals where it is cruel to keep it alive.
 - e. Competent persons, such as Local Land Services officers, can assist inspectors (Section 24M), and operate under the direction of a veterinarian (Section 26AA) to destroy injured animals where it is cruel to keep alive.
3. Destruction of animals on animal welfare grounds can be conducted by an inspector, veterinarian and competent person when consent is available from the ‘person in charge of the animals’.
4. **Assessment of animal/s for destruction should take into consideration:**
- a. the welfare of the animal
 - b. the value of the animal
 - c. the ability to triage
 - d. treatment options available by a private veterinary practitioner
 - e. the owner’s consent
 - f. the obligations and authorisations under the POCTA.
5. Any LLS staff undertaking animal destruction will be appropriately licenced and trained. Staff will be trained in correct firearm use, humane destruction of livestock, authorised under the business licence and have a current firearms licence with the appropriate endorsement of “Animal Welfare” as a genuine reason.

Animal ownership

6. NSW Police or delegate establishes and maintains contact with the ‘person in charge of the animals’ which may be the driver of the vehicle, stock owner (according to transport manifest) or the transport carrier.
- a. [LivestockASSIST](#) (collaboration between Australian Livestock and Rural Transporters Association and National Transport Insurance) provide a 24 hotline and a network of local contacts with expertise and equipment needed to recover stock from a vehicle, round up escaped animals and provide veterinary services information.
7. ‘Person in charge of the animals’ is to be notified and give consent to treat or destroy animals, and transport fit animals to another location.
- a. When the ‘person in charge of the animals’ cannot be notified, inspectors, veterinarians and competent persons ensure animal welfare according to point two above.

Animal management

8. Where animal welfare is compromised, agencies are to be engaged according to the Local Emergency Management Committee (LEMC) consequence management guide (CMG) for transport accidents involving animals.
9. Personnel experienced in handling animals must have suitable personal protective equipment especially where handling injured animals to assist in their assessment.
- a. Local Council personnel can assist in animal management and traffic issues.
 - b. Local Land Services can assist in animal management.
10. Straying animals must be mustered to prevent injury, loss and traffic accidents.

- a. Animals can be temporarily held on roadsides, private land with the permission of the owner (as there maybe biosecurity issues), and travelling stock routes (TSRs) with the permission of Local Land Services.
11. Carcass collection and removal procedures, personnel and resources required will be affected by size, number and jurisdiction.
 - a. Local council can provide advice, resources and access to disposal sites.
 12. Transport and management of remaining animals is the responsibility of the animal owner.
 - a. Stock must be assessed as fit to transport. When in doubt, a veterinarian must be consulted and then only transport under veterinary advice.
 13. Numbers of deceased (due to the accident), destroyed (on animal welfare grounds), injured and uninjured are to be collated, recorded and provided to NSW Police officer in command.

Staff Management

14. In the event of an accident occurring within the flexitime bandwidth of 6am to 10pm, Monday to Friday, then the provisions of the LLS Flexible Working Hours Agreement will apply. Staff are reminded to have a meal break at intervals of no greater than 5 hours.
15. In the event of an after-hours accident, LLS staff will be recalled to work and paid the appropriate payments in accordance with *Clause 32 of the Local Land Services Award 2013*. When staff are recalled to work, and have a meal break at no greater than 5 hours, will receive a ½ hour unpaid meal break and the overtime meal allowance in accordance with *clause 34 and 35 of the Award*.
16. Prior to being recalled, staff must declare any information that may lead to adverse risks, e.g. alcohol consumption, illness/injury or excessive work hours.

Cost recovery and reporting

17. Responding agencies/organisations are responsible for their own costs and cost recovery from the relevant transport insurance.
 - a. No reimbursements are available for non-insured transport carriers.
 - b. The General Manager (or delegate) is responsible for determining if it is appropriate to claim expenses and if applicable, submitting the expense report to the insurance company.
 - c. Where regions decide to recover costs, the following will apply:
 - Vehicle costs: Vehicle costs will be charged at the c/km fleet rate (variable depending on vehicle)
 - Staff costs: Staff costs are claimed based on a standard rate (\$100/hour) for all staff that attend the scene.
18. Local Land Services personnel who attend transport accidents involving animals must provide a situation report to the *Department of Primary Industries (DPI) State Emergency Coordinator and State Operations Local Land Services* post-accident.

Procedures

- LLS procedure – Animal transport accidents.

Roles and responsibilities

- *Agriculture and Animal Services Functional Area Coordinator: Accountable for emergencies involving animals in NSW and reports to State Emergency Management Committee.*

- *Competent person*: Responsible for the humane destruction of an animal
- *DPI State Emergency Coordinator*: Collates and reports animal emergencies to the DPI Executive Emergency Management Committee.
- *Local Land Services personnel*: Attends transport accidents involving livestock, in accordance with local arrangements, and reports attendance to DPI State Emergency Coordinator and State Operations Local Land Services.

Safety considerations

Rescue of people and scene management including safety occurs according to existing emergency management and rescue arrangements and takes precedent over rescue of animals. Risk assessments should consider fatigue, working around large vehicles and near roadways, fire, use of firearms, zoonotic diseases, stress, handling distressed and injured animals and animal biosecurity.

Delegations

- Nil

Definitions

- **Animals**: includes any animal/s transported by a vehicle requiring a coordinated response
- **Consequence Management Guide (CMG)**: a hazard specific document which provides agreed emergency management arrangements in a 'checklist' concept, and forms part of the Regional and/or Local Emergency Management Plan
- **Combat agency**: the agency identified in the State Emergency Management Plan as the agency primarily responsible for controlling the response to a particular emergency.
- **Competent person (to destroy animals)**: means a person licenced to safely discharge firearms or administer other technique to humanely destroy animals
- **Consent**: Permission from the 'person in charge of the animals' which is recorded (i.e. record of a verbal conversation, a text message, an email or other record)
- **Inspector**: means an officer (other than a police officer) who is the holder of an authority issued under subsection (2) that is in force, or a police officer. Subsection (2) - the Minister, or the Secretary or a Deputy Secretary of the Department, may issue an officer with an authority for the purposes of this Division and may revoke any such authority. (POCTA, Section 24D)
- **Livestock**: cattle, pigs, small ruminants (sheep, goats and alpacas)
- **Situation report**: a report on the current emergency situation in a particular area or emergency (known as a sitrep).

Legislation

- [Prevention of Cruelty to Animals Act 1979](#)
- [State Emergency and Rescue Management Act 1989](#)

Related policies

- [Emergency management – DPI/LLS alliance \(policy IND-O-201\)](#)
- Local Land Services procedure – Animal transport accidents
- [Managing biosecurity and natural disaster emergencies \(policy IND-O-205\)](#)

Other related documents

- Local Land Services policy – Firearms
- Local Land Services procedure – Firearms
- [A national guide to the selection of animals fit to transport](#)
- [DPI Livestock injured in transport accidents](#)
- [Prevention of cruelty to animals \(land transport of livestock\) standards 2013](#)
- [Agriculture and Animal Services Functional Area \(AASFA\) supporting plan](#)
- CMG Template – Transport accidents involving animals

- [Guide – Implementing consequence management guide \(CMG\) for transport accidents involving animals](#)
- [LLS Flexible Working Hours Agreement](#)
- [Local Land Services Award 2013](#)

Revision history

Version	Date	Notes	By
1	02/11/2016		Emily Kearns
2	05/02/2019	Updated policy to reflect DPI/DOI policy and use of CMGs by LEMCs	Steve Eastwood

Review date

3 years from the date of issue, unless a need is identified sooner.

Contact

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