

Management of animal transport accident responses

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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 NSW Department of Industry, government agencies, 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 for 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.
 - b. AASFA agencies/organisations command their own personnel at accident scenes.
 - c. For accidents involving animals that are not livestock, alternate veterinarian (other than LLS) should be sourced.
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'.

Animal ownership

4. 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.
5. '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

6. 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.
7. 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.
8. 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.
9. 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.
10. 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.
11. 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.

Cost recovery and reporting

12. 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.
13. 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 – Attendance at truck accidents requiring assessment and destruction of injured livestock.

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

- 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
- 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)
- Combat agency: the agency identified in the State Emergency Management Plan as the agency primarily responsible for controlling the response to a particular emergency.
- 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 policy – Livestock transport incidents
- Local Land Services policy - Livestock transport incidents: Cost recovery
- [Managing biosecurity and natural disaster emergencies \(policy IND-O-205\)](#)

Other related documents

- [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](#)

Superseded documents

This policy replaces:

- TI-O-158 Version 1.0 Department of Primary Industries Management of livestock transport accident responses

Revision history

Version	Date issued	Notes	By
1.0	15/01/15	New policy	Veterinary Officer Animal Welfare
2.0	20/02/18	Clarified responsibilities	Emergency Management Officer

Contact

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