

New England Rail Trail

**General Risk Assessment and Biosecurity Risk
Assessment**

and

Risk Mitigation Plan

This Risk Assessment and Risk Mitigation Plan is based on the Strategic Risk Assessment developed by Murray Local Land Services for the Tumbarumba Rail Trail and has been adapted by NERT and incorporates advice from Northern Tablelands Local Land Services to meet the requirements of the New England Rail Trail.

Version Date: 30 June 2019

Introduction

Description

The New England Rail Trail is a trail that is built on a former railway corridor between Armidale and Glen Innes for passive recreational use. Because it follows the original train line the trail is of a gentle grade which is ideal for recreational cycling and walking. The trail and has the added benefit passing through picturesque countryside and historical towns and villages.

The trail is suitable for walking and for use by mountain bikes, electric bikes, prams, children's scooters and wheelchairs. It allows for two-way passage. No horses, camels, or un-leashed dogs are allowed on the trail.

Legislation and Governmental issues

With the passing of an act by both houses of NSW Parliament to close the rail corridor on (..date) , the land reverted to Crown Land and is managed by the Armidale Regional Council and Glen Innes Severn Council. Users of the trail are covered by Armidale Regional Council and Glen Innes Severn Council insurance as is available for all other ARC/GISC managed areas.

Graziers' Access and Crossings

Graziers' access rights and lease arrangements are maintained. Graziers who lease grazing portions of the corridor are responsible for the management of weeds and pests on their leases.

Trail management arrangements include the management of weeds on the actual trail.

The trail is enclosed with fencing along both sides of the trail pavement within the corridor.

To allow for grazing stock to move across the rail trail from one side of the corridor to the other for grazing and for watering, crossings are provided as needed with stock grids to prevent stock from entering the rail trail. Where practical, underpasses are available to allow stock to cross from one side of the corridor to the other without impacting the trail.

Where the rail trail crosses from one paddock to another, gates with automatic closing features and stock grids are provided to allow walkers and cyclists to move along the trail.

Where the trail crosses high level bridges extra solid fencing is provided on the sides of the bridges.

Where the trail crosses roads, usual pedestrian safety features are installed.

General and Biosecurity Risk Assessment and Mitigation Plan

NERT has prepared this General and Biosecurity Risk Assessment and Mitigation Plan (the Plan) for the rail trail between Armidale and Glen Innes to help identify and manage risks and meet its biosecurity duties.

The plan describes both general and biosecurity risks in one table. The risks are set out under the following headings:

- Livestock Health and Welfare
- Human Health and Safety
- Pest Animals
- Plants and Weeds
- Economic Concerns
- Political/Public Concerns

The *Biosecurity Act 2015* is the key reference legislation for the biosecurity aspects of this plan. The *Biosecurity Act, 2015* establishes the following 'biosecurity duties':

1. a general biosecurity duty,
2. duties relating to prohibited matter, and
3. a duty to notify biosecurity events.

The general biosecurity duty can be found in Part 3 of the Act. Specifically, section 22 of the Act provides:

Any person who deals with biosecurity matter or a carrier and who knows, or ought reasonably to know, the biosecurity risk posed or likely to be posed by the biosecurity matter, carrier or dealing has a biosecurity duty to ensure that, so far as is reasonably practicable, the biosecurity risk is prevented, eliminated or minimised.

Plan Review

This plan will be subject to ongoing review. Any aspect of the risk assessment, implementation plan or processes referred to in the plan will be subject to review when relevant information becomes available, or an event indicates a review is required. An annual audit will be conducted to test the plan's compliance with legislation, the application of the plan, and the effectiveness of the plan.

Risk Framework

A risk assessment has been applied to assign a level of risk to an identified hazard. In this process two factors are determined – the likelihood of occurrence of the risk (Table 1) and the consequences that result from an occurrence of the risk (Table 2). These factors are outlined below.

Risk is estimated as a product of likelihood and consequence (Table 3). Risks are highest when both likelihood and consequences are high. However, risks may be low even if the consequence is 'extreme' but the likelihood is 'rare'; or even if likelihood is 'almost certain' but the consequence is 'insignificant'.

Table 1: Likelihood Descriptors

	Likelihood	Description
A	Almost Certain	Will occur often
B	Likely	Likely to occur
C	Possible	Could occur but more than likely it will not
D	Unlikely	May occur only in unusual circumstances
E	Rare	Will occur only under exceptional circumstances

Table 2: Consequence Descriptors

	Level	Description
5	Extreme	Significant large-scale illness/injuries/deaths of animals on multiple properties or irreversible environmental damage/loss.
4	Major	Considerable illness/injuries/deaths of animals on multiple properties or considerable environmental damage or loss requiring extensive remediation.
3	Moderate	Some illness/injuries to animals on multiple properties or some negative environmental impact requiring remediation.
2	Minor	Limited illness/injuries to animals on a single property or some short-term and/or well-contained environmental effects requiring minor remediation.
1	Insignificant	No illness/injuries to animals or Low environmental effects within single property boundaries.

Table 3: Risk Matrix

		Likelihood				
		E. Rare	D. Unlikely	C. Possible	B. Likely	A. Almost Certain
Consequence	5. Extreme	Medium	High	High	Very High	Very High
	4. Major	Low	Medium	High	High	Very High
	3. Moderate	Low	Medium	Medium	High	High
	2. Minor	Low	Low	Medium	Medium	Medium
	1. Insignificant	Low	Low	Low	Low	Medium

Risk Assessment and Mitigation Plan

Risk	Perceived Risk Rating	Risk Rating After Action	Action to Address risk
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Livestock Health and Welfare

A. Trail users introduce exotic animal diseases	C5 High	E3 Low	<ol style="list-style-type: none"> 1. Position signs at access points reminding people of their General Biosecurity Duty and the penalties for breaches of the <i>Biosecurity Act 2015</i>. 2. Position signs at access points to the trail instructing people to deposit rubbish and biosecurity matter in bins provided. Regular emptying of bins to be carried out by Local Government as part of routing waste collection. 3. Provide bins at access points to the trail that fully enclose rubbish so that scraps cannot be recovered or scavenged by birds/animals. 4 Position signs at access points to the trail instructing people to have no contact with animals and to warn of trespass and biosecurity obligations and risks. 5. Include biosecurity risk and responsibilities in the rules for use of the rail trail. Include warnings about food scraps, human waste, animal waste, soil, seeds, organisms and people who have been outside Australia in the last 7 days. 6. Position signs at access points to the trail reminding people of the existing trespass laws which prohibit entry of rail trail users onto private land.
B. Trail users introduce non-endemic animal diseases	D3 Medium	E3 Low	<ol style="list-style-type: none"> 1 Position signs at access points to the trail instructing people to have no contact with animals and to warn of trespass and biosecurity obligations and risks. 2. Construct fencing along each side of the trail to reduce contact between animals and trail users and to prevent stock from entering the rail trail from adjoining paddocks. 3. Position signage at access points to the trail to indicate wheels and shoes must be clean and free of dirt and vegetable matter before entering the trail. 4. Include biosecurity risk and responsibilities in the rules for use of the rail trail. Include warnings about food scraps, human waste, animal waste, soil, seeds and organisms. 5. Position signs at access points reminding people of their General Biosecurity Duty and the penalties for breaches of the <i>Biosecurity Act 2015</i>. 6. Position signs at access points to the trail reminding people of the existing trespass laws which prohibit entry of rail trail users onto private land. 7. Ensure that an emergency response plan is in place which includes closure of the trail during a disease emergency. 8. Consult with adjoining farmers around specific biosecurity risks on their farms and any additional measures which may need to be considered

Specific Risk	Perceived Risk Rating	Risk Rating After Action	Action to Address risk
C. Trail users spread established diseases between farms	D3 Medium	E3 Low	<ol style="list-style-type: none"> 1. Position signs at access points to the trail instructing people to have no contact with animals and to warn of trespass and biosecurity obligations and risks. 2. Position signs at access points to the trail reminding people of their General Biosecurity Duty and the penalties for breaches of the Biosecurity Act. 3 Position signs at access points to the trail reminding people of the existing trespass laws which prohibit entry of rail trail users onto private land. 4.Ensure that an emergency response plan is in place which includes closure of the trail during a disease emergency
D. Animals move and spread established diseases between farms	D3 Medium	E3 Low	<ol style="list-style-type: none"> 1. Construct gates and/or grids at the border of farms with identified biosecurity risks. 2. Provide fencing along the boundary of the rail trail with crossings created where stock or vehicles need to move between each side. These crossings must be designed after consideration of the biosecurity risks specific to the situation. 3.Position signs at access points to the trail reminding people of the existing trespass laws which prohibit entry of rail trail users onto private land. 4 Ensure that an emergency response plan is in place which includes closure of the trail during a disease emergency.
E. Livestock is released from the containment of their paddock or otherwise enter the rail trail	B4 High	E3 Low	<ol style="list-style-type: none"> 1.Include gates along the trail that allow stray stock to be easily moved off the trail 2 Provide locks on the gates along the trail for extra security so that land holders and council are the only ones who can open them. 3 Position signs at access points to the trail reminding people of the existing trespass laws which prohibit entry of rail trail users onto private land. 4. Ensure that processes are in place for alerting owners of stock if they are on the rail trail. 5.Advise farmers that they should prevent stock access to trail and monitor compliance
F. Trail users act cruelly towards livestock on adjacent farms.	D2 Low	E2 Low	<ol style="list-style-type: none"> 1 Position signs at access points to the trail instructing people to have no contact with animals and to warn of trespass and biosecurity obligations and risks. 2.Position signs at access points to the trail reminding people of the existing trespass laws which prohibit entry of rail trail users onto private land. 3. Provide signage at access points to the trail to remind people of the <i>Prevention of Cruelty to Animals Act</i> to improve farm animal welfare.

Specific Risk	Perceived Risk Rating	Risk Rating After Action	Action to Address risk
G. Rail trail fences prevent stock accessing watering points located on the other side of the rail trail.	A3 High	E2 Low	<ol style="list-style-type: none"> 1. Farmers construct new watering points where needed to provide water to stock on both sides of the rail trail. 2. Create crossings or underpasses where stock or vehicles need to move between each side of the trail
H. Pets on rail trail attack farm animals	D3 Low	E2 Low	<ol style="list-style-type: none"> 1. Erect signage at access points to the trail which includes directives that dogs must be on leash and under control of owner at all times and that all animals other than domestic dogs are prohibited on the trail. 2. Ensure the Local Council monitors stray dog activity on the trail and responds promptly to any notifications of the presence of stray dogs. 3. Display phone number of Council Dog Catcher prominently at access points to the trail to encourage reporting of stray dogs or misuse of the trail.
I. Faeces from pet dogs spread parasites and diseases along the trail which could transfer to adjoining properties.	C3 Medium	D2 Low	<ol style="list-style-type: none"> 1. Provide dog poop bags at access points to the trail for trail users. 2. Erect signage to direct pet owners on the trail to pick up their dog droppings and deposit them in bins provided.
J. Rail trail users frighten livestock in adjacent paddocks	C2 Low	E2 Low	<ol style="list-style-type: none"> 1. Position signs at access points to the trail instructing people to have no contact with animals and to warn of trespass and biosecurity obligations and risks. 2. Provide signage at access points to the trail to advise of appropriate behaviour when on the trail, e.g. not making excessive noise that may frighten stock along the trail. 3. Erect signage at access points to the trail which includes requirement for trail users to maintain control of dogs on leashes and prohibition of horses and other animals on the trail. 4. Position signs at access points to the trail to advise that motorbikes, quadbikes and cars are not allowed on the rail trail.
K. Landholder's stock are contaminated with residues from railway line.	C3 Medium	E3 Low	<ol style="list-style-type: none"> 1. Conduct soil tests on any areas deemed to be high risk for residue contamination, especially where earth works occur. Remediate any affected areas as part of the rail trail construction phase. 2. Construct fencing along each side of the trail to prevent stock being exposed to railway residues.

Specific Risk	Perceived Risk Rating	Risk Rating After Action	Action to Address risk
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Human Health and Safety

L. Trail users access pest animal baits laid by landholders close to the trail	C3 Medium	D2 Low	<ol style="list-style-type: none"> 1. Erect signage at access points to the trail which includes warnings regarding the possibility of baiting occurring in the area. 2. Adjoining farmers have a responsibility to adhere to the requirements for notification, signage and restrictions for safe use of pesticides as per the Control Order for 1080 Bait Products.
M. Rail trail users contract zoonotic disease along the rail trail	D4 Medium	E3 Low	<ol style="list-style-type: none"> 1. Position signs at access points to the trail instructing people to have no contact with animals and to warn of trespass and biosecurity obligations and risks. 2. Provide hand washing and toilet facilities for rail trail users at major rest areas along the trail.
N. Rail trail users are injured by livestock	D4 Medium	E3 Low	<ol style="list-style-type: none"> 1. Position signs at access points to the trail instructing people to have no contact with animals and to warn of trespass and biosecurity obligations and risks. 2. Ensure that procedures are in place to minimise the time that stray stock are on the trail. 3. Provide contact numbers on signage for people to report stray stock. 4. Ensure that fences are monitored and maintained and free of hazards.
O. Rail trail users are injured by fencing	C3 Medium	D2 Low	<ol style="list-style-type: none"> 1. Fencing along the rail trail boundary to be appropriate for controlling stock, but not dangerous to people (appropriate use of barbed or electrified wires). 2. Ensure that fences are monitored and maintained and free of hazards.
P. Faecal contamination of the rail trail from stray stock causes WHS risks to users.	B3 Medium	D2 Low	<ol style="list-style-type: none"> 1. Provide fencing along the boundary of the rail trail with crossings created where stock or vehicles need to move between each side. These crossings must be designed after consideration of the biosecurity risks specific to the situation. 2. Ensure that procedures are in place to minimise the time that stray stock are on the trail. 3. Provide contact numbers on signage for people to report stray stock.
Q. Cyclists and pedestrians are injured in road accidents where the trail crosses public roads.	C5 High	D4 Medium	<ol style="list-style-type: none"> 1. Avoid road crossings where vehicle speeds are high and/or visibility is low. 2. Install signs to warn motorists of crossings. 3. Create crossing infrastructure such as gates or crib crossings for trail users where the trail crosses a roadway.
R. Reduced privacy in buildings and properties adjacent to rail trail	A2 Medium	C2 Low	<ol style="list-style-type: none"> 1. Include landholders in planning through a consultation process in line with principles of the NSW Government's right to farm policy.
S. Trail users are exposed to herbicides used on the trail or adjacent land.	B3 Medium	D2 Low	<ol style="list-style-type: none"> 1. Ensure that Council spraying protocols are followed and that these include reducing spray drift, use of low risk chemicals and practices and informing adjacent landholders of planned spray events. 2. Landholders have a responsibility to follow 'good practice' principles for chemical use including signage where appropriate.

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Pest Animals

T. Rail trail acts as burrow site for rabbits	C2 Low	D2 Low	1 Ensure that Council monitors and maintains rabbit control in the corridor.
U. Foxes, pigs, and wild dogs are attracted by food scraps on rail trail	D2 Low	D2 Low	<ol style="list-style-type: none"> 1 Provide bins at access points to the rail trail that fully enclose rubbish so that scraps cannot be recovered or scavenged by birds/animals. 2.Ensure that bins are emptied regularly so that scraps cannot be recovered. 3.Include biosecurity risk and responsibilities in the rules for use of the rail trail. Include warnings about food scraps, human waste, soil, seeds, organisms and people who have been outside Australia in the last 7 days. 4.Ensure Local Council monitors dog activity and responds promptly to any notifications of stray dogs on the trail.

Plants and Weeds

V. Weeds are transferred along the corridor from other properties and from outside the corridor	C3 Medium	E2 Low	<ol style="list-style-type: none"> 1. Include biosecurity risk and responsibilities in the rules for use of the rail trail. Include warnings about food scraps, human waste, soil, seeds, organisms and people who have been outside Australia in the last 7 days. 2. Position signage at access points to the trail to indicate that wheels and shoes must be clean and free of dirt and vegetable matter before entering the trail. 3. Position signs at access points to the trail reminding people of the existing trespass laws which prohibit entry of rail trail users onto private land.
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Economic Concerns

W. Farmers will have less access to previously leased land in rail corridor	B2 Medium	C2 Low	1.Consult with farmers to explain how the rail trail itself will not reduce grazing land in the corridor.
X. Decreased land value due to negative impact of rail trail	C2 Low	C1 Low	<ol style="list-style-type: none"> 1 Publicise reports from other rail trails showing that rail trails have had a neutral or positive impact on land values. 2.Encourage positive media around the rail trail to ensure it is perceived as an opportunity rather than a threat. 3.Support landholders adjoining the rail trail to encourage productive businesses that can benefit from the rail trail where possible.

Specific Risk	Perceived Risk Rating	Risk Rating After Action	Action to Address risk
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Y. Disruption to farming practices due to paddocks being cut and access to creeks and water supplies restricted	A3 High	E2 Low	<ol style="list-style-type: none"> 1 Consult and negotiate with the adjoining landholders regarding fencing requirements along the rail trail. 2. Consult and negotiate with the adjoining landholders regarding stock access mechanisms so that stock can access land on either side of the trail where required.
Z. Risk of bushfire caused by rail trail users and subsequent loss of stock, vegetation, and fencing.	C4 High	E2 Low	<ol style="list-style-type: none"> 1 Provide facilities for safe cigarette disposal at rest points along the trail. 2. Ensure that the rail trail is maintained in good order to reduce the build-up of vegetation along the sides of the trail. 3. Ensure that a Trail Management and Maintenance Plan is developed and implemented. 4. Ensure that an Emergency Response plan is developed and implemented. 5. Include Emergency Services in planning phase to reduce fire risk and consequences of fire response. 6. Include adjacent farmers in planning to improve awareness of fire management procedures.
AA. Spray drift from herbicides used to control weeds on trail impacts adjoining land or contaminates produce.	C3 Medium	D2 Low	<ol style="list-style-type: none"> 1. Ensure that Council spraying protocols are followed and that these include reducing spray drift, use of low risk chemicals and practices and informing adjacent landholders of planned spray events.

Political/Public Concerns

BB. A biosecurity incident occurs along the rail trail.	D3 Medium	E2 Low	<ol style="list-style-type: none"> 1. Ensure that biosecurity risk mitigation actions are implemented and monitored. 2. Ensure that Government agencies include rail trail in their current emergency management plans.
CC. Landholders' concerns about biosecurity are not addressed.	B4 High	D2 Low	<ol style="list-style-type: none"> 1. Ensure that biosecurity risk mitigation actions are implemented and monitored. 2. Consult with LLS to assist to identify biosecurity risks.

Summary of Actions to Mitigate Risks

1. Position signs at access points to the trail reminding people of their General Biosecurity Duty and the penalties for breaches of the *Biosecurity Act 2015*.
2. Position signs at access points to the trail instructing people to deposit rubbish and biosecurity matter in bins provided.
3. Provide bins at access points to the rail trail that fully enclose rubbish so that scraps cannot be recovered or scavenged by birds/animals. Regular emptying of bins to be carried out by Local Government as part of routing waste collection.
4. Ensure that bins are emptied regularly so that scraps cannot be recovered.
5. Position signs at access points to the trail instructing people to have no contact with animals and to warn of trespass and biosecurity obligations and risks.
6. Include biosecurity risk and responsibilities in the rules for use of the rail trail. Include warnings about food scraps, human waste, soil, seeds, organisms and people who have been outside Australia in the last 7 days.
7. Position signs at access points to the trail reminding people of the existing trespass laws which prohibit entry of rail trail users onto private land.
8. Construct fencing along each side of the trail to reduce contact between animals and trail users and to prevent stock from entering the rail trail from adjoining paddocks.
9. Position signage at access points to the trail to indicate that wheels and shoes must be clean and free of dirt and vegetable matter before entering the trail.
10. Position signage at access points to the trail that reminds people of their responsibility around fire prevention during fire danger period.
11. Ensure that an emergency response plan is in place which includes closure of the trail during a disease emergency.
12. Consult with adjoining farmers around specific biosecurity risks on their farms and any additional measures which may need to be considered for the rail trail.
13. Construct gates and/or grids at the border of farms with identified biosecurity risks.
14. Provide fencing along the boundary of the rail trail with crossings created where stock or vehicles need to move between each side. These crossings must be designed after consideration of the biosecurity risks specific to the situation.
15. Include gates along the trail that allow stray stock to be easily moved off the trail.
16. Provide locks on the gates along the trail for extra security so that land holders and council are the only ones who can open them.
17. Use signage to publicise farm trespass laws and ensure these laws are enforced.
18. Ensure that processes are in place for alerting owners of stock if they are on the rail trail.
19. Advise farmers that they should prevent stock access to trail and monitor compliance.
20. Provide signage at access points to the trail to remind people of the *Prevention of Cruelty to Animals Act* to improve farm animal welfare.
21. Construct new watering points where needed to provide water to stock on both sides of the rail trail.
22. Create crossings or underpasses where stock or vehicles need to move between each side of the trail.

23. Erect signage at access points to the trail which includes directives that dogs must be on leash and under control of owner at all times and that all animals other than dogs are prohibited on the trail.
24. Ensure the Local Council monitors stray dog activity on the trail and responds promptly to any notifications of the presence of stray dogs.
25. Display phone number of Council Dog Catcher prominently at access points to the trail to encourage reporting of stray dogs or misuse of the trail.
26. Provide dog poop bags at access points to the trail for trail users.
27. Erect signage to direct pet owners on the trail to pick up their dog droppings and deposit them in bins provided.
28. Provide signage at access points to the trail to advise of appropriate behaviour when on the trail, e.g. not making excessive noise that may frighten stock along the trail.
29. Position signs at access points to the trail to advise that motorbikes, quadbikes and cars are not allowed on the rail trail.
30. Conduct soil tests on any areas deemed to be high risk for residue contamination, especially where earth works occur. Remediate any affected areas as part of the rail trail construction phase.
31. Construct fencing along each side of the trail to prevent stock being exposed to railway residues.
32. Encourage adjoining farmers adhere to the requirements for notification, signage and restrictions for safe use of pesticide as per the Control Order for 1080 Bait Products.
33. Erect signage at access points to the trail which includes warnings regarding the possibility of baiting occurring in the area.
34. Provide hand washing and toilet facilities for rail trail users at major rest areas along the trail.
35. Ensure that procedures are in place to minimise the time that stray stock are on the trail.
36. Ensure Local Council monitors dog activity and responds promptly to any notifications of stray dogs on the trail.
37. Provide contact numbers on signage for people to report stray stock.
38. Ensure that fences are monitored and maintained and free of hazards.
39. Fencing along the rail trail boundary to be appropriate for controlling stock, but not dangerous to people (appropriate use of barbed or electrified wires).
40. Avoid road crossings where vehicle speeds are high and/or visibility is low.
41. Install signs to warn motorists of crossings.
42. Create crossing infrastructure such as gates or crib crossings for trail users where the trail crosses a roadway.
43. Include landholders in planning through a consultation process in line with principles of the NSW Government's right to farm policy.
44. Ensure that Council spraying protocols are followed and that these include reducing spray drift, use of low risk chemicals and practices and informing adjacent landholders of planned spray events.
45. Ensure landholders follow 'good practice' principles for chemical use including signage where appropriate.
46. Ensure that Council monitors and maintains rabbit control in the corridor.

47. Consult with farmers to explain how the rail trail itself will not reduce grazing land in the corridor.
48. Publicise reports from other rail trails showing that rail trails have had a neutral or positive impact on land values.
49. Encourage positive media around the rail trail to ensure it is perceived as an opportunity rather than a threat.
50. Support landholders adjoining the rail trail to encourage productive businesses that can benefit from the rail trail where possible.
51. Consult and negotiate with the adjoining landholders regarding fencing requirements along the rail trail.
52. Consult and negotiate with the adjoining landholders regarding stock access mechanisms so that stock can access land on either side of the trail where required.
53. Provide facilities for safe cigarette disposal at rest points along the trail.
54. Ensure that the rail trail is maintained in good order to reduce the build-up of vegetation along the sides of the trail.
55. Ensure that a Trail Management and Maintenance Plan is developed and implemented.
56. Ensure that an Emergency Response plan is developed and implemented.
57. Include Emergency Services in planning phase to reduce fire risk and consequences of fire response.
58. Include adjacent farmers in planning to improve awareness of fire management procedures.
59. Ensure that biosecurity risk mitigation actions are implemented and monitored.
60. Ensure that Government agencies include rail trail in their current emergency management plans.
61. Consult with Local Land Services to assist to identify biosecurity risks.

Note: The initial draft of this plan was reviewed by Northern Tablelands Local Land Services on 28 June 2019 and all recommended modifications have been incorporated in the plan.