

Stock Route Network Management Bill 2011

Report No. 8

Transport and Local Government Committee

February 2012

Transport and Local Government Committee

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Abbreviations

DERM	Department of Environment and Resource Management
DTMR	Department of Transport and Main Roads
LGAQ	Local Government Association of Queensland
MAT	Mobile Assessment Tool
PTO	Permit to Occupy
RIS	Regulatory Impact Statement
SRMS	Stock Route Management System
the bill	Stock Route Network Management Bill 2011
the committee	Transport and Local Government Committee
the panel	Stock Route Advisory Panel

Chair's foreword

This report presents the findings of the Transport and Local Government Committee's examination of the Stock Route Network Management Bill 2011 referred by the Queensland Legislative Assembly to the committee on 7 September 2011.

The bill seeks to provide a clear, contemporary and cost effective management of the stock route network for its primary purpose of stock driving, both users and the managers of the network, whilst also recognising and protecting the other significant attributes of the network such as a resource for grazing of stock and for biodiversity corridors and cultural heritage.

The policy objectives of the bill are:

- to ensure that the day to day management of the stock route network is cost-efficient and reflects the benefits flowing to users;
- that significant attributes such as biodiversity and cultural heritage are protected; and
- that the requirements of travelling stock continue to be provided for into the future including by maintaining the continuity of the network and improving the capacity to support adaptation to climate change.

The committee received 10 written submissions on the bill and held a public briefing with key departmental staff on 26 October 2011. The committee heard evidence from witnesses at two public hearings held in Brisbane and Longreach. The committee heard support for the proposed legislation to be passed. There were contrasting views, however, on a number of issues including: the new classification system for stock routes; the level of fees to be charged; static grazing on the stock route network; and the revenue distribution to local governments.

The committee recognises the historical significance of stock routes in Queensland and the valuable role they play for the pastoral industry and protecting biodiversity. Recognising the primary purpose of stock routes for travelling stock, the committee has recommended that further guidance be provided to local governments to meet their new management responsibilities especially in relation to data compilation, pasture management and revenue distribution. The committee recognises that divergent views still exist regarding static grazing and the proposed fee level and recommend that the Minister for Finance, Natural Resources and the Arts and the Department of Environment and Resource Management continue to consult with stakeholders to reach an efficient and equitable outcome.

On behalf of the committee I would like to thank those people that participated in the public consultation process, and in particular, those witnesses and observers that took the time to travel to Longreach for the public hearing. I also thank committee members for their deliberations and work in compiling this report. Additionally, the committee secretariat has provided excellent support for the committee and other stakeholders throughout this inquiry process.



Jo-Ann Miller MP
Chair

Recommendations

Recommendation 1 **8**

The committee recommends that the Stock Route Network Management Bill 2011 be passed subject to the Queensland Legislative Assembly agreeing to the amendments recommended in this report.

Recommendation 2 **9**

The committee recommends that the Minister for Finance, Natural Resources and the Arts, before the bill is debated, table the proposed fee structure or the proposed regulation for the information of the House when debating the Stock Route Network Management Bill 2011. Additionally, Ministers should table, or make available to a parliamentary committee, the proposed fee structure when introducing a bill that contains new proposed fees or fee structures.

Recommendation 3 **13**

The committee unanimously recommends that the Stock Route Network Management Bill 2011 be amended to recognise the concept of land connectivity, for the primary purpose of moving stock, as a significant attribute of the stock route network.

Recommendation 4 **15**

The committee unanimously recommends that the Department of Environment and Resource Management undertake a comprehensive valuation of the stock route network in Queensland which evaluates the network's grazing, environmental and non-market values.

Recommendation 5 **20**

The committee recommends that the Department of Environment and Resource Management provides appropriate training and practical guidance to local governments in relation to the collection of data of travelling stock.

Recommendation 6 **23**

The committee unanimously recommends that the Stock Route Network Management Bill 2011 be amended to include provisions relating to supervision and insurance of stock without a travel permit.

Recommendation 7 **24**

The committee recommends that as a guiding principle, drovers should be entitled to a minimum of two rest days every month, if the length of travel is greater than one month.

Recommendation 8 **26**

The committee unanimously recommends that the Stock Route Network Management Bill 2011 be amended to allow a grazing permit to be renewed once, for a further 6 weeks only (up to a maximum of 12 weeks), or be made to a different applicant.

Recommendation 9 **27**

The committee unanimously recommends that the Department of Environment and Resource Management clarify the requirements for unsurveyed land and grazing authorities to ensure local councils are aware of their responsibilities for the issuance of grazing authorities.

- Recommendation 10** **29**
- The committee unanimously recommends that the Department of Environment and Resource Management continue to consult with the Local Government Association of Queensland and other stakeholders to ensure that local governments have adequate flexibility to manage pasture, particularly in times of low travelling stock.
- Recommendation 11** **29**
- The committee unanimously recommends that the Stock Route Network Management Bill 2011 be amended to omit reference to road surface from clause 218.
- Recommendation 12** **30**
- The committee unanimously recommends that the Stock Route Network Management Bill 2011 be amended to extend the minimum grazing authority period from three months to one year.
- Recommendation 13** **33**
- The committee unanimously recommends that clause 119 of the Stock Route Network Management Bill 2011 be amended to include supervisory requirements for stock movements not requiring a travel permit
- Recommendation 14** **36**
- The committee recommends that the revenue distribution be reviewed on a regular basis to ensure that local councils are receiving adequate funding to manage the stock route network.
- Recommendation 15** **36**
- The committee recommends that the Queensland Auditor-General review the fee structure, once it has been in place for 12 months, to ensure that there is a direct correlation between the revenue raised and the management and maintenance costs of the stock routes.
- Recommendation 16** **42**
- The committee unanimously recommends that the Stock Route Network Management Bill 2011 be amended to insert the word 'under' prior to 'section 160(3),' in clause 161.

Points for clarification

Point of clarification 1

12

The committee seeks clarification from the Minister for Finance, Natural Resources and the Arts regarding the guidance that will be developed to support local governments in the implementation of the Stock Route Network Management Bill 2011 and the consultation process to be followed.

Point of clarification 2

22

The committee seeks clarification from the Minister for Finance, Natural Resources and the Arts regarding the consultation process the Department of Environment and Resource Management intends to undertake with respect to drafting guidelines on pasture management for local governments and the timeframe in which this is intended to occur.

Point of clarification 3

24

The committee seeks clarification from the Minister for Finance, Natural Resources and the Arts regarding how local governments can implement two rest days for drovers for travel greater than one month.

Point of clarification 4

32

The committee seeks clarification from the Minister for Finance, Natural Resources and the Arts regarding how the consultation process on the grazing authority fee is to be conducted and the timeframe for this consultation.

Point of clarification 5

35

The committee seeks clarification from the Minister for Finance, Natural Resources and the Arts regarding whether revenue collected by local governments is returned to the state and placed into consolidated revenue.

1 Introduction

1.1 Role of the committee

The Transport and Local Government Committee (the committee) is a portfolio committee established by the *Parliament of Queensland Act 2001* and the *Standing Rules and Orders of the Legislative Assembly*.¹ The committee was established on 16 June 2011² with the following primary areas of responsibility:

- Transport
- Main roads
- Marine infrastructure
- Infrastructure
- Local government
- Building industry.³

Section 93(1) of the *Parliament of Queensland Act 2001* provides that a portfolio committee, such as this committee, is responsible for examining each bill referred to it and each item of subordinate legislation in its portfolio are to consider:

- The policy to be given effect by the legislation
- The application of the fundamental legislative principles to the legislation
- For subordinate legislation – its lawfulness.

When examining a bill, a portfolio committee shall:

- Determine whether to recommend that the bill be passed
- May recommend amendments to the bill
- Consider the application of fundamental legislative principles contained in Part 2 of the *Legislative Standards Act 1992* to the bill and compliance with Part 4 of the *Legislative Standards Act 1992* regarding explanatory notes.⁴

Although there is no mandated process for examining a bill, a portfolio committee may examine the bill by:

- Calling for and receiving submissions about the bill
- Holding hearings and taking evidence from witnesses
- Engaging expert or technical assistance and advice
- Seeking the opinion of other committees.⁵

1.2 Inquiry process

1.2.1 Referral

Hon Rachel Nolan MP, Minister for Finance, Natural Resources and the Arts (the Minister), introduced the Stock Route Network Management Bill 2011 (the bill) into the Queensland Legislative Assembly on 7 September 2011. The bill was referred to the committee at this time.⁶

¹ s.88 *Parliament of Queensland Act 2001* and 194 of the *Standing Rules and Orders of the Legislative Assembly* as at 15 November 2011.

² The committee was originally established as the Transport, Local Government and Infrastructure Committee. On 15 November 2011, the committee's name was changed to the Transport and Local Government Committee.

³ Schedule 6 of the *Standing Rules and Orders of the Legislative Assembly* as at 15 November 2011.

⁴ 132 (1) of the *Standing Rules and Orders of the Legislative Assembly* as at 15 November 2011.

⁵ 133 of the *Standing Rules and Orders of the Legislative Assembly* as at 15 November 2011.

On 13 October 2011, the House was advised that the Committee of the Legislative Assembly had fixed that the 6 February 2012 was the date that the committee was required to report back to the House on the bill.⁷

1.2.2 Public submissions

The committee advertised its inquiry into the bill in *The Courier Mail* on 17 September 2011. As shown in Appendix A, the committee accepted 10 submissions to the inquiry. Copies of the submissions are available from the committee's website. Appendix B provides a summary of the points raised in the submissions on the clauses of the bill and includes the comments provided by the Department of Environment and Resource Management (DERM) regarding the issues raised in submissions.

1.2.3 Public briefing

The DERM is responsible for the policy area contained in the bill and the committee therefore sought assistance from the department regarding the bill. The DERM provided the committee with written material regarding the bill including a written briefing on the bill and key policies received by the committee in October 2011.

The committee received a public briefing on the bill on Wednesday 26 October 2011 at the Queensland Parliament. A copy of the transcript of the briefing is available from the committee's website.

1.2.4 Public hearings

The committee held public hearings on Wednesday 16 November 2011 at the Queensland Parliament and on Friday 18 November 2011 in Longreach, at which it heard from invited witnesses. Witnesses who gave evidence at the public hearing are listed in Appendix C. Transcripts of these hearings are available at the committee's website.

1.2.5 Private meeting

The committee attended a private meeting with DERM to discuss their new electronic Stock Route Management System (SRMS) on 30 November 2011 at the Queensland Parliament.

1.3 The Queensland stock route network

1.3.1 History of stock routes

Stock routes developed from early pastoralists moving stock into newly discovered grazing lands with the consequence that they did not develop in any systematic way.⁸ Between the 1860s and 1890s, these routes were recognised and dedicated as roads. From the early 1900s, the Queensland Government formally established these routes with the introduction of a program to develop stock route water facilities throughout the stock route network.⁹

Stock route use declined in the 1950s and 1960s with the advent of motorised transport and introduction of road improvement schemes—making road transport a more convenient and efficient way to transport stock.¹⁰

⁶ Queensland Parliament, 2011, *Record of Proceedings*, Brisbane, 7 September, pp. 2856 – 2858.

⁷ Queensland Parliament, 2011, *Record of Proceedings*, Brisbane, 13 October, p. 3171.

⁸ Jarrad, W. 2002, *Land Protection (Pest and Stock Route Management) Bill 2001*, Research Brief No 2002/5, Queensland Parliamentary Library, p. 6.

⁹ Queensland Department of Environment and Resource Management, *Information on the Queensland Stock Routes Network*, downloaded on 25 January 2012 from <http://www.derm.qld.gov.au/land/stockroutes>.

¹⁰ Queensland Department of Environment and Resource Management, *Information on the Queensland Stock Routes Network*, downloaded on 25 January 2012 from <http://www.derm.qld.gov.au/land/stockroutes>.

Contemporary use of the State stock route system is characterised by its use as a drought fodder reserve and agistment network. Between 1988 and 1992 over half a million head of stock walked the network each year. This level increases when drought conditions take hold as stock may be walked from interstate.¹¹

1.3.2 What is the stock route network?

Stock routes are pathways for travelling stock on roads, reserves, unallocated state land and pastoral leases. A stock route ordinarily used for moving stock on foot or a road that is declared by regulation to be a stock route. Most stock routes are on public roads that may also carry traffic and public utilities. They are managed by local governments and the DERM.¹²

The Queensland stock route network is currently administered under the *Land Protection (Pest and Stock Route Management) Act 2002*. Some grazing access is administered under the *Land Act 1994*, and the *Transport Infrastructure Act 1994* also includes relevant provisions. Local governments currently have responsibility for day to day administration and some network maintenance.¹³

The stock route network covers over 2.6 million hectares of Queensland.¹⁴ The network comprises of approximately 2.1 million hectares of roads, which are declared stock routes, and 0.5 million hectares of reserves for travelling stock.¹⁵ These reserves are dedicated under the *Land Act 1994* for stock requirements, including water or other lawful use by travelling stock.¹⁶

At 72,000 kilometres in length, the complex system of roads, reserves and stock facilities is valued today by the pastoral industry as it provides both an alternative to the motorised transport of stock and access to pasture for static grazing and short-term agistment. Contemporary land management standards require the cultural, heritage, recreational, environmental and biodiversity attributes of the stock network, which are highly valued by the community, to be effectively managed.¹⁷

The DERM classifies stock routes, depending upon their annual rate of use, as primary, secondary or minor. There are approximately 2,600 km of primary routes and about 5,000 km of secondary routes and 4,000 km of minor routes.¹⁸

1.3.3 Reasons for change

The main purpose and driver for the development of the bill was to reform the regulatory framework for the stock route network in Queensland to improve the management and use of the stock route network. The existing provisions of the *Land Protection (Pest and Stock Route Management) Act 2002* have not been significantly amended since its introduction and does not adequately support the

¹¹ Edwards, RH (Eds). 1988, *The Romance and the reality: A guide to managing Queensland's stock routes*, Queensland Department of Natural Resources, p. 6.

¹² Stock Routes Coalition, 2011, *Save our stock routes*, downloaded on 6 October from www.stockroutes.info/8-what.html, p. 1.

¹³ Edwards, RH (Eds). 1988, *The Romance and the reality: A guide to managing Queensland's stock routes*, Queensland Department of Natural Resources, p. 6.

¹⁴ Queensland Parliament, 2011, *Record of Proceedings*, Brisbane, 7 September, p. 2857.

¹⁵ Robson, C. 2011, Department of Environment and Resource Management, *Public Briefing Transcript*, 26 October, p. 2.

¹⁶ Queensland Parliament, 2011, *Record of Proceedings*, Brisbane, 7 September, p. 2857.

¹⁷ Robson, C. 2011, Department of Environment and Resource Management, *Public Briefing Transcript*, 26 October, p. 2.

¹⁸ Edwards, RH (Eds). 1988, *The Romance and the reality: A guide to managing Queensland's stock routes*, Queensland Department of Natural Resources, p. 12.

management of the network for its primary purpose – droving of cattle nor its other values and uses including grazing, biodiversity and cultural heritage.¹⁹

During the severe drought in 2002-03 and the preceding years, the stock route network was subject to heavy use and concerns about unauthorised use of the network. This highlighted several operational and policy issues, including the shortfall between the fees charged for using the network and the costs of its management and maintenance.²⁰

The Minister for Natural Resources, Mines and Water initiated an extensive reform process that was conducted in collaboration with key stakeholders. This included an independent analysis jointly commissioned by the Local Government Association of Queensland (LGAQ) and the DERM that reported that the fees recovered from users of the network represented only about 4 per cent of the management costs incurred by the government.²¹

The cost of maintaining the network is significant and is primarily the responsibility of local governments, who are the day to day managers.²² Under the existing arrangements, an independent assessment by LGAQ showed that only four per cent of the costs of operating and maintaining the stock route network are recovered from the fees paid by users.²³ General ratepayers were thereby subsidising the use of the stock route by drovers who move stock around and many adjoining landholders who graze stock on the network.

Under the proposed arrangements in the bill 65 per cent of the revenue received from grazing stock routes and 90 per cent of the revenue from grazing roads together with 75 per cent of droving fees will go the councils.²⁴

The operational responsibility for the network and related local government public lands in their respective management areas remains with local government. The bill provides that the network and its operational responsibility will include the issuing of all permits and authorities for travelling stock and grazing over stock routes, reserves for travelling stock, local roads and state controlled roads (subject to the approval by the Department of Transport and Main Roads (DTMR)).²⁵

1.3.4 Grazing framework

A large proportion of the stock route network is currently grazed without authorisation. The new grazing framework introduced under the bill will regulate all uses ensuring that appropriate fees paid by those benefiting from using these public lands.²⁶ Local governments will retain most of the associated revenue.

The bill introduces a revised classification system. The network will be classified according to recorded patterns of usage and appropriate management conditions will apply for each classification. Routes and associated reserves used more regularly by travelling stock will be classed as either

¹⁹ Reeves, J. 2011, Written briefing on the Stock Route Network Management Bill 2011 and key policies attached to a letter to Jo-Ann Miller MP, Chair Transport, Local Government and Infrastructure Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 19 October, p. 2.

²⁰ Robson, C. 2011, Department of Environment and Resource Management, *Public Briefing Transcript*, 26 October, p. 2.

²¹ Robson, C. 2011, Department of Environment and Resource Management, *Public Briefing Transcript*, 26 October, p. 2.

²² Queensland Parliament, 2011, *Record of Proceedings*, Brisbane, 7 September, p. 2857.

²³ Queensland Parliament, 2011, *Record of Proceedings*, Brisbane, 7 September, p. 2857.

²⁴ Queensland Parliament, 2011, *Record of Proceedings*, Brisbane, 7 September, p. 2857.

²⁵ Queensland Parliament, 2011, *Record of Proceedings*, Brisbane, 7 September, p. 2857.

²⁶ Queensland Parliament, 2011, *Record of Proceedings*, Brisbane, 7 September, p. 2857.

'Primary A' or 'Primary B'. Those used minimally or not at all by travelling stock will be classified as 'secondary'.²⁷

The legislation places a greater emphasis on the need to retain adequate residual pasture levels on more travelled roads for use by travelling stock and reducing the risk of overgrazing and subsequent degradation of this public asset. While emergency and short-term grazing will be available in times of drought, it is recognised that the stock route network cannot sustain prolonged use for this purpose. Longer term grazing will only be allowed on routes and roads that can support both grazing and travelling stock.²⁸

As grazing permits will only be used for short-term use, they are to be charged on a weekly agistment rate. The rental fee for a grazing authority is to be calculated as a percentage of the unimproved value for the authority, based on the pro rata of adjoining land. This fee is similar to that charged for existing state grazing leases and permits to occupy (PTO). The initial proposal was for councils to be allowed to charge grazing permit fees of between 1.5 and 5 per cent of unimproved value, however, although consultation with stakeholders it was decided the fee should be reduced to between 1.5 and 3 per cent of unimproved value.²⁹

The introduction of a user pays system is to ensure that fees and payments better reflect the benefits derived by network users and allow the costs of management to be recovered so that network and ancillary facilities can be adequately maintained. It is expected that cost efficiencies will be achieved by focusing maintenance efforts on the primary network to ensure that residual pasture levels and stock facilities are adequate for the needs of travelling stock.³⁰

In addition, new provisions have been proposed to ensure that the stock route network is sustainability managed. Land and pasture conditions are to be regularly assessed and standard management conditions are to be imposed to improve conditions.³¹

1.4 Key policy objectives of the bill

The Hon Rachel Nolan, Minister for Finance, Natural Resources and the Arts in introducing the bill indicated that the new bill introduces changes to the way in which the stock route network and related local government public lands are managed and used.

*The bill recognises that while the primary purpose of the network is to provide for the movement of travelling stock now and into the future, other important attributes associated with these lands such as biodiversity and cultural heritage also warrant preservation.*³²

The purpose of the bill is to provide a clear, contemporary and cost effective management of the stock route network for its primary purpose of stock droving, both users and the managers of the network, whilst also recognising and protecting the other significant attributes of the network such as a resource for grazing of stock and for biodiversity corridors and cultural heritage.³³

²⁷ Queensland Parliament, 2011, *Record of Proceedings*, Brisbane, 7 September, p. 2857.

²⁸ Queensland Parliament, 2011, *Record of Proceedings*, Brisbane, 7 September, p. 2857.

²⁹ Queensland Parliament, 2011, *Record of Proceedings*, Brisbane, 7 September, p. 2857.

³⁰ Queensland Parliament, 2011, *Record of Proceedings*, Brisbane, 7 September, p. 2857.

³¹ Queensland Parliament, 2011, *Record of Proceedings*, Brisbane, 7 September, p. 2857.

³² Queensland Parliament, 2011, *Record of Proceedings*, Brisbane, 7 September, p. 2857.

³³ Reeves, J. 2011, Consultation briefing on the Stock Route Network Management Bill 2011 attached to a letter to Jo-Ann Miller MP, Chair Transport, Local Government and Infrastructure Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 19 October, p. 2.

The bill encapsulates the key policy intent for the use of the stock route network by:

- Implementing contemporary and stand-alone stock route management legislation to support the ongoing retention, management and maintenance of the stock route network;
- Integrating grazing on roads and stock routes into a single management framework led by local governments as the day to day managers of local roads and stock routes;
- Providing for a new fee framework to fund the management of the stock route network based on an equitable payment to use model;
- Providing for the more sustainable management of the stock route network, accounting for the pasture and land resource values and other values especially biodiversity and cultural heritage; and
- Providing for the rationalisation and efficient future management of water facilities and yards on the stock route network.³⁴

1.5 How the bill achieves the policy objectives

Chapter 1 of the bill defines the purpose and its application to the stock route network and public (stock access) lands.³⁵

Chapter 2 of the bill details the state's responsibilities, in consultation with relevant local governments, for the management of the stock route network including: establishment of a State Management Plan; classifying the stock route based on usage; specifying the factors for the classification of a stock route; ensuring a review process for stock route classifications; determining when a stock route should be closed to grazing or travelling stock or have a limited use condition; and ensuring this information is publically available.³⁶

Chapter 3 of the bill details the local government's responsibilities for the management of the stock route network. Local governments have responsibility for administering all operational aspects of the stock route and public (stock access) lands in their respective management areas. Under the new provisions of the bill, local governments will now have sufficient legislative authority and revenue opportunities to do so effectively and efficiently.³⁷

Chapter 4 of the bill sets out provisions for driving stock on the network including: when a permit is not required; the types of permits; travel permits for stock and the application process; how applications will be dealt with; managing unfit stock on the network; and cancellation of permits.³⁸

Chapter 5 of the bill establishes the framework for the management of static grazing on the stock route network and public (stock access) lands by local governments. It integrates provisions for authorising grazing on reserves administered under the *Land Act 1994* and roads administered under

³⁴ Reeves, J. 2011, Consultation briefing on the Stock Route Network Management Bill 2011 attached to a letter to Jo-Ann Miller MP, Chair Transport, Local Government and Infrastructure Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 19 October, p. 2.

³⁵ Reeves, J. 2011, Consultation briefing on the Stock Route Network Management Bill 2011 attached to a letter to Jo-Ann Miller MP, Chair Transport, Local Government and Infrastructure Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 19 October, p. 3.

³⁶ Reeves, J. 2011, Consultation briefing on the Stock Route Network Management Bill 2011 attached to a letter to Jo-Ann Miller MP, Chair Transport, Local Government and Infrastructure Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 19 October, p. 4.

³⁷ Reeves, J. 2011, Consultation briefing on the Stock Route Network Management Bill 2011 attached to a letter to Jo-Ann Miller MP, Chair Transport, Local Government and Infrastructure Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 19 October, p. 6.

³⁸ Reeves, J. 2011, Consultation briefing on the Stock Route Network Management Bill 2011 attached to a letter to Jo-Ann Miller MP, Chair Transport, Local Government and Infrastructure Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 19 October, p. 8.

the *Land Act 1994* and the *Transport Infrastructure Act 1994* that are under control of the relevant local government.

Provision is made for the new fee and funding arrangements, based on the ‘payment for use’ principle’ which reflect the actual cost to the State and local governments of managing and maintaining the stock route network for the benefit of users.³⁹

Chapter 6 of the bill is a new provision on harvesting pasture, which provides for the management of pasture where there is a fire risk and grazing is not a viable management option. Harvesting pasture was not previously provided for under the existing *Land Protection (Pest and Stock Route Management) Act 2002*.⁴⁰

Chapter 7 of the bill provides for the investigation of offences in relation to the stock route network and the enforcement of penalties.⁴¹

Chapter 8 of the bill set out the requirements for ‘authorised persons’ who can be appointed by the chief executive officer of a local government or the Chief Executive Officer of the DERM as the agency administering the act.⁴²

Chapter 9 of the bill outlines the administrative processes to be established to provide strategic advice on the management and use of the stock route network to the Chief Executive of the DERM, as the agency administering the act. This includes the establishment of a stock route advisory panel to provide advice and recommendations on such matters as: network classification; usage thresholds; stock route research; and management plans. This chapter also outlines the requirement that a portion of revenue collected by local government under this legislation is to be remitted to the state for stock route management activity.⁴³

Chapter 10 of the bill provides for a review process for original decisions available to a person who is aggrieved by any original decision and outlines the required process.⁴⁴

Chapter 11 of the bill provides for the maintenance of and access to the stock route map showing declared stock routes and water points.⁴⁵

Chapter 12 sets out the transitional provisions included in the bill.⁴⁶

³⁹ Reeves, J. 2011, Consultation briefing on the Stock Route Network Management Bill 2011 attached to a letter to Jo-Ann Miller MP, Chair Transport, Local Government and Infrastructure Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 19 October, p. 9.

⁴⁰ Reeves, J. 2011, Consultation briefing on the Stock Route Network Management Bill 2011 attached to a letter to Jo-Ann Miller MP, Chair Transport, Local Government and Infrastructure Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 19 October, p. 11.

⁴¹ Reeves, J. 2011, Consultation briefing on the Stock Route Network Management Bill 2011 attached to a letter to Jo-Ann Miller MP, Chair Transport, Local Government and Infrastructure Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 19 October, p. 12.

⁴² Reeves, J. 2011, Consultation briefing on the Stock Route Network Management Bill 2011 attached to a letter to Jo-Ann Miller MP, Chair Transport, Local Government and Infrastructure Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 19 October, p. 13.

⁴³ Reeves, J. 2011, Consultation briefing on the Stock Route Network Management Bill 2011 attached to a letter to Jo-Ann Miller MP, Chair Transport, Local Government and Infrastructure Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 19 October, p. 14.

⁴⁴ Reeves, J. 2011, Consultation briefing on the Stock Route Network Management Bill 2011 attached to a letter to Jo-Ann Miller MP, Chair Transport, Local Government and Infrastructure Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 19 October, p. 15.

⁴⁵ Reeves, J. 2011, Consultation briefing on the Stock Route Network Management Bill 2011 attached to a letter to Jo-Ann Miller MP, Chair Transport, Local Government and Infrastructure Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 19 October, p. 16.

Chapter 13 of the bill enables management of roads and stock routes for grazing to be managed by a single body – local governments – to complement their existing responsibility for managing travelling stock on these areas. Passage of the bill requires consequential amendments to other acts and regulations that would be affected by the passage of this act.⁴⁷

The bill introduces a number of new offence provisions. A list of these is contained in Appendix D.

1.5.1 Committee comments on access to draft proposed regulation

This bill introduces a new fee structure for grazing permits. Evidence provided to the committee discussed the proposed fee structure and proposed fee level in some detail. The committee noted, in submissions and during the public hearings, that there was a significant level of concern regarding the uncertainty of the proposed fee structure.

The committee wrote to the Minister seeking a copy of the draft regulation in order to effectively scrutinise the policy objectives of the bill in an appropriate level of detail.⁴⁸ The Minister advised that the fees and charges to be proposed for the regulation had not been finalised by the DERM and were subject to further consultation with key stakeholders and consideration by the government. Therefore, a draft regulation was not available to the committee. However, the Minister advised that a regulatory impact statement (RIS) which detailed the proposed fees, costs and benefits was circulated in September 2009 for public comment. A copy of this RIS was provided to the committee and the Minister referred the committee to this statement.⁴⁹

The committee's view is that in order for it to perform its scrutiny function effectively it should be provided with the most current information available to the department and not be referred to a RIS from 2009 that may not provide a current policy position in relation to fees, which is required when considering the policy effect of a bill introduced in 2011.

The committee believes that when a new fee structure is proposed in a bill, the Minister should table a copy of the proposed fee structure or the regulation containing the proposed fee structure in the Queensland Legislative Assembly prior to the bill being debated if this information has not been previously provided to a committee. In this case, the committee recommends that the Minister table the proposed fee structure, or alternatively, the proposed regulation for the information of the House when debating the bill.

Recommendation 1

The committee recommends that the Stock Route Network Management Bill 2011 be passed subject to the Queensland Legislative Assembly agreeing to the amendments recommended in this report.

⁴⁶ Reeves, J. 2011, Consultation briefing on the Stock Route Network Management Bill 2011 attached to a letter to Jo-Ann Miller MP, Chair Transport, Local Government and Infrastructure Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 19 October, p. 17.

⁴⁷ Reeves, J. 2011, Consultation briefing on the Stock Route Network Management Bill 2011 attached to a letter to Jo-Ann Miller MP, Chair Transport, Local Government and Infrastructure Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 19 October, p. 18.

⁴⁸ Miller, J. 2011, Letter to Hon Rachael Nolan MP, Minister for Finance, Natural Resources and the Arts regarding to obtaining a copy of the draft regulation for the Stock Route Network Management Bill 2011, 30 November, p. 1.

⁴⁹ Nolan, R. 2011, Letter to Jo-Ann Miller MP, Chair Transport and Local Government Committee regarding the committee's request for a copy of draft regulations for the Stock Route Network Management Bill 2011, 17 December, p. 1.

Recommendation 2

The committee recommends that the Minister for Finance, Natural Resources and the Arts, before the bill is debated, table the proposed fee structure or the proposed regulation for the information of the House when debating the Stock Route Network Management Bill 2011. Additionally, Ministers should table, or make available to a parliamentary committee, the proposed fee structure when introducing a bill that contains new proposed fees or fee structures.

2 Value of the stock route network

Clause 1 of the bill states that the main purpose of the legislation is to ‘*regulate management and use of the stock route network and public (stock access) land*’.⁵⁰ Clause 14 of the bill describes the principles of stock route management including the primary purpose of the stock route network as providing for travelling stock now and into the future, as well as recognising its secondary uses for grazing stock and harvesting pasture and its alternative uses such as biodiversity, cultural heritage, and recreation.

Provision has also been made for declaration of areas requiring special management. Biodiversity and cultural heritage values will be protected by recording sites on the special management area register and establishing special management conditions for the use of those declared sites.⁵¹

2.1 Multiple value of stock routes

A wide variety of values are associated with the stock route network in Queensland. The total value derived from the network not only includes the economic benefit to pastoralists, to meet the needs of travelling stock, but also environmental, cultural and social values attributed to the network and stock route activities (see Table 1).⁵²

Table 1: Potential benefits of the stock route network

<p>Economic</p> <ul style="list-style-type: none"> • Grazing (Short and Long Term) • Stock Driving Routes • Fire, flood and drought refuge • Built infrastructure e.g. fencing, water facilities, holding yards • Employment opportunities for driving, tourism, local government and pastoral industries 	<p>Environmental</p> <ul style="list-style-type: none"> • Biodiversity, land connectivity and stepping stones for wildlife and plants • Refuge for endangered species and ecosystems • Seed bank, crop pollination and biological pest control • Mitigate climate change • Conservation arks • Carbon sinks
<p>Social</p> <ul style="list-style-type: none"> • Access corridors for rural communities • Camping, hiking, touring routes • Trails for horse riding, cycling • Recreational fishing and bird routes • Roadside rest stops 	<p>Cultural and Heritage</p> <ul style="list-style-type: none"> • Aboriginal trade routes • Archaeological sites • Family and personal connections for Ingenious and non-Indigenous people • Linkages to exploration and settlement of Queensland • Stories, songs, poetry, art and folklore

Source: Adapted from Department of Environment and Resource Management, 2009, *Queensland stock route network management strategy 2009-14*, pp 6-7; Possingham, H. Nix, H. 2008, *The Long Paddock Scientists’ Statement*, pp 1-4; Smile, B, Merchant, C, Proft, K. 2011, *The NSW travelling stock routes and reserves network, Heritage-Habitat-Livelihood, National Parks Association of NSW*, pp 4-5; Lentini, P, Fischer, J, Gibbons, P, Lindenmayer D and Martin, T. 2011, *Australia’s stock route network: 1. A review of its values and implications for future management, Ecological Management and Restoration, Vol 12, No. 2, pp 119-127, p.123*; Rodgers, G. 2011, . *Queensland Parliament, 2011, Public Hearing Transcript, Brisbane, 16 November, p. 2.*

Evidence provided by witnesses at public hearings supported the cultural heritage and biodiversity values of stock routes.⁵³ Because stock routes have been looked after in the past, biodiversity and

⁵⁰ Stock Route Network Management Bill 2011, p. 26.

⁵¹ Queensland Parliament, 2011, *Record of Proceedings*, Brisbane, 7 September, p. 2857.

⁵² Department of Environment and Resource Management, 2009, *Queensland stock route network management strategy 2009-14*, Queensland Government, p.6.

⁵³ Hall, P. AgForce, 2011, *Public Hearing Transcript*, Longreach, 18 November, p, 5; Jarrett, K. Central Highlands Regional Council. 2011, *Public Hearing Transcript*, Longreach, 18 November, p.7.

heritage values have been preserved incidentally.⁵⁴ Stock routes provide a perfectly representative sample of Queensland vegetation⁵⁵ and make a contribution to expanding protected areas in Queensland thereby contributing to national Q2 carbon targets.⁵⁶ Stock routes that offer high-conservation values have the potential to be incorporated into a nature refuges.⁵⁷

While the committee notes that the stock routes have multiple uses, it is important to ensure an appropriate balance between the various uses. The committee strongly supports the primary purpose of the stock routes for use by travelling stock.

2.1.1 Sustainable use of the network and training

A number of witnesses raised concerns regarding the balance between management of the stock route for the primary purpose of travelling stock and for biodiversity reasons.⁵⁸ For example, low travelling stock numbers may result in excess vegetation resulting in a fire hazard or stock being unable to travel the route.⁵⁹

The Central Highlands Regional Council indicated the need for advice as to how councils should prioritise the different values of the stock route when granting permits, for example, whether the biodiversity attribute overrides the needs of travelling stock.⁶⁰ In addition, the council recommended that there be a commitment to on-going training from the state government for local government officers for use of the SRMS, and pasture, biodiversity and heritage assessment training.⁶¹

The DERM advised that training programs and associated information packages will be prepared to support implementation of the bill. Similar programs are being developed for the SRMS and pasture monitoring and assessment procedures as part of the implementation program and will be maintained.⁶²

Point of clarification 1

The committee seeks clarification from the Minister for Finance, Natural Resources and the Arts regarding the guidance that will be developed to support local governments in the implementation of the Stock Route Network Management Bill 2011 and the consultation process to be followed.

⁵⁴ Rodgers, G. Stock Routes Coalition, 2011, *Public Hearing Transcript*, Brisbane, 16 November, p.2.

⁵⁵ Prof Possingham, H. 2011, *Public Hearing Transcript*, Brisbane, 16 November, p. 8.

⁵⁶ Prof Possingham, H. 2011, *Public Hearing Transcript*, Brisbane, 16 November, p. 7; Donatiu, P, National Parks Association of Queensland, 2011, *Public Hearing Transcript*, Brisbane, 16 November, p. 7.

⁵⁷ Donatiu, P. National Parks Association of Queensland, 2011, *Public Hearing Transcript*, Brisbane, 16 November, p. 10.

⁵⁸ Jarrett, K. Central Highlands Regional Council, 2011, *Public Hearing Transcript*, Longreach, 18 November, p.7.

⁵⁹ Hall, P. AgForce, 2011, *Public Hearing Transcript*, Longreach, 18 November, p. 5; Jarrett, K. Central Highlands Regional Council, 2011, *Public Hearing Transcript*, Longreach, 18 November, p.7.

⁶⁰ Jarrett, K. Central Highlands Regional Council, 2011, *Public Hearing Transcript*, Longreach, 18 November, p. 7.

⁶¹ Jarrett, K. 2011, Email to the Transport, and Local Government Committee, 28 November, p. 3.

⁶² Reeves, J. 2011, DERM comments on late submissions to the Transport and Local Government Committee attached to a letter to Jo-Ann Miller MP, Chair Transport and Local Government Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 14 December, p. 5.

2.1.2 Land connectivity

The land connectivity of the stock route network is essential to its primary use by travelling stock but also can assist with biosecurity management if required. The committee heard evidence that a secondary benefit of land connectivity is that it provides a unique opportunity for large-scale, connectivity conservation, which may mitigate the effects of climate change and habitat loss on native species.⁶³ The combined network of stock routes throughout New South Wales and Queensland provides an extensive system of public land that contains some of the highest quality, connected remnants of vegetation in Eastern Australia.⁶⁴ Due to the previous good management of the stock route network one of the greatest environmental assets is its integrity and geographical extent, with substantial structural connectivity across hundreds of kilometres.⁶⁵ Without the entire network, the particular values of some of the parts cannot be fully realised – the value of the whole network is greater than the sum of the value of the individual parts.⁶⁶ Wildlife Queensland recommends that clause 14 of the bill should reflect the concept of landscape connectivity as a significant attribute of the stock route network.⁶⁷

The DERM stated that the reference in the bill to the importance of alternative uses of the network in supporting and maintaining ‘biodiversity, cultural heritage, infrastructure and natural resources within or near the network’⁶⁸ sufficiently acknowledges the importance of the network to retaining landscape connectivity. In addition, clause 14(b)(ii) of the bill makes reference to the continued viability of the network and its role in supporting adaptation to climate change.⁶⁹

The committee recognises land connectivity to be an important attribute of the stock route network in its own right, albeit that it also supports other attributes such as climate change and biodiversity. Recognition of land connectivity in the bill would make this value more explicit and enable it to be considered in the management of individual stock routes by local governments in Queensland.

Recommendation 3

The committee unanimously recommends that the Stock Route Network Management Bill 2011 be amended to recognise the concept of land connectivity, for the primary purpose of moving stock, as a significant attribute of the stock route network.

2.1.3 Valuation of the stock route network

Wildlife Queensland indicated the need for a comprehensive estimate of the total worth of the stock route network based on stakeholder input, which evaluates the network’s grazing, environmental

⁶³ Smiles, B. Merchant, C. and Proft, K. 2011, *The NSW travelling stock routes and reserves network, heritage-habitat-livelihood*, National Parks Association of NSW, pp 4-5.

⁶⁴ Smiles, B. Merchant, C. and Proft, K. 2011, *The NSW travelling stock routes and reserves network, heritage-habitat-livelihood*, National Parks Association of NSW, p 8.

⁶⁵ Lentini, P. Fischer, J. Gibbons, P. Lindenmayer, D. and Martin, T. 2011, *Australia’s stock route network: 1. A review of its values and implications for future management*, Ecological Management and Restoration, Vol 12, No. 2, pp 119-127, p.123; Possingham, H. Nix, H. 2008, *The Long Paddock Scientists’ Statement*, p. 2.

⁶⁶ Possingham, H. Nix, H. 2008, *The Long Paddock Scientists’ Statement*, p. 2.

⁶⁷ Wildlife Queensland, 2011, *Submission No 1*, p. 7.

⁶⁸ Stock Route Network Management Bill 2011, p. 30.

⁶⁹ Reeves, J. 2011, Summary of submissions – policy implications – Stock Route Network Management Bill 2011, attached to letter to Jo-Ann Miller MP, Chair Transport and Local Government Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 8 December, p. 19.

and non-market values. It stated that such an assessment would provide a clear understanding of the value of the stock route network and whether the management strategies being applied are achieving the level of protection desired.⁷⁰

A number of councils also expressed the need for a valuation of the network. The Winton Shire Council questioned what the value of the network was and the need for a cost-benefit analysis for changes contained within the bill.⁷¹ In addition, Boulia Shire Council stated the need for a comprehensive audit of the stock route network before handover to local government including land condition, water facilities and the extent of plant and pest conditions.⁷²

The Long Paddock statement indicated that studies conducted on individual parts of the network identified high biological values; but also recommended that there was a need for a comprehensive review of the ecological functions of the entire network.⁷³ Evidence provided at the public hearing suggested that the impact of grazing on stock routes on biodiversity is something that needs to be studied, particularly given the variability of grazing on different parts on the stock route network. The committee also heard evidence that there was a realisation among ecologists that some grazing is better than no grazing at all. An example was provided of the endangered bridled nailtail wallaby almost disappearing from the Taunton national park due to buffel grass growing out of control because the grazing stopped when it was turned into a national park and no other management tool was utilised. Examples were provided to the committee of best practice land management by private organisations that included cattle as part of their management and that the current national park categories could enable the use of grazing cattle as a biodiversity management tool in some categories as a cost effective and proactive way of managing our national parts in Queensland for biodiversity benefits.⁷⁴ A report identifying biodiversity hot spots in some of the western stock routes identified 47 areas that have high-conservation value including 28 plants, two butterflies, four fish, nine reptiles, nine birds and 11 mammals that are all listed as endangered, vulnerable or rare species.⁷⁵

Identifying the multiple values of the stock route network also allows alternative uses to be considered. Evidence provided in hearings advised of successful tourism opportunities stemming from bird watching on stock routes.⁷⁶ A valuation of stock route attributes may also allow potential funding to be sourced for these activities and provide revenue opportunities to local councils including national reserve system, national wildlife corridors and carbon-farming initiatives.⁷⁷

The DERM advised that the bill does not specifically require a scientific study of the stock route network to be undertaken. However, it is expected that by allowing for input, storage and retrieval of stock route information, the electronic SRMS that is to be introduced to support implementation and management will provide baseline data to inform decision making and the regular review of

⁷⁰ Wildlife Queensland, 2011, *Submission No 1*, p. 3.

⁷¹ Warren, E. 2011, Winton Shire Council, *Public Hearing Transcript*, Longreach, 18 November, p. 8.

⁷² Neilson, K. Boulia Shire Council, 2011, *Public Hearing Transcript*, Longreach, 18 November, p. 15.

⁷³ Possingham, H. Nix, H. 2008, *The Long Paddock Scientists' Statement*, p 2.

⁷⁴ Possingham, H. & Donatiu, P. 2011, *Public Hearing Transcript*, Brisbane, 16 November, pp. 9-12.

⁷⁵ Donatiu, P. 2011, *Public Hearing Transcript*, Brisbane, 16 November, p. 10.

⁷⁶ Donatiu, P. 2011, *Public Hearing Transcript*, Brisbane, 16 November, p. 10; Lentini, P. Fischer, J. Gibbons, P. Lindenmayer, D. and Martin, T. 2011, *Australia's stock route network: 1. A review of its values and implications for future management*, Ecological Management and Restoration, Vol 12, No. 2, pp 119-127, p. 123.

⁷⁷ Possingham, H. 2011, *Public Hearing Transcript*, Brisbane, 16 November, p. 11; Donatiu, P. 2011, *Public Hearing Transcript*, Brisbane, 16 November, p. 11.

management arrangements. It will also provide public access to certain stock route network information.⁷⁸

The committee notes the DERM's response and that the SRMS will provide some data over-time, however, the committee considers that given the wide variety of values that are associated with stock route network that the government should undertake an assessment of the value of the stock route network to Queensland. The valuation of biodiversity and other values of the stock route network will allow decision makers to assess the importance of biodiversity conservation, allow the development of market based instruments to protect biodiversity protection on private land and provide potential funding opportunities.⁷⁹

Recommendation 4

The committee unanimously recommends that the Department of Environment and Resource Management undertake a comprehensive valuation of the stock route network in Queensland which evaluates the network's grazing, environmental and non-market values.

⁷⁸ Reeves, J. 2011, Summary of submissions – policy implications – Stock Route Network Management Bill 2011 attached to letter to Jo-Ann Miller MP, Chair Transport and Local Government Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 8 December, p. 35.

⁷⁹ Department of the Environment and Heritage, Biological Diversity Advisory Committee, 2005, *Making economic valuation work for biodiversity conservation*, Land and Water Australia, p. 7.

3 State and local government management functions

3.1 State management functions

Chapter 2 of the bill details the State's responsibilities, in consultation with relevant local governments, for the management of the stock route network in terms of establishing a State Management Plan, stock route classification process, and determining when a stock route should be closed to grazing or travelling stock or have a limited use condition, and ensuring this information is publically available.⁸⁰

3.1.1 State management plan

Clause 15 of the bill requires the Chief Executive of the DERM to prepare a state management plan to provide clear strategic direction for the administration and management of the stock route network.⁸¹ Clause 16 of the bill sets out the content to be included in the plan.⁸²

Wildlife Queensland suggested that the state management plan should be accompanied by maps at an appropriate scale.⁸³ The DERM advised that maps will be included where required to convey concepts and information or explain extra requirements to facilitate the local government planning process. In addition, updated stock route mapping will be publically available at detailed scale in GIS formats on the web based SRMS. This mapping will be available for public and government planning purposes.⁸⁴

A number of submitters indicated their concern regarding the DERM relinquishing their control of the stock route network and the need for the DERM to continue to oversee decisions made by local government.⁸⁵ The DERM states that the bill provides for a state management plan to give direction to completion of local management plans by local government, and these plans are approved under clause 73 of the bill by the Minister. Furthermore, decisions in relation to permits and authorities made by local governments are under schedule 2 of the bill are subject to review.⁸⁶

3.1.2 Classification of stock routes

The existing stock route network is to be reclassified as Primary A (higher usage), Primary B (lower usage) and Secondary (minimal or no usage) based on their demand for use by travelling stock.⁸⁷ The reclassification is to be in accordance with the demand for use by travelling stock, which is the

⁸⁰ Reeves, J. 2011, Consultation briefing on the Stock Route Network Management Bill 2011 attached to a letter to Jo-Ann Miller MP, Chair Transport, Local Government and Infrastructure Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 19 October, p. 4.

⁸¹ Stock Route Network Management Bill 2011, p. 31.

⁸² Stock Route Network Management Bill 2011, p. 31.

⁸³ Wildlife Queensland, *Submission No. 1*, p. 7.

⁸⁴ Reeves, J. 2011, Summary of submissions – policy implications – Stock Route Network Management Bill 2011 attached to letter to Jo-Ann Miller MP, Chair Transport and Local Government Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 8 December, pp. 19-20.

⁸⁵ Little, B. Droving and Stock Routes Association, 2011, *Public Hearing Transcript*, Longreach, 18 November, p. 2.

⁸⁶ Reeves, J. 2011, DERM comments on late submissions to the Transport and Local Government Committee attached to a letter to Jo-Ann Miller MP, Chair Transport and Local Government Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 14 December, pp. 5-6.

⁸⁷ Reeves, J. 2011, Consultation briefing on the Stock Route Network Management Bill 2011 attached to a letter to Jo-Ann Miller MP, Chair Transport, Local Government and Infrastructure Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 19 October, p. 4.

primary purpose of the network. Thresholds are to be based on the numbers of stock travelling in the best four years of the last 10 years in which pasture conditions were suitable for stock to travel.⁸⁸

The reclassification is designed to provide increased focus on pasture management and its retention for travelling stock. One outcome of the reclassification is decreased access for long-term static grazing on high-use routes, as the fenced core network will be available primarily for the purpose of travelling stock and with only limited short-term grazing. Static grazing will be permitted on the remainder of the network subject to certain conditions to ensure that the network continues to be well managed.⁸⁹ The three tier classification system is outlined in Chapter 2 Part 2 and clauses 439 and 440 of the bill.

Wildlife Queensland indicated its strong support for the proposed classification system.⁹⁰ Several submitters expressed concerns in relation to the classification of the stock route network. In particular concern was raised regarding the Primary A classification and exclusion of static grazing on parts of the stock route network that are fenced on both sides. The LGAQ indicated that local councils and landholders would be affected by not being able to access the network and create animosity for landowners who have fenced their properties and are not allowed to access the network for static grazing.⁹¹

The classification scheme, particularly with Primary A routes, may affect the amount of potential revenue to be collected in a local government area. Evidence provided suggests that councils such as Maranoa, Longreach, Barcaldine, Blackall, Tambo, Balonne, and Goondiwindi have a high percentage of the stock route within their boundaries fenced and excluded from static grazing. If the requirement to allow grazing on Primary A routes was changed, then the revenue stream would be increased for local councils.⁹²

The response of submitters to a three tier classification system was mixed. In particular, AgForce indicated it would prefer a two tiered model as it would be simpler and impose a lesser administrative burden on local councils. It would also allow greater managerial flexibility in dealing with stock routes at a local level.⁹³ In addition, AgForce raised concern that a consequence of fencing of active routes is that the landholder would be funding the development of conservation corridors without appropriate compensation.⁹⁴

The Winton Shire Council and the Finders Shire Council indicated their support for a three tier classification system.⁹⁵

The DERM considers that a three tiered system allows the interests of all parties to be balanced, with only about 5 per cent of the network being unavailable for longer term grazing authorities. The

⁸⁸ Reeves, J. 2011, Consultation briefing on the Stock Route Network Management Bill 2011 attached to a letter to Jo-Ann Miller MP, Chair Transport, Local Government and Infrastructure Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 19 October, p. 4.

⁸⁹ Robson, C. Department of Environment and Resource Management, 2011, *Public Briefing Transcript*, Brisbane, 26 October, p. 3.

⁹⁰ Wildlife Queensland, 2011, *Submission No. 1*, p. 7.

⁹¹ Johnstone, G. Local Government Association of Queensland, 2011, *Public Hearing Transcript*, Brisbane, 16 November, p. 4.

⁹² Johnstone, G. Local Government Association of Queensland, 2011, *Public Hearing Transcript*, Brisbane, 16 November, p. 5.

⁹³ AgForce, 2011, *Submission No. 5*, p. 5.

⁹⁴ AgForce, 2011, *Submission No. 5*, p. 5.

⁹⁵ Warren, E. Winton Shire Council, 2011, *Public Hearing Transcript*, Longreach, 18 November, p. 8; McNamara, B. Flinders Shire Council, 2011, *Public Hearing Transcript*, Longreach, 18 November 2011, p. 13.

DERM advised that a two tiered classification system would not provide sufficient flexibility to satisfy the differing interests of all stakeholders.⁹⁶

In response to AgForce's concerns regarding the fencing of active routes, the DERM indicated that under clause 249 of the bill adjoining owners of unfenced stock route are only require to fence the area if they decline to apply for a grazing authority or are unable or decline to remove stock from the stock route.⁹⁷

The committee considers a three tiered classification model strikes an appropriate between the needs of travelling stock and the agistment of stock. The fencing of active stock routes is necessary in order to ensure the implementation of user pays model for stock routes and for local governments to raise revenue. Fencing active stock routes also ensures that travelling stock has adequate feed and water. As a consequence, one outcome may be that environmental value of the stock route network is enhanced (i.e. fenced areas are not subject to continuous grazing thereby leading to better environmental outcomes).

3.1.3 Threshold levels

A number of stakeholders expressed concern regarding the need for reliable data collection.⁹⁸ In particular, Wildlife Queensland were concerned that data was not currently available to produce a map based on the three new classifications. The Droving and Stock Routes Association noted its concern regarding the accuracy of data collected to identify stock routes, particularly given that local governments have been unwilling in the past to supply accurate numbers of stock movements and have a vested interest.⁹⁹ The Boulia Shire Council noted that insufficient staff and councilors has meant that there is limited data compiled in its shire.¹⁰⁰

One submitter raised an issue concerning the two year timeframe contained in the bill to review the classification after commencement, stating that it would take a longer timeframe to gather reliable data because of irregular patterns of use, due to seasonal conditions.¹⁰¹

The Flinders Shire Council indicated that, in the first instance, the legislation should only apply to councils that are required to submit stock management plans.¹⁰² The Boulia Shire Council advised that the legislation should be initially trialed in closely populated areas with fully fenced stock routes rather than in far western Queensland shires where, in many cases, stock routes have not been used for over a decade by travelling stock.¹⁰³

AgForce submitted that any changes brought about by enacting the bill should be phased in over a period of time, in order to allow local governments to adjust to changes and implement new systems. It suggested that the reforms should initially focus on shires with active stock routes.¹⁰⁴

⁹⁶ Reeves, J. 2011, Summary of submissions – policy implications – Stock Route Network Management Bill 2011, attached to letter to Jo-Ann Miller MP, Chair Transport and Local Government Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 8 December, p. 20.

⁹⁷ Reeves, J. 2011, Summary of submissions – policy implications – Stock Route Network Management Bill 2011, attached to letter to Jo-Ann Miller MP, Chair Transport and Local Government Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 8 December, p. 20.

⁹⁸ Wildlife Queensland, 2011, *Submission No 1*, p. 7; Little, B. Droving and Stock Routes Association, 2011, *Public Hearing Transcript*, Longreach, 18 November, p. 7; Pigeon, P. Barcoo Shire Council, 2011, *Public Hearing Transcript*, Longreach, 18 November, p.8.

⁹⁹ Little, B. Droving and Stock Routes Association, 2011, *Public Hearing Transcript*, Longreach, 18 November, p. 2.

¹⁰⁰ Neilson, K. Boulia Shire Council, 2011, *Public Hearing Transcript*, Longreach, 18 November, p. 15.

¹⁰¹ Purcell, T. 2011, Letter to the Transport and Local Government Committee, 17 November, p. 1.

¹⁰² McNamara, B. Flinders Shire Council, 2011, *Public Hearing Transcript*, Longreach, 18 November, p. 14.

¹⁰³ Boulia Shire Council, 2011, *Submission No. 9*, p. 4.

¹⁰⁴ AgForce, 2011, *Submission No.5*, p. 7.

In addition to data collection, stakeholders noted concerns regarding land connectivity. Wildlife Queensland also indicated that connectivity should be a criterion between Primary A routes, rather than just usage numbers.¹⁰⁵ The Droving and Stock Route Association expressed the importance of connectivity in Primary A system.¹⁰⁶

The DERM acknowledges that the lack of reliable usage data has necessitated a progressive review of classifications and indicated that prior to commencement, the current stock route mapping will be reviewed and any obvious anomalies identified.¹⁰⁷ In addition, the DERM indicated that classifications will be reviewed two years after commencement, using the best available data, including data recorded on the SRMS.¹⁰⁸ Data relevant to any future permits and authorities issued will be automatically recorded by the SRMS from which increasingly more accurate reports will be generated.

The DERM also advised that the bill provides a timeline on the conversion of existing PTO to grazing authorities and that no timeframe have been imposed for the collection of revenue. In response to the need to phase reforms, the DERM advised that initial piloting of the program and implementation will focus on local governments with travelling stock.¹⁰⁹

The committee notes concern that maps are not currently available based on the proposed three tiered classification system. This is of particular concern given that the permit system is based on the classifications proposed in the bill. The committee also questions why this data has not been compiled reliably in the past. The committee acknowledges the DERM's response indicating that over time it is expected that more accurate reports will be generated. Given the limitations on data collection the committee considers there is a need for the DERM to provide appropriate training and guidance to local governments in relation to the collection of data.

Recommendation 5

The committee recommends that the Department of Environment and Resource Management provides appropriate training and practical guidance to local governments in relation to the collection of data of travelling stock.

¹⁰⁵ Wildlife Queensland, 2011, *Submission No. 1*, p. 7.

¹⁰⁶ Little, B. Droving and Stock Routes Association, 2011, *Public Hearing Transcript*, Longreach, 18 November, p. 2.

¹⁰⁷ Reeves, J. 2011, Summary of submissions – policy implications – Stock Route Network Management Bill 2011, attached to letter to Jo-Ann Miller MP, Chair Transport and Local Government Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 8 December, p. 21.

¹⁰⁸ Reeves, J. 2011, Summary of submissions – policy implications – Stock Route Network Management Bill 2011, attached to letter to Jo-Ann Miller MP, Chair Transport and Local Government Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 8 December, p. 21.

¹⁰⁹ Reeves, J. 2011, Summary of submissions – policy implications – Stock Route Network Management Bill 2011, attached to letter to Jo-Ann Miller MP, Chair Transport and Local Government Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 8 December, pp 33-34.

3.2 Local government management functions

Chapter 3 of the bill details local governments' responsibilities for the management of the stock route network. Local governments have responsibility for administering all operational aspects of the stock route and public (stock access) lands in their respective management areas.¹¹⁰

3.2.1 Pasture management

The main purpose of the bill is to provide the arrangements required to ensure the stock route network is sustainably and consistently managed for use by travelling and grazing stock. Accordingly, local governments have an obligation to manage and conserve pasture and it is a mandatory condition for grazing permits and authorities (clauses 196, 217 of the bill). Similarly the state is required to provide local government with guidance in sustainably managing land and pasture condition.¹¹¹

The Boulia Shire Council expressed concern regarding whether graziers will ensure that there is adequate feed available on the stock routes, particularly given the increased costs to landholders of utilising the land for grazing.¹¹² In addition, Wildlife Queensland noted that it was not aware of the development of proposed guidelines on levels of pasture to be maintained. In particular, Wildlife Queensland strongly recommended that scientifically based studies are undertaken to clearly demonstrate that the approved technique results in consistent results for the various land types and results do not vary outside defined limits with a range of different users.¹¹³

The DERM also indicated that the best available science-based pasture management information will be incorporated into a guideline for local governments to support setting residual pasture levels for land types and pasture management requirements.¹¹⁴ Under clauses 196 and 218 mandatory conditions are applicable to all grazing permits and authorities issued that require the maintenance of adequate residual pasture to meet the needs of travelling stock and that land is managed sustainably. The DERM has also noted that pasture and condition assessment will be supported by a mobile assessment tool (MAT), using hand held-computers. The data collected will be stored on the SRMS and be available to support future assessments.¹¹⁵

The committee is supportive of the pasture management provisions set out in the bill. The committee, however, would like the Minister for Finance, Natural Resources and the Arts to clarify the consultation process the DERM intends to undertake with respect to drafting guidelines on pasture management for local governments and the timeframe.

¹¹⁰ Reeves, J. 2011, Consultation briefing on the Stock Route Network Management Bill 2011 attached to a letter to Jo-Ann Miller MP, Chair Transport, Local Government and Infrastructure Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 19 October, p. 6.

¹¹¹ Reeves, J. 2011, DERM comments on late submissions to the Transport and Local Government Committee attached to a letter to Jo-Ann Miller MP, Chair Transport and Local Government Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 14 December, p. 1.

¹¹² Boulia Shire Council, 2011, *Submission No. 9*, p. 2.

¹¹³ Wildlife Queensland, 2011, *Submission No.1*, p. 3.

¹¹⁴ Reeves, J. 2011, Summary of submissions – policy implications – Stock Route Network Management Bill 2011, attached to letter to Jo-Ann Miller MP, Chair Transport and Local Government Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 8 December, pp. 22-23.

¹¹⁵ Reeves, J. 2011, Summary of submissions – policy implications – Stock Route Network Management Bill 2011, attached to letter to Jo-Ann Miller MP, Chair Transport and Local Government Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 8 December, p. 23.

Point of clarification 2

The committee seeks clarification from the Minister for Finance, Natural Resources and the Arts regarding the consultation process the Department of Environment and Resource Management intends to undertake with respect to drafting guidelines on pasture management for local governments and the timeframe in which this is intended to occur.

3.2.2 Stock facilities and water facility agreements

Provision is made in the bill for a local government to enter into a water facility agreement with either the holder of land adjoining the stock route network, or a grazing authority holder, or both regarding the requirements for the supply of water and maintenance of stock facilities used by persons driving stock on the network.

A number of councils provided evidence that water facilities on stock routes in their shires were in good order.¹¹⁶ However, councils were also concerned that local government would be responsible for upgrading infrastructure that in some cases was in a degraded state and that the revenue retained by local governments would not be sufficient to replace or maintain infrastructure on the stock routes.¹¹⁷ In addition, the Boulia Shire Council indicated that the status of bores in each local government stock route area be assessed, particularly given the age and condition of current water infrastructure facilities.¹¹⁸

The DERM indicated that the State will continue to retain ownership of the assets on stock routes. In addition, the state has an ongoing program to provide limited annual funding to support the maintenance and capital replacement of priority facilities on the network; however, assets on limited used routes were less likely to receive funding.¹¹⁹ In addition, to assist with maintenance, local governments are also able to enter into agreements with landowners who currently access water from State-owned water facilities.¹²⁰

The DERM also advised that no additional responsibilities regarding maintenance of assets on the stock route have been transferred to local governments under the proposed bill. However, provision has been made for local governments to raise revenue to support stock route management activities, including water facility maintenance.¹²¹

The committee is satisfied with the proposed new arrangements for water facilities. However, there appears to be a need for an assessment of the current state of water facilities in stock routes in Queensland, particularly given that local governments will be partially responsible for the maintenance of these facilities through monies raised through fees and capital funding grants.

¹¹⁶ Bichsel, M. Longreach Regional Council, 2011, *Public Hearing Transcript*, Longreach, 18 November, p. 14.

¹¹⁷ Boulia Shire Council, 2011, *Submission No. 9*, p. 6; Haywood, M. Bulloo Shire Council, 2011, *Public Hearing Transcript*, Longreach, 18 November, p. 9.

¹¹⁸ Boulia Shire Council, 2011, *Submission No. 9*, p. 5.

¹¹⁹ Reeves, J. 2011, Summary of submissions – policy implications – Stock Route Network Management Bill 2011, attached to letter to Jo-Ann Miller MP, Chair Transport and Local Government Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 8 December, p. 12.

¹²⁰ Reeves, J. 2011, Summary of submissions – policy implications – Stock Route Network Management Bill 2011, attached to letter to Jo-Ann Miller MP, Chair Transport and Local Government Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 8 December, p. 33.

¹²¹ Reeves, J. 2011, Summary of submissions – policy implications – Stock Route Network Management Bill 2011, attached to letter to Jo-Ann Miller MP, Chair Transport and Local Government Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 8 December, p. 34.

4 Driving and grazing stock

4.1 Driving stock

Chapter 4 of the bill sets out the provisions for driving stock on the network including stock travel permits.

4.1.1 Application of stock routes to local government roads

A number of submitters raised issues in relation to the applicability of stock routes to local government roads.¹²² In particular, the question was raised whether urban and arterial roads should be excluded from the provision permitting stock movement without a travel permit and that clause 119 is silent with respect to liability, supervision and insurance matters.¹²³ The Flinders Shire Council also raised concerns regarding road reserves and the liability of graziers using the land.¹²⁴

The DERM noted that the stock route permit provisions in clause 119 are largely consistent with those provided under the existing *Land Protection (Pest and Stock Route Management) Act 2002*.¹²⁵ The local government retains discretion as to whether stock can travel on a local government road and is empowered under the *Local Government Act 2009* to make local laws regarding ancillary works and encroachments (including movement of stock) as defined under the *Transport Infrastructure Act*. The DERM advised that consideration will be given to the inclusion of supervision and insurance requirements.

The committee concurs with the DERM and is of the view that the bill to be amended to include provisions relating to supervision and insurance for stock movement without a travel permit.

Recommendation 6

The committee unanimously recommends that the Stock Route Network Management Bill 2011 be amended to include provisions relating to supervision and insurance of stock without a travel permit.

4.1.2 Drovers rest days

A number of stakeholders identified the need for drovers to be permitted two rest days every month for drovers that are making stock movements.¹²⁶ The DERM stated that clause 133 of the bill provides for cattle to travel at least ten km per day. However, any rest days will need to be negotiated with the relevant local government as the issuing authority.¹²⁷

¹²² Curry, G. 2011, *Submission No. 6*, p. 1; Gympie Regional Council, 2011, *Submission No. 10*, p. 1.

¹²³ Curry, G. 2011, *Submission No. 6*, p. 1; Gympie Regional Council, 2011, *Submission No. 10*, p. 1; McNamara, B. Flinders Shire Council, 2011, *Public Hearing Transcript*, Longreach, 18 November, p. 14.

¹²⁴ McNamara, B. Flinders Shire Council, 2011, *Public Hearing Transcript*, Longreach, 18 November, p. 14

¹²⁵ Reeves, J. 2011, Consultation briefing on the Stock Route Network Management Bill 2011 attached to a letter to Jo-Ann Miller MP, Chair Transport, Local Government and Infrastructure Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 19 October, p. 8.

¹²⁶ Little, B. Droving and Stock Route Association, 2011, *Public Hearing Transcript*, Longreach, 18 November, p. 2; Purcell, T. 2011, Letter to the Transport and Local Government Committee, 17 November, p. 3.

¹²⁷ Reeves, J. 2011, DERM comments on late submissions to the Transport and Local Government Committee attached to a letter to Jo-Ann Miller MP, Chair Transport and Local Government Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 14 December, p. 7.

The committee recommends that as a guiding principle, drovers should be entitled to a minimum of two rest days every month, if the length of travel is greater than one month. The committee would like clarification from the Minister on how this principle is to be implemented in practice.

Recommendation 7

The committee recommends that as a guiding principle, drovers should be entitled to a minimum of two rest days every month, if the length of travel is greater than one month.

Point of clarification 3

The committee seeks clarification from the Minister for Finance, Natural Resources and the Arts regarding how local governments can implement two rest days for drovers for travel greater than one month.

4.2 Grazing Stock

Chapter 5 of the bill establishes the framework for the management of static grazing on the stock route network and public (stock access) lands by local governments.

Provision is made for new fee and funding arrangements, based on the 'payment for use' principle, which better reflect the actual cost to the state and local governments of managing and maintaining the stock route network for the benefit of users. Under the bill, all landowners currently benefiting from using the stock route are required to pay appropriate fees and comply with prescribed management requirements.¹²⁸ Under the new fee framework, local governments will retain most of the grazing authority fee in addition to all of the other revenue from grazing and travel permits. Clause 398 of the bill requires that the portion of stock route revenue retained by local government to be used for the management of the framework.¹²⁹ The proposed new fee framework was outlined in a regulatory impact statement (RIS) released for public consultation in September 2009. Of the 32 submissions received by the DERM that specifically referred to fees or generally to the proposed user-pays approach 75 per cent were in support of a user-pays approach.¹³⁰

Local governments can issue permits for: emergency grazing; short-term grazing; unfit stock (grazing) permits; and grazing authorities. Grazing authorities are a new type of grazing authorisation for longer-term grazing which will be issued and managed by relevant local governments in lieu of a Permit to Occupy (PTO) currently issued by the DERM. Grazing authorities can be issued over road and stock routes to authorise the grazing of state land, which depending on the classification of the area of the stock route, will be either annual or five years. Annual authorities apply to primary

¹²⁸ Reeves, J. 2011, Consultation briefing on the Stock Route Network Management Bill 2011 attached to a letter to Jo-Ann Miller MP, Chair Transport, Local Government and Infrastructure Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 19 October, p. 9.

¹²⁹ Reeves, J. 2011, DERM comments on late submissions to the Transport and Local Government Committee attached to a letter to Jo-Ann Miller MP, Chair Transport and Local Government Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 14 December, p. 2.

¹³⁰ Robson, C. Department of Environment and Resource Management, 2011, *Public Briefing Transcript*, Brisbane, 26 October, p. 2.

stock routes and provide for more regular review of management outcomes on more regularly used routes.¹³¹

Local governments will regulate all grazing uses of the stock route network by issuing grazing authorities. No grazing authorities will be able to be issued over the fenced part of the Primary A part of the network. Short-term annual grazing authorities can be issued on the unfenced Primary A part of the network, unfenced Primary B and on the fenced Primary B routes subject to conditions.¹³² Grazing authorities of up to five years may be issued on the fenced and unfenced secondary routes subject to conditions.

4.2.1 *Emergency permits*

The Central Highlands Regional Council raised a discrepancy between emergency grazing permits and short-term grazing permits. The Council would like clarified why emergency permits are issued for 14 days on primary and 28 days on secondary compared to short-term grazing, which is six weeks on primary or 28 days on secondary. The council is of the view that 14 days is inadequate to compensate for an emergency such as pasture being destroyed by fire.¹³³

The DERM stated that local governments have the discretion under clause 198 to determine the period of grazing required by individual applications. Emergency grazing periods were designed to enable a short-term period of adjustment by landholders before implementing longer-term arrangements.¹³⁴

4.2.2 *Short term agistment*

A number of submitters indicated that short-term agistment should be listed at 3 months rather than 6 weeks.¹³⁵ AgForce also recommended the need to be able to roll agistment over in a good season with no travelling stock.¹³⁶

The DERM responded favourably to this suggestion noting that when there has been a good season but little or no travelling stock, more than 6 weeks grazing may be required for pasture management purposes on primary routes. The DERM advised that consideration will be given to amending the bill to allow a grazing permit to be renewed once, for a further 6 weeks only (up to a maximum of 12 weeks), or be made to a different applicant. However, no provision should be made to renew permits beyond three months on Primary A and B routes as longer of grazing than 12 weeks are provided through grazing authorities, where applicable.¹³⁷

The committee is of the view that Stock Route Management Bill 2011 should be amended to allow a grazing permit to be renewed once, for a further 6 weeks only (up to a maximum of 12 weeks), or be made to a different applicant.

¹³¹ Reeves, J. 2011, Consultation briefing on the Stock Route Network Management Bill 2011 attached to a letter to Jo-Ann Miller MP, Chair Transport, Local Government and Infrastructure Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 19 October, p. 9.

¹³² Robson, C. Department of Environment and Resource Management, 2011, *Public Briefing Transcript*, Brisbane, 26 October, p. 4.

¹³³ Jarrett, K. Central Highlands Regional Council, 2011, *Public Hearing Transcript*, Longreach, 18 November, p. 7.

¹³⁴ Reeves, J. 2011, DERM comments on late submissions to the Transport and Local Government Committee attached to a letter to Jo-Ann Miller MP, Chair Transport and Local Government Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 14 December, p. 2.

¹³⁵ AgForce, 2011, *Submission No. 5*, p. 6; Jarrett, K. Central Highlands Regional Council, 2011, *Public Hearing Transcript*, Longreach, 18 November, p. 7.

¹³⁶ AgForce, 2011, *Submission No. 5*, p. 6.

¹³⁷ Reeves, J. 2011, Summary of submissions – policy implications – Stock Route Network Management Bill 2011, attached to letter to Jo-Ann Miller MP, Chair Transport and Local Government Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 8 December, p. 26.

Recommendation 8

The committee unanimously recommends that the Stock Route Network Management Bill 2011 be amended to allow a grazing permit to be renewed once, for a further 6 weeks only (up to a maximum of 12 weeks), or be made to a different applicant.

4.2.3 Grazing on state-controlled roads

The bill integrates all aspects of use of state controlled roads and local controlled roads, which are not currently defined within the declared stock route network. The state controlled roads and local government controlled roads that are not part of the network can be used for travelling stock with the permission of local government and agencies.¹³⁸

Concerns were raised regarding the devolution of responsibility for managing state controlled roads to local governments and whether this would impose unreasonable cost to local councils both administratively and financially.¹³⁹ At present, the cost of managing pasture control on state controlled roads is managed by the DTMR.¹⁴⁰ AgForce submitted that the original idea was for grazing authorities to be applied to stock routes, not to state and local government controlled roads.¹⁴¹ A number of submitters advised that they would prefer a permit system established for local and state controlled roads.¹⁴²

The DERM acknowledges that there are concerns from the pastoral industry in terms that the reach of the bill has gone beyond the traditional stock route network.¹⁴³ However, the DERM indicated that the aim of the bill was to integrate all aspects of use of state controlled land, both the stock route network and state and local government controlled land into the same framework.¹⁴⁴ The DERM advised that grazing authorities must apply to roads public (stock access) land because they replace PTO for grazing issued over roads under the *Land Act 1994*. These are the only instrument available to local government to authorise access to roads which are a state-owned resource. The DERM also noted that the change simplifies the regulatory arrangements for industry and local governments, such that a common approach regarding grazing authorities and permits applies to all public lands used for driving stock and grazing.¹⁴⁵ All grazing permits and authorities on state controlled roads must receive approval from DTMR before issue.

¹³⁸ Robson, C. Department of Environment and Resource Management, 2011, *Public Briefing Transcript*, Brisbane, 26 October, p. 5.

¹³⁹ Johnstone, C. Local Government Association of Queensland, 2011, *Public Hearing Transcript*, Brisbane, 16 November, p. 4. Curry, G. 2011, Gympie Regional Council, *Public Hearing Transcript*, Brisbane, 16 November, p. 4; Warren, E. 2011, Winton Shire Council, *Public Hearing Transcript*, Longreach, 18 November, p. 8.

¹⁴⁰ Curry, G. 2011, Gympie Regional Council, 2011, *Public Hearing Transcript*, Brisbane, 16 November, p. 4.

¹⁴¹ Hall, P. AgForce, 2011, *Public Hearing Transcript*, Longreach, 18 November, p. 2.

¹⁴² AgForce, 2011, *Submission No. 5*, p. 7.

¹⁴³ Robson, C. Department of the Environment and Natural Resource Management, 2011, *Public Briefing Transcript*, Brisbane, 26 October, p. 5.

¹⁴⁴ Robson, C. Department of the Environment and Natural Resource Management, 2011, *Public Briefing Transcript*, Brisbane, 26 October, p. 5.

¹⁴⁵ Reeves, J. 2011, Summary of submissions – policy implications – Stock Route Network Management Bill 2011, attached to letter to Jo-Ann Miller MP, Chair Transport and Local Government Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 8 December, p. 26.

4.2.4 Grazing on unsurveyed land

A number of councils indicated an issue with grazing on unsurveyed land. Evidence provided to the committee indicated that is particularly an issue for councils that have vast tracks of stock routes or those where the accessible grazing lands are fenced into properties.¹⁴⁶ The Gympie Shire Council indicated its concern that if accessible grazing areas are fenced into properties, then a cost will be incurred by council to survey the properties to set up grazing agreements.¹⁴⁷ The committee was advised that this was an issue that had been outstanding for some time.¹⁴⁸

The DERM advised that the survey and marking of cadastral boundaries is not a requirement for grazing authorities or permits, which are issued based on functionality within the SRMS.¹⁴⁹ The committee is concerned that councils are unaware of their responsibilities for the issuance of grazing agreements, and recommends that the DERM clarify the requirements for unsurveyed land and grazing authorities.

Recommendation 9

The committee unanimously recommends that the Department of Environment and Resource Management clarify the requirements for unsurveyed land and grazing authorities to ensure local councils are aware of their responsibilities for the issuance of grazing authorities.

4.2.5 Static grazing

There was a divergence of views raised on the issue on static grazing on the Primary A fenced routes. A concern raised at the public hearing related to the Primary A fenced stock routes and the provisions contained in the legislation with the basic primary use of these routes to be for travelling stock.¹⁵⁰ In particular, the committee was advised that in times of low numbers of travelling stock, there will be abundance of feed, however, local councils are only allowed to issue short-term agistment permits rather than issue a grazing authority.¹⁵¹ This has a number of implications including a loss of revenue for local councils and creation of a fire hazard due to excess vegetation.¹⁵² In addition, evidence was provided that intermittent grazing was not inconsistent with sustainable use of the stock route network.¹⁵³ However, it is important that they are fenced from neighbouring stock and managed.¹⁵⁴

The Droving and Stock Route Association note that the fenced part of the stock route network is very small, and that in order to travel stock along the route they need sufficient feed and water. If council were to authorise grazing authorities for these routes because of low travelling stock, when stock does travel through these corridors, there may be no food for travelling stock. The Droving and Stock

¹⁴⁶ Groves, C. Barcoo Shire Council, 2011, *Public Hearing Transcript*, Longreach, 18 November, p. 8; Curry, G, Gympie Regional Council, *Public Hearing Transcript*, Brisbane, 16 November, p. 6.

¹⁴⁷ Curry, G. Gympie Regional Council, 2011, *Public Hearing Transcript*, Brisbane, 16 November, p.6.

¹⁴⁸ Groves, C. Barcoo shire Council, 2011, *Public Hearing Transcript*, Brisbane, 16 November, p. 9.

¹⁴⁹ Reeves, J. 2011, Summary of submissions – policy implications – Stock Route Network Management Bill 2011, attached to letter to Jo-Ann Miller MP, Chair Transport and Local Government Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 8 December, p. 35.

¹⁵⁰ Hall, P. AgForce, 2011, *Public Hearing Transcript*, Longreach, 18 November, p. 2.

¹⁵¹ Hall, P. AgForce, 2011, *Public Hearing Transcript*, Longreach, 18 November, p. 2.

¹⁵² Local Government Association of Queensland, 2011, *Submission No. 7*, p. 1, Hall, P. AgForce, 2011, *Public Hearing Transcript*, Longreach, 18 November, p. 2.

¹⁵³ Possingham, H. 2011, *Public Hearing Transcript*, Brisbane, 16 November, p.8.

¹⁵⁴ Possingham, H. 2011, *Public Hearing Transcript*, Brisbane, 16 November, p.8.

Route Association is of the view that because it is such a small land area that cannot be grazed it is reasonable to keep it as a 'hay shed'.¹⁵⁵

Councils were also of the view that current bill did not provide them with enough flexibility.¹⁵⁶ The Winton Shire Council indicated that the Chief Executive Officer's of the councils should have more discretion in granting grazing authorities and permits on Primary A and B stock routes.¹⁵⁷ The Flinders Shire Council noted that grazing should be allowed on the fenced primary network and that local governments should determine if static grazing was allowed on the network.¹⁵⁸

AgForce would like to see local councils have more flexibility in determining the type of permit required.¹⁵⁹ AgForce argues that revenue raised on fenced Primary A is totally reliant on short-term agistment which can be very intermittent and does not fully utilise the resource.¹⁶⁰ AgForce indicated that local governments should be permitted to issue grazing permits on routes with low travelling stock for periods of 3, 6 or 12 months.¹⁶¹ The LGAQ also indicated that allowing grazing on Primary A fenced stock routes would allow local governments to raise greater revenue.¹⁶²

AgForce were also concerned over the phasing out of static grazing on fenced active routes over a five year period within the bill and submit that landholders who manage active routes effectively should be entitled to a recurring grazing authority on that route based on adherence to an appropriate management plan and regular review process.¹⁶³ The LGAQ also noted that it does not agree with fenced Primary A network being permanently excluded from static grazing under grazing authorities and indicated that the availability of feed for travelling stock could be managed through appropriate conditions set in grazing authorities.¹⁶⁴

The DERM advised that the phasing out of static grazing on fenced Primary A routes is based on the view that static grazing and frequent travelling stock movements are incompatible and very difficult for local governments to manage.¹⁶⁵

The DERM indicated that it was aware of the divergence of views and that is why the proposed approach was developed of Primary A and Primary B, which would result in approximately five percent of the network being not available for grazing long term and the balance would be available for grazing long term.¹⁶⁶ The DERM is of the view that the bill provides local government with adequate flexibility to manage fenced Primary A routes without being locked into longer term static grazing (clause 205), particularly in poorer seasons. The DERM stated that on higher usage

¹⁵⁵ Little, B. Droving and Stock Route Association, 2011, *Public Hearing Transcript*, Longreach, 18 November, p.3.

¹⁵⁶ Neilson, K. Boulia Shire Council, 2011, *Public Hearing Transcript*, Longreach, 18 November, p. 16; Bichsel, M, Longreach Shire Council, 2011, *Public Hearing Transcript*, Longreach, 18 November, p. 16; McNamara, B. Boulia Shire Council, 2011, *Public Hearing Transcript*, Longreach, 18 November, p. 16.

¹⁵⁷ Warren, E. Winton Shire Council, *Public Hearing Transcript*, Longreach, 18 November, p. 8.

¹⁵⁸ McNamara, B. Flinders Shire Council, *Public Hearing Transcript*, Longreach, 18 November, p. 14.

¹⁵⁹ Hall, P. AgForce, 2011, *Public Hearing Transcript*, Longreach, 18 November, p. 2.

¹⁶⁰ AgForce, 2011, *Submission No 5*, p. 6.

¹⁶¹ Hall, P. AgForce, 2011, *Public Hearing Transcript*, Longreach, 18 November, p. 2.

¹⁶² Johnstone, C. Local Government Association of Queensland, 2011, *Public Hearing Transcript*, Brisbane, 16 November, p. 6.

¹⁶³ AgForce, 2011, *Submission No. 5*, p. 8.

¹⁶⁴ Local Government Association of Queensland, 2011, *Submission No. 7*, p 2.

¹⁶⁵ Reeves, J. 2011, Summary of submissions – policy implications – Stock Route Network Management Bill 2011 attached to letter to Jo-Ann Miller MP, Chair Transport and Local Government Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 8 December, p. 28.

¹⁶⁶ Robson, C. Department of Environment and Resource Management, 2011, *Public Briefing Transcript*, Brisbane, 26 October, p. 5.

routes, this will ensure better management of the stock routes for their other values (e.g. biodiversity, habitat, climate change and landscape connectivity).¹⁶⁷

Whilst the committee is supportive of the position put forth by local councils, AgForce and the LGAQ regarding the need for more flexibility in determining grazing permits on Primary A stock routes, it notes that under the bill the primary purpose of the stock route is for travelling stock and longer term grazing on these routes would be inconsistent with this objective. The committee has recommended that short-term agistment be extended to 3 months, which will provide an added degree of flexibility to councils.

The committee notes that the DERM has indicated it will continue to consult with the LGAQ regarding all aspects of the bill, including the grazing management framework.¹⁶⁸ The committee recommends that the DERM continue to consult with the LGAQ and other stakeholders to ensure that local governments have adequate flexibility to manage pasture, particularly in times of low travelling stock.

Recommendation 10

The committee unanimously recommends that the Department of Environment and Resource Management continue to consult with the Local Government Association of Queensland and other stakeholders to ensure that local governments have adequate flexibility to manage pasture, particularly in times of low travelling stock.

4.2.6 Grazing authority contents

Clause 218 of the bill states that stock must not be allowed to damage road transport infrastructure or the surface of a formed road.¹⁶⁹ The Boulia Shire Council noted that this is not practical for a large number of properties with hundreds of kilometres of unsealed roads and on unfenced stock routes.¹⁷⁰

The DERM acknowledged the difficulty of managing stock on stocks and advised that consideration will be given to amending the clause to remove reference to the road surface. The DERM stated that local government will be able to include specific conditions in relation to road surface management. The committee recommends that reference to the road surface be omitted from clause 218 of the bill.

Recommendation 11

The committee unanimously recommends that the Stock Route Network Management Bill 2011 be amended to omit reference to road surface from clause 218.

¹⁶⁷ Reeves, J. 2011, Summary of submissions – policy implications – Stock Route Network Management Bill 2011 attached to letter to Jo-Ann Miller MP, Chair of the Transport and Local Government Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 8 December, p. 27.

¹⁶⁸ Reeves, J. 2011, DERM comments on late submissions to the Transport and Local Government Committee attached to a letter to Jo-Ann Miller MP, Chair Transport and Local Government Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 14 December, p. 7.

¹⁶⁹ Stock Route Network Management Bill, p. 157.

¹⁷⁰ Boulia Shire Council, 2011, *Submission No. 9*, p. 3.

4.2.7 Grazing authority period

Grazing authorities are a new type of grazing authorisation for longer term grazing which will be issued and managed by the relevant local government in lieu of a PTO currently issued by the DERM. Depending on the classification of the area of the stock route, grazing authorities will either be annual or for five year terms. Annual authorities apply to primary stock routes and provide for more regular review of management outcomes on more regularly used routes.¹⁷¹

AgForce raised concern regarding the 2 year condition/3 year extension requirements when converting PTO to a grazing authority.¹⁷² In addition, AgForce indicated that the requirement to annually review grazing authorities would be expensive.¹⁷³ The Boulia Shire Council suggested that the minimum grazing authority period be raised from 3 months to one year in order to reduce paperwork.¹⁷⁴ The council also indicated that authority holders could use the three month period as a quarterly payment process for payment, thus increasing administrative load for local governments.¹⁷⁵

The DERM advised that the bill requires that grazing authorities over the unfenced Primary A and Primary B network be annual to enable the requirements of travelling stock to be better monitored. The DERM also indicated that in the interests of natural justice, all PTOs transitioned to grazing authorities will be for five years (2 years on primary routes plus availability of a 3 year extension dependent upon meeting management conditions) including those on fenced Primary A. The two year review is to assist and ensure that landholders manage the land in accordance with the needs of travelling stock for the balance of their authority.¹⁷⁶

The DERM advised that consideration will be given to amending clause 220 of the bill to increase the minimum period for a grazing authority to one year, except the initial term. In addition, the DERM advised that consideration will be given as to a shorter period in the initial term so that, for billing purposes, the term may be synchronised with the first term of next financial term (1 July).¹⁷⁷

The committee is supportive of the suggested changes to the minimum period for grazing authorities. The committee recommends that the bill be amended to increase the minimum grazing period from three months to one year.

Recommendation 12

The committee unanimously recommends that the Stock Route Network Management Bill 2011 be amended to extend the minimum grazing authority period from three months to one year.

¹⁷¹ Reeves, J. 2011, Consultation briefing on the Stock Route Network Management Bill 2011 attached to a letter to Jo-Ann Miller MP, Chair Transport, Local Government and Infrastructure Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 19 October, p. 9.

¹⁷² AgForce, 2011, *Submission No 5*, p. 6.

¹⁷³ AgForce, 2011, *Submission No. 5*, p. 6.

¹⁷⁴ Boulia Shire Council, 2011, *Submission No. 9*, p. 3.

¹⁷⁵ Boulia Shire Council, 2011, *Submission No. 9*, p. 3.

¹⁷⁶ Reeves, J. 2011, Summary of submissions – policy implications – Stock Route Network Management Bill 2011 attached to letter to Jo-Ann Miller MP, Chair Transport and Local Government Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 8 December, pp. 30-31.

¹⁷⁷ Reeves, J. 2011, Summary of submissions – policy implications – Stock Route Network Management Bill 2011 attached to letter to Jo-Ann Miller MP, Chair Transport and Local Government Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 8 December, pp. 30-31.

4.2.8 Grazing authority fee

Fees and payments are to be introduced that reflect the benefits derived from the stock route network by users and allow costs such as management costs, construction of stock water facilities, fencing and maintenance to be recovered.¹⁷⁸ The proposed fee formula prescribes a rental percentage of 1.5 to 3 per cent of unimproved capital value (UCV).¹⁷⁹

A number of submissions raised issues relating to the setting of the fee formula in the regulation and indicated that further consultation on the setting of the fee formula was needed.¹⁸⁰ Evidence provided by witnesses at the hearings supported further consultation on the fee structure and associated methodology.¹⁸¹ A key concern raised by stakeholders is that the size of the fee which is considered too high,¹⁸² and may result in rents that are potentially higher than compatible leasehold land.¹⁸³ Evidence was provided that fees should be linked to adjoining leasehold rates.¹⁸⁴

A number of councils indicated that if the fee was too high then some landholders may choose not to enter into an accessible grazing agreement, which may require the council managing that land and/or these landholders selling their land.¹⁸⁵ Several submitters, including the LGAQ indicated that the fee formula needs to take account of the variability in quality of stock route in relation to adjoining land or other constraints that may impact the quality of the stock route over long periods of time, such as severe drought.¹⁸⁶ The Drovers and Stock Route Association indicated that the Accessible Grazing Agreements should reflect a more commercial agistment rate than the current PTO.¹⁸⁷

The DERM advised that in order to determine the principles of stock route network management outlined in clause 14 of the bill, the rental rate cannot be set arbitrarily as there is a direct correlation between it and the revenue generated to meet management and maintenance costs.¹⁸⁸ The objective is to set fees at levels that will enable the costs of local governments to be met. Arbitrarily setting parameters may make this unachievable. The setting of minimum fees, the calculation of rental rates

¹⁷⁸ Robson, C. Department of Environment and Resource Management, 2011, *Public Briefing Transcript*, Brisbane, 26 October, p. 4.

¹⁷⁹ Local Government Association of Queensland, 2011, *Submission No. 7*, p. 2.

¹⁸⁰ Local Government Association of Queensland, 2011, *Submission No. 7*, p. 3; Quilpie Shire Council, 2011, *Submission No. 4*, p. 1.

¹⁸¹ Johnstone, G. Local Government Association of Queensland, 2011, *Public Hearing Transcript*, Brisbane, 16 November, p. 4.

¹⁸² Local Government Association of Queensland, 2011, *Submission No. 7*, p. 1; Quilpie Shire Council, 2011, *Submission No. 4*, p. 1; McNamara, B. Flinders Shire Council, 2011, *Public Hearing Transcript*, Longreach, 18 November, p. 17.

¹⁸³ McNamara, B. Flinders Shire Council, 2011, *Public Hearing Transcript*, Longreach, 18 November, p. 17; AgForce, 2011, *Submission No. 5*, p. 4;

¹⁸⁴ AgForce, 2011, *Submission No. 5*, p. 4. Hall, P. AgForce, 2011, *Public Hearing Transcript*, Longreach, 18 November, p. 2.

¹⁸⁵ Bichsel, M. Longreach Regional Council, 2011, *Public Hearing Transcript*, Longreach, 18 November, p. 14; Groves, I. Barcoo Shire Council, 2011, *Public Hearing Transcript*, Longreach, 18 November, p. 8.

¹⁸⁶ Local Government Association of Queensland, 2011, *Submission No. 7*, p. 2.

¹⁸⁷ Little, B. Droving and Stock Routes Association, 2011, *Public Hearing Transcript*, Longreach, 18 November, p. 2.

¹⁸⁸ Reeves, J. 2011, Summary of submissions – policy implications – Stock Route Network Management Bill 2011 attached to letter to Jo-Ann Miller MP, Chair Transport and Local Government Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 8 December, p. 6.

and the waiving of fees cannot be undertaken without considering the financial implications of the decisions and compliance with the principles in clause 14 of the bill.¹⁸⁹

The DERM advised that there are no provisions in the bill regarding the 'range of fee assessment' referred to as this is a matter for subordinate legislation. The DERM stated that it will consult further on the fee formula prior to the introduction of the regulation. As many properties adjoining stock routes are freehold, they do not attract a state land rental fee.¹⁹⁰ On commencement, the formula will be applied to the unimproved value of the rural land as determined by the Valuer-General under the *Valuation of Land Act 2010*.¹⁹¹

In response to concerns raised regarding fees being charged for land that is not suitable for grazing, the DERM advised that local governments are not precluded from adjusting the area of the stock route or road included in the calculation of the rental to take into consideration areas of the grazing authority which are of no benefit for grazing.¹⁹²

The DERM advised that it undertook public consultation as part of the RIS process and will consult further with key stakeholders regarding the fee formula to the regulation being introduced, including with the LGAQ, and investigate the financial implications of various scenarios.¹⁹³

The committee acknowledges the concerns raised by stakeholders with regard to the setting of the fee formula. The committee notes that the DERM has indicated it will consult further on the fee formula prior to the introduction of the regulation and will also investigate the financial implications of various scenarios. The committee notes that the DERM has committed to consulting further and is supportive of this process. The committee recommends that the DERM clarify how the consultation process is to be conducted and the timeframe under which the consultation is to be completed. The committee does have some concerns that the bill will be passed by the Queensland Parliament before this is clarified. As noted earlier, the committee commented on their ability to effectively scrutinise the proposed grazing authority fee without access to a current draft regulation.

Point of clarification 4

The committee seeks clarification from the Minister for Finance, Natural Resources and the Arts regarding how the consultation process on the grazing authority fee is to be conducted and the timeframe for this consultation.

¹⁸⁹ Reeves, J. 2011, Summary of submissions – policy implications – Stock Route Network Management Bill 2011 attached to letter to Jo-Ann Miller MP, Chair Transport and Local Government Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 8 December, p. 10

¹⁹⁰ Reeves, J. 2011, Summary of submissions – policy implications – Stock Route Network Management Bill 2011 attached to letter to Jo-Ann Miller MP, Chair Transport and Local Government Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 8 December, p. 7.

¹⁹¹ Reeves, J. 2011, Summary of submissions – policy implications – Stock Route Network Management Bill 2011 attached to letter to Jo-Ann Miller MP, Chair Transport and Local Government Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 8 December, p. 8.

¹⁹² Reeves, J. 2011, Summary of submissions – policy implications – Stock Route Network Management Bill 2011 attached to letter to Jo-Ann Miller MP, Chair Transport and Local Government Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 8 December, p. 9.

¹⁹³ Reeves, J. 2011, Summary of submissions – policy implications – Stock Route Network Management Bill 2011 attached to letter to Jo-Ann Miller MP, Chair Transport and Local Government Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 8 December, p. 6

5 Administrative arrangements

5.1 Offences

Clause 312 of the bill sets out conditions and penalties for the adequate supervision of stock while the stock are travelling under a travel permit or unfit stock (travel) permit. A private submitter noted that the clause did not reference clause 119 which refers to stock movements not requiring a travelling permit.

The DERM advised that clause 119, refers to stock being 'driven' on a stock route or road, which implies a level of supervision. For the purposes of clarity and consistency, the DERM advised that consideration would be given to including supervisory requirements within clause 119.

The committee concurs with the DERM and recommends that clause 119 be amended to include supervisory requirements for stock movements not requiring a travel permit in order to ensure consistency within the bill.¹⁹⁴

Recommendation 13

The committee unanimously recommends that clause 119 of the Stock Route Network Management Bill 2011 be amended to include supervisory requirements for stock movements not requiring a travel permit

5.2 Revenue distribution

This chapter outlines that a portion of revenue collected by local government under this legislation is to be remitted to the state for stock route management activity.¹⁹⁵ Revenue apportionment arrangements have been adjusted to provide a direct revenue scheme to local governments to support the network management and maintenance. Currently the income from PTO issued under the *Land Act 1994*, for example static grazing, is remitted to the state and does not go to local governments. Currently the state receives about 50 per cent of travel and agistment fees and 100 per cent of the long term static grazing revenue generated by the from the stock route network.¹⁹⁶

At present, the revenue generated by the stock route network varies seasonally according to the level of use of the network, however, the management costs for the network remain fixed by the local governments who pay expenses such as staff and water facilities. In the last financial year 2010-2011, the DERM advised that only 0.5 per cent of the operation and management costs of the network were recovered in revenue.¹⁹⁷ In 2010-11, static grazing revenue raised was \$13,000.¹⁹⁸

¹⁹⁴ Reeves, J. 2011, Summary of submissions – policy implications – Stock Route Network Management Bill 2011 attached to letter to Jo-Ann Miller MP, Chair Transport and Local Government Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 8 December, p. 31.

¹⁹⁵ Reeves, J. 2011, Consultation briefing on the Stock Route Network Management Bill 2011 attached to a letter to Jo-Ann Miller MP, Chair Transport, Local Government and Infrastructure Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 19 October, p. 14.

¹⁹⁶ Robson, C. Department of Environment and Resource Management, 2011, *Public Briefing Transcript*, Brisbane, 26 October, p. 4.

¹⁹⁷ Robson, C. Department of Environment and Resource Management, 2011, *Public Briefing Transcript*, Brisbane, 26 October, pp 5-6.

¹⁹⁸ Bourne, R, Department of Environment and Resource Management, 2011, *Public Briefing Transcript*, Brisbane, 26 October, p.6.

It is proposed to change the appropriation under supporting regulations of the bill so that local governments will retain a greater proportion of revenue, in the order of 70 per cent, sufficient to recover their management costs and ensure that the stock route network and ancillary features are adequately maintained.¹⁹⁹ It is expected that local governments will have full cost recovery by about 2022 but close to full cost recovery by 2017. In addition, it is estimated that the councils earning capacity under the bill to be about \$3 to \$4 million.²⁰⁰

Wildlife Queensland indicated it was concerned that local governments should not be required to meet shortfalls in management costs of the stock route network provided it was operating in accordance with an approved management plan.²⁰¹

A number of stakeholders raised concerns about cross-subsidisation of councils under the proposed new arrangements and the potential ramifications.²⁰² AgForce stated that it was of the view that money raised in each shire should stay there to manage issues such as weeds and biodiversity.²⁰³ There was concern that revenue raised would go to consolidated revenue and not being redistributed back to the stock routes.²⁰⁴ Concern was raised that some councils may be able to profit from fees raised from stock routes and that these revenues will go into local governments general revenue and not into maintaining stock routes.²⁰⁵

The DERM stated that the bill integrates all the provisions for long-term grazing of roads and stock routes, providing councils with improved opportunities for raising revenue. The fenced Primary A network only represents about five per cent of the total area of the stock route network. Revenue from long term grazing on the balance of the network will be available to local governments.

The DERM acknowledges that some councils have a higher proportion of fenced Primary A than others, however, modelling shows that under the new arrangements all councils have the potential to generate significantly more revenue.²⁰⁶ In addition, the DERM is to maintain and develop a web based SRMS and will continue to assist local governments with funding capital works and maintenance of facilities and will assist with training and compliance support.

The DERM advised that financial modelling undertaken as part of the legislative development process has confirmed that the costs of stock route network management and maintenance can be recovered if local governments levy appropriate fees for all permitted uses of the network and public (stock access) lands in their respective management areas.²⁰⁷ In addition, under clause 398(2) of the

¹⁹⁹ Robson, C. Department of Environment and Resource Management, 2011, *Public Briefing Transcript*, Brisbane, 26 October, p. 4.

²⁰⁰ Bourne, R. Department of Environment and Resource Management, 2011, *Public Briefing Transcript*, Brisbane, 26 October, p. 6.

²⁰¹ Wildlife Queensland, 2011, *Submission No. 1*, p. 6.

²⁰² Hall, P. AgForce, 2011, *Public Hearing Transcript*, Longreach, 18 November, p. 2, Local Government Association of Queensland, 2011, *Submission No. 2*, p. 3; HAYWARD, Hayward, M. Bulloo Shire Council, 2011, *Public Hearing Transcript*, Longreach, 18 November, p. 9; Pigeon, P. Barcoo Shire Council, 2011, *Public Hearing Transcript*, Longreach, 18 November, p. 8.

²⁰³ Hall, P. AgForce, 2011, *Public Hearing Transcript*, Longreach, 18 November, p. 3.

²⁰⁴ Hall, P. AgForce, 2011, *Public Hearing Transcript*, Longreach, 18 November, p. 6; Pigeon, P. Barcoo Shire Council, 2011, *Public Hearing Transcript*, Longreach, 18 November, p. 10.

²⁰⁵ Local Government Association of Queensland, 2011, *Submission No. 2*, p. 3

²⁰⁶ Reeves, J. 2011, Summary of submissions – policy implications – Stock Route Network Management Bill 2011 attached to letter to Jo-Ann Miller MP, Chair Transport and Local Government Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 8 December, p. 8.

²⁰⁷ Reeves, J. 2011, Summary of submissions – policy implications – Stock Route Network Management Bill 2011 attached to letter to Jo-Ann Miller MP, Chair Transport and Local Government Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 8 December, p. 5.

bill revenue from the stock route network must be spent on stock route management and maintenance.²⁰⁸

There are no provisions or requirements in the bill regarding revenue distribution as this is a matter for the subordinate legislation.²⁰⁹ However, the committee recommends that the DERM clarify whether the total revenue raised by the local governments is returned to the state into consolidated revenue or the net revenue after the local governments' percentage is calculated. As noted earlier, the committee commented on their ability to effectively scrutinise the proposed revenue distribution without access to a current draft regulation.

Point of clarification 5

The committee seeks clarification from the Minister for Finance, Natural Resources and the Arts regarding whether revenue collected by local governments is returned to the state and placed into consolidated revenue.

5.2.1 Review of revenue distribution

Several witnesses advised that there was a need to ensure that cost recovery for councils is adequate to manage responsibilities under the bill.²¹⁰ There is a need to ensure that percentages are reviewed to ensure that they are providing adequate funding. Central Highlands Regional Council recommended that there should be a provision to review the split of revenue between state and local government after a nominated interval.²¹¹ There may be the potential to change ratios once the cost of developing SMRS is completed.²¹²

The DERM advised that the estimated costs to local governments for the implementation of the bill in 2012 have been modelled at \$2.8 million, spread across 38 local government areas, and \$1 million for the state government.²¹³ The state government amount includes about eight staff and a capital works budget of \$400,000 to \$500,000 per year.²¹⁴

The committee is of the view that given the implementation of a new framework for the stock route network that it is appropriate to review the portion of revenue retained by local governments to ensure that local governments are receiving adequate funding to manage the network. Additionally, the committee believes that the Auditor-General should review the fee structure, once it has been in

²⁰⁸ Reeves, J. 2011, Summary of submissions – policy implications – Stock Route Network Management Bill 2011 attached to letter to Jo-Ann Miller MP, Chair Transport and Local Government Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 8 December, p. 8.

²⁰⁹ Reeves, J. 2011, Summary of submissions – policy implications – Stock Route Network Management Bill 2011 attached to letter to Jo-Ann Miller MP, Chair Transport and Local Government Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 8 December, p. 6.

²¹⁰ Bichsel, M. Longreach Regional Council, 2011, *Public Hearing Transcript*, Longreach, 18 November, p. 17; Groves, I. Barcoo Shire Council, 2011, *Public Hearing Transcript*, Longreach, 18 November, p. 8; Pigeon, P. Barcoo Shire Council, *Public Hearing Transcript*, Longreach, 18 November, p. 8.

²¹¹ Jarrett, K. Central Highlands Regional Council, 2011, *Public Hearing Transcript*, Longreach, 18 November, p. 7.

²¹² Jarrett, K. Central Highlands Regional Council, 2011, *Public Hearing Transcript*, Longreach, 18 November, p. 7.

²¹³ Department of Environment and Resource Management, 2011, Response to Question on Notice: Public Briefing Stock Route Network Management Bill 2011, p.1.

²¹⁴ Bourne, R. Department of Environment and Resource Management, 2011, *Public Briefing Transcript*, Brisbane, 26 October, p. 6.

place for 12 months, to ensure that there is a direct correlation between the revenue raised and the management and maintenance costs of the stock routes.

Recommendation 14

The committee recommends that the revenue distribution be reviewed on a regular basis to ensure that local councils are receiving adequate funding to manage the stock route network.

Recommendation 15

The committee recommends that the Queensland Auditor-General review the fee structure, once it has been in place for 12 months, to ensure that there is a direct correlation between the revenue raised and the management and maintenance costs of the stock routes.

5.2.2 Regional approach to managing stock routes

A number of councils were concerned that they would need to employ additional staff to manage their responsibilities under the bill and that at times it would be difficult to recruit suitably trained staff to fill positions.²¹⁵ A solution raised by one council was for regional stock route staff to be sourced through natural resource management bodies and fully funded by the Queensland Government including training.²¹⁶

The DERM advised that whilst the responsibility for managing the stock route rests with councils, they have the flexibility to manage it in different ways, including by working with neighbouring councils. The DERM indicated that nothing in the bill precludes local governments from taking a regional approach to implementation and management. However, the setting up and oversight of a regional approach would be the responsibility of the relevant local governments responsible for managing the stock route network and using route revenue. The DERM advised, however that it would provide advice and training in a similar way it would to a local government. The DERM stated that local governments would have to oversee and put in place such an approach.²¹⁷

5.3 Stock Route Advisory Panel

Chapter 9 legislates for the establishment of a Stock Route Advisory Panel (the panel) to provide advice and recommendations on such matters such as: network classification; usage thresholds; stock route research; and management plans.

Wildlife Queensland indicated that it would like the panel expanded to include persons with expertise on all values of the stock route network.²¹⁸

²¹⁵ Boulia Shire Council, 2011, *Submission No. 9*, p. 6; Neilson, K. Boulia Shire Council, 2011, *Public Hearing Transcript*, Longreach, 18 November, p. 18; Marshall, C. Issac Regional Council, 2011, *Public Hearing Transcript*, Longreach, 18 November, p. 18; Bichsel, M, Longreach Regional Council, 2011, *Public Hearing Transcript*, Longreach, 18 November, p. 16; Jarrett, K. Central Highlands Regional Council, 2011, *Public Hearing Transcript*, Longreach, 18 November, p. 12

²¹⁶ Boulia Shire Council, 2011, *Submission No. 9*, p. 4

²¹⁷ Reeves, J. 2011, Summary of submissions – policy implications – Stock Route Network Management Bill 2011 attached to letter to Jo-Ann Miller MP, Chair Transport and Local Government Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 8 December, p. 14.

²¹⁸ Wildlife Queensland, 2011, *Submission No. 1*, p. 5.

The DERM advised that the bill makes provisions under clause 384 for persons with a wide range of expertise to be appointed to advisory panels, including those knowledgeable about conservation and cultural heritage, including aboriginal traditions.²¹⁹

²¹⁹ Reeves, J. 2011, Summary of submissions – policy implications – Stock Route Network Management Bill 2011 attached to letter to Jo-Ann Miller MP, Chair Transport and Local Government Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 8 December, p. 32.

6 Fundamental legislative principles

Section 4 of the *Legislative Standards Act 1992* states that the fundamental legislative principles are the principles relating to legislation that underlie a parliamentary democracy based on the rule of law. The principles include, amongst others, that legislation has sufficient regard to:

- the rights and liberties of individuals
- compulsory acquisition of property only with fair compensation

6.1 Rights and liberties of individuals

6.1.1 Fencing notice

Clause 91(2) of the bill allows a local government to give the landholder adjoining an at risk area of the stock route network, a fencing notice that requires the landholder to erect a stock proof fence on the boundary or part of the boundary between their land and the at risk area. This imposes a financial burden on the landholder and also interferes with their right to manage the land as they wish. Failure to comply with the fencing notice, without a reasonable excuse, is an offence which carries a maximum penalty of 400 penalty units (\$40,000). Where a landholder fails to comply, an authorised officer is empowered to enter the land and erect the fence, with the reasonable costs of their doing so payable by the landholder and remaining a charge on the land if unpaid. The committee raised its concern with the DERM that this may not have sufficient regard to the rights and liberties of individuals.²²⁰

The DERM advised that this clause is consistent with sections 149 to 154 of the *Land Protection (Pest and Stock Route Management) Act 2002*. The repealed *Dividing Fences Act 1953*, the *Land Protection (Pest and Stock Route Management) Act 2000*, the recent *Neighbourhood Dispute Resolution Act 2011*, the *Land Act 1994* establish the obligation of landholders to fence their boundaries with a stock proof fence at their own expense unless they have authority to occupy the stock route or other state land. To effectively carry out the purpose of the legislation, access to and use of the stock route or roads for grazing must be managed and grazed only with the approval of the local government as stock route managers.²²¹

The DERM also stated that appropriately trained authorised officers acting on behalf of local governments are able to issue fencing notices under clause 91(2) of the bill. To ensure that the rights and interests of landholders are afforded maximum protection, fencing notices may be directly referred by landholders to the Queensland and Civil and Administrative Tribunal (QCAT) for adjudication.²²²

If a landholder fails or refuses to construct the fence, the local government has little option but to have it constructed/repaired to ensure compliance. Reasonable costs are a debt to the landholder and the local government treats the debt in accordance with the *Local Government Act 2009*, section 95 and the *Local Government (Finance, Plans and Reporting) Regulation 2010*. The bill will afford

²²⁰ Miller, J. Chair, Transport and Local Government Committee, 2012, Letter to J Reeves, Director-General, Department of the Environment and Resource Management, 16 January, p. 1.

²²¹ Reeves, J. Department of Environment and Resource Management, 2012, Letter to Jo-Ann Miller MP, Chair of the Transport and Local Government Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 20 January, p. 1.

²²² Reeves, J. Department of Environment and Resource Management, 2012, Letter to Jo-Ann Miller MP, Chair Transport and Local Government Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 20 January, p. 1

adjoining owners of unfenced stock routes and roads, the opportunity to gain an authority to use the adjoining stock route/road and avoid the need to fence the common boundary.²²³

6.1.2 Stock Reduction Notice

Clause 99(1) of the bill allows an authorised person to give an owner of land adjoining a stock route in a local government's management area a stock reduction notice that requires the owner to reduce the number of stock on the adjoining land by a stated number and within a stated reasonable period (99(2)). A landowner to whom a stock reduction notice has been given must comply with the notice. Failure to comply, without a reasonable excuse, carries a maximum penalty of 400 penalty units (\$40,000). The committee raised its concern with the DERM that this may not have sufficient regard to the rights and liberties of individuals.²²⁴

The DERM advised that this clause only applies to unfenced stock routes in accordance with the provisions of clause 98 and is consistent with section 161 of the *Land Protection (Pest and Stock Route Management) Act 2001*. To carry out the purpose of the bill, the managers of the stock route are required to ensure that it is grazed sustainably and that sufficient pasture is available for the primary purpose of travelling stock. In order to protect the resources of an unfenced stock route which is managed as part of a larger paddock, to reduce grazing pressure it is necessary to reduce stock within the adjoining paddock. Such a notice would be consistent with the general principles of sustainable pasture and land management. Another option a landowner could consider is to fence the boundary of their property.²²⁵ To ensure that the rights and interests of landholders are afforded maximum protection, a stock reduction notice may be directly referred by a landholder to QCAT for adjudication.²²⁶

6.1.3 Overdue travel fee

Clause 146(2) of the bill requires a permit holder to pay the local government an 'overdue' travel fee that is twice the amount of the permit fee for each day or part of day that stock remain on the permit route beyond the permit period. The committee raised its concern with the DERM that this fee (twice the standard daily permit fee) may be onerous.²²⁷

The DERM advised that for the purposes of the bill, the stock route manager needs to have the power to discourage stock being allowed to stay on the stock route beyond the term of their travel permit. Overstaying permits depletes the pasture available to other stock and potentially disadvantages other users of the stock route.²²⁸

To protect the rights and interests of the stock owner the local government may waive the fee if the delays were caused by factors outside of the stockowner's control. If the fee is not waived the

²²³ Reeves, J. Department of Environment and Resource Management, 2012, Letter to Jo-Ann Miller MP, Chair Transport and Local Government Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 20 January, p. 1.

²²⁴ Miller, J. Chair, Transport and Local Government Committee, 2012, Letter to J Reeves, Director-General, Department of the Environment and Resource Management, 16 January, p. 1.

²²⁵ Reeves, J. Department of Environment and Resource Management, 2012, Letter to Jo-Ann Miller MP, Chair Transport and Local Government Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 20 January, p. 2.

²²⁶ Reeves, J. Department of Environment and Resource Management, 2012, Letter to Jo-Ann Miller MP, Chair Transport and Local Government Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 20 January, p. 2.

²²⁷ Miller, J. Chair, Transport and Local Government Committee, 2012, Letter to J Reeves, Director-General, Department of the Environment and Resource Management, 16 January, p. 1.

²²⁸ Reeves, J. Department of Environment and Resource Management, 2012, Letter to Jo-Ann Miller MP, Chair Transport and Local Government Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 20 January, p. 2.

stockowner may seek a review of the decision by the chief executive initially and if dissatisfied by QCAT for adjudication.²²⁹

6.1.4 Land Protection Council

Clause 476 of bill inserts a new section 335 into the *Land Protection (Pest and Stock route Management) Act 2002* which dissolves the former land protection council and removes its members from office. Under section 335(2) no compensation will be payable to a member because of their removal from office. The explanatory notes do not provide guidance on whether this provision will actually impact on anyone financially (i.e. whether the council is still operating and whether anyone will suffer financial detriment due to their removal from office under this provision). The committee sought the DERM's clarification regarding the possible detrimental impacts of these changes.²³⁰

The DERM advised that the Land Protection Council ceased in late 2010 with the termination of the council members' appointment. Appointments to the Land Protection Council were for a limited term and members received remuneration and allowances consistent with the State Government guidelines. The clause in the bill amends of the *Land Protection (Pest and Stock Route Management) Act 2002* to bring it into line with the existing situation and does not impact former council members. The former role of the Land Protection Council in relation to stock route management will largely be undertaken by the stock route advisory panel.²³¹

6.2 Compulsory acquisition of property only with fair compensation

6.2.1 Abandoned stock

Clause 113 of the bill allows an authorised person to seize ostensibly abandoned stock where the owner is unknown, or where a removal notice has been given to the owner and the stock has not been removed in the removal period or stock were on land under a permit or authority that has subsequently been cancelled but the stock have not been removed from the land within the cancellation period. Clause 114 requires the authorised person to give notice of the seizure of the stock to the owner if known, or otherwise in a newspaper circulating generally in the area of the seizure. The notice must state that the stock must be claimed within 3 days after the notice is given (the redemption period) and may be sold or disposed of if not claimed within the redemption period. The committee is interested in the reasons for allowing 3 days as a redemption period and whether this is a sufficient period of time.²³²

The DERM advised that clause 114 is consistent with section 170 of the *Land Protection (Pest and Stock Route Management) Act 2002*. This clause provides local government with the flexibility to deal with unclaimed stock under its control in a practical and timely manner with the capacity to recoup any costs incurred. Clause 117 provides for the balance of any proceeds of sale to be paid to the owner, and under such provisions, an additional payment is not appropriate. For the purposes of the

²²⁹ Reeves, J. Department of Environment and Resource Management, 2012, Letter to Jo-Ann Miller MP, Chair Transport and Local Government Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 20 January, p. 2.

²³⁰ Miller, J. Chair, Transport and Local Government Committee, 2012, Letter to J Reeves, Director-General, Department of the Environment and Resource Management, 16 January, p. 1.

²³¹ Reeves, J. Department of Environment and Resource Management, 2012, Letter to Jo-Ann Miller MP, Chair Transport and Local Government Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 20 January, p. 2.

²³² Miller, J. Chair, Transport and Local Government Committee, 2012, Letter to J Reeves, Director-General, Department of the Environment and Resource Management, 16 January, p. 2.

legislation, stock owners are responsible for ensuring that stock are authorised to be on the stock route network.²³³

6.2.2 Destroying abandoned stock

Clause 118 allows an authorised person to destroy straying or abandoned stock if required in the interests of public safety and where seizure or removal of the stock is not practicable.²³⁴ The DERM advised that clause 118 is consistent with section 172 of the *Land Protection (Pest and Stock Route Management) Act 2002* and provides a last resort for the management of straying or abandoned stock when the overriding issue is the risk to public safety and alternative management options such as seizing stock are not practicable. This is anticipated to apply usually to single or very small numbers of stock. The clause recognises that it is the responsible of the owner for straying and abandoned stock, and to ensure the owner's stock does not pose a risk to public safety. The provisions of this clause and other clauses will be applied by an officer appropriately authorised by the chief executive officer of the local government responsible for the management area.

6.3 Minor correction

The committee noted that clause 161(3) appears to omit the word 'under' before section 160(3). The committee recommends that this word be inserted.

Recommendation 16

The committee unanimously recommends that the Stock Route Network Management Bill 2011 be amended to insert the word 'under' prior to 'section 160(3),' in clause 161.

6.4 Explanatory notes

Part 4 of the *Legislative Standards Act 1992* relates to explanatory notes. Subsection 22(1) requires that when introducing a bill in the Legislative Assembly, a member circulate to members an explanatory note for the bill. Section 23 requires an explanatory note for a bill to be in clear and precise language and to include the bill's short title and a brief statement providing certain information. Explanatory notes were tabled with the introduction of the bill. The notes are fairly detailed and contain the information required by section 23 and a reasonable level of background information and commentary to facilitate understanding of the bill's aims and origins.

²³³ Reeves, J. Department of Environment and Resource Management, 2012, Letter to Jo-Ann Miller MP, Chair Transport and Local Government Committee relating to the inquiry into the Stock Route Network Management Bill 2011, 20 January, p. 2.

²³⁴ Miller, J. Chair, Transport and Local Government Committee, 2012, Letter to J Reeves, Director-General, Department of the Environment and Resource Management, 16 January, p. 3.

Appendices

Appendix A – List of submissions

Sub #	Submitter
1	Wildlife Preservation Society of Queensland
2	Gladstone Regional Council
3	The Stock Route Coalition
4	Quilpie Shire
5	AgForce
6	Mr Grayden Curry
7	Local Government Association of Queensland
8	Longreach Shire Council
9	Boulia Shire Council
10	Gympie Regional Council

Appendix B – Summary of Submissions

Summary of submissions – policy implications – Stock Route Network Management Bill 2011

Policy Initiative	Submitter	Issues raised	Comment
Value of Stock Routes	Wildlife QLD	<ul style="list-style-type: none"> - A full assessment of the current ecological condition of the SRN be undertaken in the next three years and individually prioritized according to conservation status, or role in addressing landscape connectivity. - A comprehensive estimate of the total public worth of the SRN is required which evaluates both grazing, environmental and non-market values using stakeholder input - Support for the development and enactment of stand alone Stock Route legislation (QLD). The bill satisfies this desire in part but also deals with stock use of lands 	<ul style="list-style-type: none"> - The bill makes provision for protecting biodiversity and cultural heritage on the stock route through the declaration of special management and conditional use areas. Some relevant scientific research has already been conducted, including <i>Enhancing Biodiversity Hotspots Along Western Queensland Stock Routes</i> by Bryan Walsh of South West NRM, (May 2009). It is expected that similar projects will be conducted over time as research funds become available. - The bill recognises the importance of the network's primary use as a transport corridor for driving stock (clause 14(a)(i)), its secondary use for grazing stock and harvesting pasture, and its alternative use in protecting significant attributes such as biodiversity and cultural heritage. The bill provides for the regulation of all stock route network uses and the management of all significant values. Stakeholders have been consulted regularly during the legislative development process. - The bill provides stand-alone legislation for the management of the primary, secondary and alternative uses of the stock route network, and for the management of public (stock access) lands that are being used for grazing and travelling stock as a secondary purpose, by integrating provisions previously dealt with separately under the <i>Land Protection (Pest and Stock Route Management) Act 2002</i>, the <i>Land Act 1994</i> and the <i>Transport Infrastructure Act 1994</i>.
	Boulia Shire Council	<ul style="list-style-type: none"> - The capacity for the landholder to pay is going to be increasingly restricted as the governments carbon tax impacts severity on remote areas like Boulia where any increase in transport costs has a significant and compounding impact on grazing business which have to freight stock to markets sometimes over 1000 km. 	<ul style="list-style-type: none"> - The stock route network provides landholders with a viable alternative to road transport. The bill includes provisions for protecting its long-term viability for this purpose by regulating its use for multiple purposes, including static grazing. As is set out in the Regulatory Impact Statement, moving stock by hoof remains an inexpensive alternative to trucking stock.

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		<ul style="list-style-type: none"> <li data-bbox="629 336 1319 507">– Any increased costs on graziers which reduces profits results in the landholder putting more pressure on the land by trying to run more stock in order to meet commitments. The legislation will lead to land degradation of native pastures which will be contrary to stated intent. Once GAs are in place landholders will be encouraged to use the feed they have paid for first. <li data-bbox="629 660 1319 890">– Stock routes are touted as nature corridors which they do have the potential to become, however, the neglect by the State in providing adequate resources to councils to keep the stock routes water facilities in good working condition and the failure to keep woody weeds under control has seen the areas become havens for infestations of declared pest plants and the travelling stock are the worst possible way of spreading the weeds to clean country. <li data-bbox="629 1107 1319 1273">– Before any over the management of the State owned stock routes land and water assets to local government takes place there needs to be a full audit on the actual land condition within the routes and an assessment done on the estimated costs of bringing dangerous weeds like prickly acacia, parthenium and parkinsonia under control. 	<ul style="list-style-type: none"> <li data-bbox="1346 336 2045 624">– Clause 14 identifies sustainable use of the stock route under a grazing permit or authority as a basic management principle. All permits and authorities will be issued subject to mandatory (and other) conditions of use, including that adequate pasture be retained for use by travelling stock. Provision is made for land condition to be monitored and for compliance action to be taken, if required. Clauses 132, 188, 225 and 274, for example, specify the criteria for deciding all applications to use the stock route network, stipulating that, among other things, its use should not cause or significantly increase the extent of land degradation. <li data-bbox="1346 660 2045 1066">– Under the <i>Land Protection (Pest and Stock Route Network Management) Act 2002</i>, local governments have responsibility for controlling class 2 declared plants and maintaining water facilities on stock routes in their management area. This bill continues that long-held legislative responsibility. Landholders have responsibility under the <i>Land Act 1994</i> for managing pest plants and animals on permits to occupy issued for grazing. These requirements are continued in the bill, as are provisions regarding the transfer of pests by travelling stock (cl. 132(d)(i)). State capital funds are available to local governments for the construction and replacement of water infrastructure that is being used by travelling stock. To assist with maintenance, local governments may also enter into agreements with landowners who currently access water from State-owned water facilities. <li data-bbox="1346 1107 2045 1334">– To first determine whether, and under what conditions, stock routes land can be used for static grazing, all grazing authority areas will be assessed for land and pasture condition, including the presence of pest plants. As noted above, local governments are responsible under the existing Act for controlling class 2 declared plants such as prickly acacia, parthenium and parkinsonia on roads and stock routes in their management area. Clause 16 requires that the State stock route network management plan

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		<ul style="list-style-type: none"> <li data-bbox="629 395 1319 507">– Each local government areas stock route bores be assessed and estimates for necessary repairs be collated. In many areas the infrastructure and equipment is very old and barely functional and to the point of requiring complete renewal. <li data-bbox="629 571 1319 655">– The renewal of the states assets should take place before they are handed to local government and the cost burden is transferred to the shires. 	<p data-bbox="1391 308 2040 360">provides guidance to local governments about meeting this responsibility under this bill and other relevant legislation.</p> <ul style="list-style-type: none"> <li data-bbox="1346 395 2040 539">– As set out above, local government has responsibility for maintenance of the water facilities on the stock route. State capital funds are available to local governments for construction and replacement of water infrastructure that is being used by travelling stock. <li data-bbox="1346 571 2040 770">– No additional responsibilities regarding maintenance of assets on the stock route have been transferred to local government under this bill; however, they have been carried over from the existing <i>Land Protection (Pest and Stock Route Network Management) Act 2002</i>. Provision has also been made for local governments to raise revenue to support stock route management activities, including facility maintenance.
Implementation	Boulia Shire Council	<ul style="list-style-type: none"> <li data-bbox="629 783 1319 922">– The legislation should be trialed in closely populated areas with fully fenced stock routes and should not apply to the whole state, particularly not to far western QLD shires where travelling stock is not a contentious issue and where in many cases stock routes have not been used for over a decade by travelling stock. <li data-bbox="629 1166 1319 1219">– All timeframes within the legislation should be flexible and each Shire allowed having the capacity to extend when required. 	<ul style="list-style-type: none"> <li data-bbox="1346 783 2040 1129">– The stock route network traverses most non-coastal shires in Queensland and is being retained as a strategic public asset and being managed according to the principles set out in clause 14 of the bill. For this to occur, and to provide for its ongoing upkeep, all uses of the stock route or stock route facilities for commercial benefit must incur an appropriate fee. The bill provides for stock route management in all local government management areas to be consistent with the prescribed principles and with the State plan, taking into account variations in land type. Provision has been made for network usage data to be collected and reviewed within a regular timeframe as part of the management framework. <li data-bbox="1346 1166 2040 1332">– The principles of stock route management as set out in clause 14 of the bill and particularly sub-clauses 14(c) and (d) identify consistent and efficient management at local, regional and State levels in accordance with the public interest as being one of the guiding principles of stock route network management. Subject to the bill being passed by the Parliament, it will commence as soon

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			as practicable following its passage, but no more than 12 months later.
	Gympie Regional Council	<ul style="list-style-type: none"> - The Gympie Regional Council has concerns about accessible grazing agreements due to the large amount of narrow road reserve in our region which would require survey, assessment and monitoring. 	<ul style="list-style-type: none"> - The survey and marking of cadastral boundaries is not a requirement for grazing authorities or permits, which are issued based on functionality within the Stock Route Management System.
Funding	Wildlife QLD	<ul style="list-style-type: none"> - Provide revenue opportunities from the use of the stock network. This is in the bill. The Stock Route Coalition would prefer additional funding to rapidly enhance existing knowledge but the suggested rises are significant increases for many of the users. - Other sources of funds to manage values of the network other than those associated with the grazing industry must be explored. Not relevant in the legislation more of a policy issue. Should areas of special management be declared funding for the management of such areas may be available from different funding bodies? - Support for the use of public funds including consolidated revenue for fencing of unfenced SRN if appropriate, and maintenance of public good values. More of a policy issue - Local Authorities should not be required to meet shortfalls in management costs of the SRN provided that the Local authority is managing the network in accordance with an approved management plan that satisfy standards set in the State Plan. An 	<ul style="list-style-type: none"> - The bill does not specifically require that scientific study of the stock route network be undertaken. It is expected, however, that by allowing input, storage and retrieval of stock route information, the electronic stock route management system that is to be introduced to support implementation and management will provide baseline data to inform decision making and the regular review of management arrangements. It will also provide for public access to certain stock route network information. Nothing in the bill precludes regional NRM bodies from providing funding to support research on the stock route network. - This is not a legislative issue; however, nothing in the bill precludes the use of conservation funding sources to support specific projects on the stock route network, including further research into special management areas. - The State is exempt from funding boundary fencing of freehold or leasehold properties as this is the responsibility of the landholders. Fencing of other boundaries or specific sites that is considered to be in the public interest may be funded from other sources such as projects developed and managed by regional NRM bodies. - Financial modelling undertaken as part of the legislative development process has confirmed that the costs of stock route network management and maintenance can be recovered if local governments levy appropriate fees for all permitted uses of the

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		attempt has been made in the bill to achieve this.	network and public (stock access) lands in their respective management areas.
	Stock Route Coalition	<ul style="list-style-type: none"> - Recommend where the benefits concerns biodiversity and cultural heritage values of the SRN public funding should be provided from the appropriate budget source. 	<ul style="list-style-type: none"> - The bill is predicated upon a 'user pays' approach being taken where the benefit is a private rather than a community one; however, it does not limit the source of funding to support management of the stock route network.
	AgForce	<ul style="list-style-type: none"> - The proposed legislative structure will encourage the conversion of active stock routes to corridors of National Parks absolutely funded by rural rate payers. 	<ul style="list-style-type: none"> - Clause 3 of the bill states that the main purpose of the legislation is to '<i>regulate management and use of the stock route network and public (stock access) land</i>'. Clause 14 of the bill describes the principles of stock route management including the importance of its relevant uses including the primary purpose of the stock route network as providing for travelling stock now and into the future, as well as recognising its secondary uses for grazing stock and harvesting pasture and its alternative uses for biodiversity, cultural heritage, recreation etc. No provision has been made to encourage or allow the declaration of stock routes as national parks. A special management area framework (chapter 3 Part 3 of the bill) has been introduced that allows appropriate conditions to be applied to permits or authorities for those areas recognised by local governments as having significant biodiversity or cultural heritage values.
	Gympie Regional Council	<ul style="list-style-type: none"> - The devolution of responsibility for managing the pasture on state controlled roads to local government comes at a cost to councils which is an unreasonable imposition on ratepayers. 	<ul style="list-style-type: none"> - The requirement to manage pasture on state-controlled roads that are not declared stock routes is relevant only to areas subject to grazing authorities and grazing permits. (All grazing permits and authorities on state-controlled roads must receive approval from the Department of Transport and Main Roads before issue – clauses 132, 211, 274.) as outlined in clause 398 of the bill, most of the revenue generated will be retained by local governments to offset their costs for managing the network.
Cost recovery	AgForce	<ul style="list-style-type: none"> - The proportion of revenue retained by local governments increased from 65% to 90%. This is not written into the bill. AgForce opposes the proposal that 35% of revenues raised from GA's in shires that only have inactive networks be remitted to a centralized fund to be distributed to shires with active networks. 	<ul style="list-style-type: none"> - There are no provisions or requirements in the bill regarding revenue distribution as this is a matter for the subordinate legislation.

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		<ul style="list-style-type: none"> We submit that fees collected in a local area must remain within that shire. Redistribution and cross subsidization of 35% of GA funds to the 24 shires with SRN from the 49 shires not in the SRN is a major concern and will lead to discontent amongst landholders, rural ratepayers. 	
	Gympie Regional Council	<ul style="list-style-type: none"> Many parcels of crown land and road reserve are not commercially viable and completely unsuitable for inclusion for accessible grazing arrangements. 	<ul style="list-style-type: none"> Fees are a matter for the subordinate legislation, which may specify a minimum fee, if considered appropriate.
User pays	Stock Routes Coalition	<ul style="list-style-type: none"> The Stock Routes Coalition supports the user pays. All users must contribute financially to the management of the stock route network and should not gain a financial advantage from use of a public utility at no cost. It would appear that this has been addressed at least in part. 	<ul style="list-style-type: none"> A basic tenet of the bill is that all who derive a financial benefit from the stock route pay an appropriate fee (subclause 14(f)).
	Quilpie Shire Council	<ul style="list-style-type: none"> The fee formula is to be prescribed in the regulations which will support the bill. The issue of the fee formula needs further consideration and consultation. The submission supports the LGAQ submission in relation to GA fees: The state commits to working with a small LGAQ led local government committee including councils with a majority of secondary network, to review the formula for determining GA fees on stock routes prior to the finalization of the regulations. The minimum rate should be 1% or less of UCV. 	<ul style="list-style-type: none"> There are no provisions in the bill regarding the applicable percentage rate as this is a matter for subordinate legislation. The Department undertook public consultation as part of the Regulatory Impact Statement process and will consult further with key stakeholders regarding the fee formula to the regulation being introduced. In order to achieve the principles of stock route network management outlined in clause 14 of the bill, the rental rate cannot be set arbitrarily as there is a direct correlation between it and the revenue generated to meet management and maintenance costs.
	Longreach	<ul style="list-style-type: none"> That the rate at which land under an Annual Grazing Agreement is to be charged be the same as the rate in the dollar levied on the adjoining properties by the relevant local government. 	<ul style="list-style-type: none"> There are no provisions in the bill regarding the fee applicable to a grazing authority as this is a matter for subordinate legislation.
	AgForce	<ul style="list-style-type: none"> One of the great challenges facing pastoral industry is Leasehold land rentals evolving out to 1.5% of present unimproved capital value (UCV). The propose stock route legislation will give local government the option to double this cost for landholder Grazing Authority access to adjoining stock route. This is absolutely 	<ul style="list-style-type: none"> There are no provisions in the bill regarding the applicable percentage rate as this is a matter for subordinate legislation. The Department will consult further on the fee formula prior to the introduction of the regulation.

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		<p>inconsistent with pastoral leasehold land. The rate used in GA calculations should be equivalent to the agricultural rate which is currently 1.5% and must be based on unimproved remnant value (URV).</p> <ul style="list-style-type: none"> - AgForce clearly accepts that landowners with grazing access to the SRN should contribute to the funding and management of the SRN, however, the URV must be absolutely consistent with the rental appraisal of the leasehold land as the URV is land that reflects the inability of development on the SRN and its productive capacity. Above this then is the inclusion of State and Local Government roads into grazing authority calculations. 	<ul style="list-style-type: none"> - Long-term static grazing of roads incurs a fee under existing legislation. The fee applicable under the new arrangements will be calculated against the unimproved value of the adjoining rural land as determined by the Valuer General under the <i>Valuation of Land Act 2010</i>.
	AgForce	<ul style="list-style-type: none"> - AgForce strongly rejects the proposed 'range' of fee assessment levels used to calculate GA values – currently proposed between 1.5 – 3% - of the UCV of land adjacent to the stock route. - AgForce submits that the appropriate rate should be set at a rate equivalent to that imposed on adjoining leasehold landholders not up to 3% as identified. - The option to increase to 3% of UCV has no precedent in rural land revenue and identifies it as a fund raiser. 	<ul style="list-style-type: none"> - There are no provisions in the bill regarding the 'range of fee assessment' referred to as this is a matter for subordinate legislation. The Department will consult further on the fee formula prior to the introduction of the regulation. - There are no provisions in the bill regarding the applicable percentage rate as this is a matter for subordinate legislation. As many properties adjoining stock routes are freehold, they do not attract a state land rental fee.
	LGAQ	<ul style="list-style-type: none"> - The introduction of the GA framework as a means of councils being able to recoup the costs of their stock route administrative and management costs has merit and is supported by the LGAQ. There are a number of problems with how the framework will function. - There are a small number of councils that will be able to raise more revenue than they currently have, but will continue to be unable to recoup the full cost of managing the stock routes in their local government area. This is predominately as a result of these councils having a large amount of Primary A fenced stock routes in their local government area. 	<ul style="list-style-type: none"> - The department will continue to consult with the LGAQ regarding the implementation of all aspects of the bill, including the grazing management framework. - Under the current arrangements, local government retain a portion of the fees charged for agistment and travel on the stock route network. They do not, however, retain any revenue from permits to occupy issued under the Land Act for grazing purposes, as this is retained by the state. The bill integrates all provisions for long-term grazing of roads and stock routes, providing councils

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		<ul style="list-style-type: none"> <li data-bbox="629 571 1319 715">– Other councils will be able to use the GA framework to raise revenue that will more than adequately cover their costs and result in profit. This has resulted in speculation by other stakeholders that funds will go into local government’s general revenue and not into maintaining a high quality SRN. <li data-bbox="629 751 1319 895">– The fee formula proposed in the 2009 RIS is inflexible and fails to take account the variability in quality of stock route in relation to adjoining land or a range of constraints that may impact the quality of the stock route over long periods of time, such as severe drought. <li data-bbox="629 932 1319 1043">– The fee formula is described in the regulations which are to follow. As consultation is likely to be limited on the regulations, the LGAQ must raise the issue of the proposed GA fee formula in this submission. <li data-bbox="629 1080 1319 1334">– The proposed formula prescribes a rental percentage of 1.5%-3% of UCV. While graziers may not argue against paying for land they are using, it is the amount they will be asked to pay for the Gas compared to what they now pay per ha for adjoining land that will be a major point of contention. Leasehold land rents are rising at 20% per year as they head to 1.5% of their UCV. They are currently at approx 30% of the final leasehold rent they will pay. The effect of including the GA fee on the rate notice will be substantial in some areas. 	<p data-bbox="1391 308 2045 539">with improved opportunities for raising revenue. The fenced Primary A network represents only about 5% of the total area of the stock route network. Revenue from long-term grazing on the balance of the network will now be available to local governments. It is acknowledged that some councils have a higher proportion of fenced Primary A than others; however, modelling shows that under the new arrangements <u>all</u> councils have the potential to generate significantly more revenue.</p> <ul style="list-style-type: none"> <li data-bbox="1346 571 2045 659">– Clause 398(2) of the bill states that revenue from the stock route network must be spent on stock route management and maintenance. <li data-bbox="1346 751 2045 895">– The Department will consult further on the fee formula prior to the introduction of the regulation. On commencement, the formula will be applied to the unimproved value of the rural land as determined by the Valuer General under the <i>Valuation of Land Act 2010</i>. <li data-bbox="1346 932 2045 1019">– No rental formula is proposed in the bill as this is a matter for the subordinate legislation. The Department will consult further on the formula prior to the introduction of the regulation. <li data-bbox="1346 1080 2045 1279">– Prior to implementation, landholders will be advised about the new grazing authority framework. Existing permit holders will be invited to transfer to a grazing authority, but may surrender their permit without penalty prior to commencement. Local governments are not precluded from adjusting the rate levied on landowners as the proportion of the general rate required to maintain the stock routes decreases.

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		<ul style="list-style-type: none"> <li data-bbox="629 336 1319 480">– For example, stock routes account 4.2% if the Flinders area. Calculations for the Flinders Shire show the GA fee revenue for the SRN within the shire would be approx \$240,000. The general rate revenue could be perceived by graziers to represent an increase of 16% of the rural general rate. <li data-bbox="629 517 1319 719">– Further, there needs to be means by which the productivity of the SRN compared to the adjoining land (it is lower) can be fairly reflected in the rate. Some local governments in areas where the landholdings are very large and variable in quality and the network predominantly going to be classified as secondary have expressed concern with the fairness of the proposed formula and request further review. <li data-bbox="629 756 1319 927">– Additionally, the SRAP agreed that it would be appropriate to allow a concession or exclusion from area calculated for fees in areas constrained by biodiversity and cultural heritage values and/or non-grazable vegetation, to acknowledge the reduced value of the grazing area. This has not been reflected in the bill and needs to be included in the regulations. <li data-bbox="629 963 1319 1102">– Similarly, there is a need to incorporate some flexibility with regards to setting fees to account for hardship, particularly regarding fees for Emergency Grazing Permits, and for those times when the productive value of the area under a GA is negligible, for example prolonged, serve drought. <p data-bbox="629 1139 763 1161">Recommend:</p> <ul style="list-style-type: none"> <li data-bbox="629 1171 1319 1278">– That the State commits to working with a small LGAQ led local government committee including councils with a majority of secondary network, to review the formula for determining GA fees on stock routes prior to the finalization of the regulations. <li data-bbox="629 1315 1319 1339">– That the State commits to working with SRIG to establish a 	<ul style="list-style-type: none"> <li data-bbox="1346 336 2040 448">– The local government is not precluded from adjusting the area of stock route or road included in the calculation of the rental to take into consideration areas of the grazing authority which are of no benefit for grazing. <li data-bbox="1346 517 1906 541">– Agreed for areas that cannot be grazed. (See above.) <li data-bbox="1346 756 2040 927">– Although the bill does not include specific hardship provisions, local government is not precluded from arranging extended time for payment for users of the stock route if warranted. Applicable rental rates are not adjusted because of seasonal cycles or market conditions as the potential yield from the land is taken into account during the valuation process. <li data-bbox="1346 963 2040 1038">– The state will work closely with key stakeholders, including the LGAQ, regarding the fee formula prior to the introduction of the regulation. <li data-bbox="1346 1171 2040 1246">– The Department will consult further on the fee formula prior to the introduction of the regulation, and investigate the financial implications of various scenarios. <li data-bbox="1346 1315 2040 1339">– The objective is to set fees at levels that will enable the costs of

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		<p>transparent financial model that will ensure equitable access to adequate cost recovery by all councils and demonstrate funds are being reinvested into a well maintained State-wide SRN.</p> <ul style="list-style-type: none"> - At a minimum, local government stakeholders request that: <ul style="list-style-type: none"> ▪ The minimum rate should be 1% or less of UCV ▪ If the productivity of the stock route is lower than the adjoining land as a result of the adjoining land being improved, the UCV should be based on remnant value. ▪ Local government will have the right to waive the fee for an Emergency Grazing Permit based on agreed criteria for doing so or that Disaster Relief Funding is amended to include reimbursement for Emergency Grazing Permit fees. 	<p>local governments to be met. Arbitrarily setting parameters may make this unachievable. The setting of minimum fees, the calculation of rental rates and the waiving of fees cannot be undertaken without considering the financial implications of the decisions and compliance with the principles in clause 14 of the bill.</p>
	Boulia Shire Council	<ul style="list-style-type: none"> - Fees to landholders will be initially set using the criteria outlined but as time goes by and administration costs for local governments escalate the call for increase in fees for GA's will be difficult for councils to resist given the climate of cost recovery and sustainability. The bill puts in place a system which could lead to unsustainable charges being imposed by local government. - What will happen in the drought years when there is no grass available on the stock route, will the landholders still be required to pay the annual grazing agreement when there is no pasture available? Does the annual grazing agreement still cost the same in those years? 	<ul style="list-style-type: none"> - The billing methodology is based on existing charging models used both by local government and the state. - The bill provides the framework for a grazing authority holder to amend or surrender a grazing authority or permit (clauses 229, 234), and for a local government to amend (clause 231) or cancel a permit or authority under a number of prescribed grounds (clause 242 of the bill) including insufficient pasture or water. There is no provision in the bill for grazing authority fees to be waived or applicable rates to be adjusted because of seasonal cycles or market conditions as the potential yield from the land is taken into account during the valuation process. Accordingly, the grazing authority fee formula will be applied annually to the unimproved value of the adjacent rural land as determined by the Valuer General under the <i>Valuation of Land Act 2010</i>.

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		<ul style="list-style-type: none"> - While landholders have to pay annual grazing agreement on the stock route they will make sure that they use that area every year. Many land managers are being encouraged to spell country, especially along the watercourses where most of the western QLD stock routes are situated. The legislation may have a negative effect on this practice. - The state government is failing to recognise or concede that the landholder is an important resource with regards to maintaining the good land condition along stock routes. The landholder is being maligned as the adversary who requires a whole host of complex regulations and compliance to control. This ethos is strongly rejected by the Boulia Shire. - Shires to have the ability to reduce or waive GA fees as long as pasture condition and water facilities are adequate and conforming to the legislation. 	<ul style="list-style-type: none"> - Monitoring and compliance provisions are included in the bill in the event that action is necessary as a consequence of overgrazing. - The bill clearly delineates between the responsibilities of the State, the local government and landholders so that their respective rights and obligations under the new arrangements are clear. - Grazing authority fees are based on the area of benefit and fees for a particular area are able to be adjusted accordingly. Water agreement fees can be offset by landholders who undertake maintenance of the stock route water facility
Water facilities	Boulia Shire Council	<ul style="list-style-type: none"> - In large western shires where distances are considerable and where in many cases the stock routes are seldom if ever used over the last twenty years, the state could offer to sell or lease the stock route water facilities to the landholder with the agreement being that the landholder would keep the watering point maintained and operating that would allow legitimate travelling stock with the relevant permits to water at the facility. Landholders would be required to keep sufficient pasture for travelling stock when the season allows, recognising that in drought years there may be no pasture available. - The stock route portion of the lease to go into the state land rental system as a special lease but at a significantly reduced rate due to the extra conditions imposed if there is no water facility on the parcel of land and all stock route fees are waived if the landholder has an agreement to maintain the facility. 	<ul style="list-style-type: none"> - Water agreements under the bill allow landholders to use water facilities on the stock route. Local governments can negotiate whether a fee is payable or the landholder may undertake maintenance in lieu of part or all of a fee. - Local governments can only issue grazing authorities over stock routes and roads and retain a percentage of the fee. If there is a water facility on the grazing authority area it will also be necessary for the landholder to have a water agreement (clause 211 of the bill). The fee for the water agreement can be offset by the landholder agreeing to maintain the facility.

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		<ul style="list-style-type: none"> <li data-bbox="629 336 1319 655">– This arrangement would mean that there would be no costly monitoring, repairs and maintenance costs for local or State government. The landholder passes by the facilities on their own bore run and has the skills, staff and equipment on site to keep their watering point functioning. There would be no GA's and no associated costly administration costs for councils. Fees from travelling stock on these routes could go towards the State funding the annual inspection of the waters and pasture on the route. This inspection could be done by a Regional Stock Routes Supervisor based centrally for example, Longreach, within DCQ natural resource management group. <li data-bbox="629 692 1319 743">– Landholders would be required to monitor and report on the previously State owned water facility. <li data-bbox="629 780 1319 983">– This concept would negate the costly requirement by local government to continually source, recruit and train staff to perform the monitoring, administrative and compliance tasks as they currently exist in the proposed legislation and avoid the strong possibility of lengthy periods of time when local governments are simply unable to access a suitable person to fill the position. <li data-bbox="629 1019 1319 1129">– By selling or leasing the watering points the State would be utilising the existing human resources already residing on the stock routes with the necessary skills to maintain the watering points. <li data-bbox="629 1166 1319 1249">– Or otherwise if the State wishes to retain the water facility asset then they could remain responsible for the capital infrastructure replacement costs. <li data-bbox="629 1286 1319 1339">– Stock route water facilities are in a very poor state of repair due to lack of funding over a long period of time. Where unfenced 	<ul style="list-style-type: none"> <li data-bbox="1346 336 2045 387">– Water facility maintenance can be implemented under a water agreement under the bill <li data-bbox="1346 692 2045 743">– Reporting could be a component of the water facility agreement with the landholder. <li data-bbox="1346 780 2045 863">– While the responsibility for managing stock routes rests with councils, they have the flexibility to manage it in different ways, including by working with neighbouring councils. <li data-bbox="1346 1019 2045 1043">– A water agreement can provide many of the suggested benefits. <li data-bbox="1346 1166 2045 1217">– The State currently provides capital funding to local governments for facility upgrades on a priority basis <li data-bbox="1346 1286 2045 1339">– By negotiation with local governments the water agreement fee can be by in kind activity from a landholder. (As facility owner the

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		<p>stock routes are only used sporadically in large outback Shires and where the travelling stock require access to private watering points to be able to complete the journey the State could waive GA fees in return for:</p> <ul style="list-style-type: none"> - the landholder entering into a water facility agreement where they are responsible for the operation, repairs and maintenance (but not the capital replacement costs) of the bore and associated equipment such as tanks and troughs - reporting biannually to the Shire on the condition of the water facility and any repair work undertaken. - The landholder agreeing to monitor, report and control weeds to existing conditions on the stock route - The landholder granting access to travelling stock to their private watering points along the route - The landholder to comply with the regulations around the pasture condition and quantity as stated in the legislation. 	<p>State is a co-signatory to a water facility agreement.)</p>
Administrative Arrangements	LGAQ	<ul style="list-style-type: none"> - Local Government should have a simple system to administer and raise revenue to manage the SRN. The new SRN effectively loads the LGAQ with a major economic and managerial network while denying them the ownership and flexibility to manage it regionally. 	<ul style="list-style-type: none"> - The bill introduces a more equitable, user-pays system that is designed to enable an adequate income stream for local governments. An electronic stock route management system is being developed to support consistent, efficient management and provide for public access to certain SRN information. LGAQ and representative local governments have been and will continue to be consulted regarding its design and functionality.
	Boulia Shire Council	<ul style="list-style-type: none"> - The bill is asking local government to manage, monitor and be the tax collector for the State's asset. They are asking local government to fund and administer management and compliance of the State owned asset for a portion of the fees charged. - Local government is burdening with management, administration, monitoring and compliance. Staff for these tasks will be almost impossible to source and the high staff turnover, recruiting and training costs along with the administrative 	<ul style="list-style-type: none"> - Under existing legislation local governments are already the appointed managers of stock routes and local roads. The bill has been prepared in response to an approach from Western local governments seeking a more equitable and better-funded system of management that does not rely on subsidisation by rural ratepayers and addresses the inequities arising from unauthorized and unregulated use. - Management of the stock route network has been a long -term responsibility of local government. The new bill includes many provisions from the existing head of power, but seeks to improve cost-efficiency and improve the revenue stream by recovering

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		<p>reporting requirements will soon soak up any financial gains which may come to council due to the annual grazing agreements.</p> <ul style="list-style-type: none"> - Rather than each individual Shire being required to source train and fund staff and associated vehicles, a regional approach to stock route management would reduce the costs. - Regional stock route monitoring staff to be sourced through DCQ and other such regional natural resource management bodies and fully funded by the State including training. Groups of shires like the RAPAD group of seven councils to jointly fund vehicle costs. - Stock route supervisors to be based within the offices of DCQ or the NRM body so as to be able to have immediate access to relevant data within that organisation and also to be able to liaise with other skilled and experienced staff members. Possibly use Delbessie trained personnel. - Stock routes supervisors required to handle compliance issues would find the job challenging if living in small remote communities, whereas if they were based centrally the job would be easier to cope with. - Data gathered by stock route supervisors based at NRM offices could be used for any number of extended applications relating to resource management. 	<p>management and maintenance costs from network users.</p> <ul style="list-style-type: none"> - Nothing in the bill precludes local governments from taking a regional approach to implementation and management. - The setting up and oversight of a regional approach would be the responsibility of the relevant local governments responsible for managing the stock route network and using stock route revenue. The department would provide advice and training in a similar way as it would to local government. - This is a matter for relevant local governments to put in place and to oversee. - As it is recognised that enforcing compliance is a difficult issue in a small community, the use of external compliance action is envisaged and supported. This is an administrative arrangement - the bill provides the laws and penalties for offences etc. - Data gathered through the Stock Route Management System will provide access to longer term resource management information.

Summary of submissions – clauses – Stock Route Network Management Bill 2011

Clause No.	Page No.	Policy or initiative	Submitter	Issues raised in submission	Comments
Clause 2(2)	26	Commencement date of bill	Wildlife QLD	<ul style="list-style-type: none"> - Whilst, Wildlife QLD appreciates Chapter 13 Part 1 cannot commence, until other provisions of Chapter 13 have commenced, there should be a commitment of a timeframe in which the works would be undertaken. - Recommend: A maximum timeframe for all other provisions of Chapter 13 and Schedule 3 to be implanted. 	<ul style="list-style-type: none"> - The bill will commence on proclamation, which will be as soon as practical after it is passed but must be within 12 months of passage. The timeframe for proclamation reflects the time required to ensure the subordinate legislation and essential management systems, including the web-based Stock Route Management System, and relevant procedures are in place to support implementation. - The consequential amendments to legislation affected by the integration of certain grazing provisions from the <i>Land Act 1994</i>, the existing <i>Land Protection (Pest and Stock Route Management) Act 2002</i>, and the <i>Stock Act 1915</i>, which is provided for in chapter 13, will commence on proclamation.
Clause (3)(2)(a)	26	Purpose of the Act and its achievement	Wildlife QLD	<ul style="list-style-type: none"> - It is acknowledged that the different uses are outlined in definitions (Part 2, section 14). However, because of past history and its previous primary purpose as accommodate the need of permitted travelling stock and authorised and unauthorised grazing of the network, to reinforce the significant change in recognising and managing the other values of this iconic asset it would be preferred if the different uses were clearly identified in the purpose to minimise any confusion. All the values of the SRN should be spelt out. - Recommend: Amend 3(2) and list the 'different uses'... 	<ul style="list-style-type: none"> - The statement of purpose conveys the high level intent of the bill. - It is considered inappropriate to include a detailed list of different uses under this clause as the list, by its nature, could not be exhaustive. General secondary uses are identified in clause 14 of the bill.
Clause 7(1)(b)	28	What is a stock Route	Grayden Curry	<ul style="list-style-type: none"> - Is it intended to be all roads, plus routes ordinarily used for travelling stock? Or (roads and routes) ordinarily used for 	<ul style="list-style-type: none"> - For the purposes of this bill a stock route includes the declared mapped stock

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				travelling stock?	routes plus all local government controlled roads, and all State controlled roads approved for the purpose by the chief executive administering the Transport Infrastructure Act 1994. Currently the only roads excluded from use by travelling stock are motorways and controlled access roads.
			Gympie Regional Council	<ul style="list-style-type: none"> - A definition of a stock route should clearly identify whether roads are stock routes (or not) 	<ul style="list-style-type: none"> - The stock route network is made up of: stock routes and reserves for travelling stock. Stock routes include: roads or routes declared as stock routes; other roads or routes ordinarily used for travelling stock; and roads shown as stock routes on the stock route network map. Reserves for travelling stock are state land declared under the Land Act 1994 and dedicated for stock requirements, including water, and other lawful use by travelling stock. - For the purposes of the bill, any road—other than a motorway or a controlled access road—that is ordinarily used for travelling stock is considered a stock route.
Clause 14	30	What are the principles of the stock route network management	Wildlife QLD	<ul style="list-style-type: none"> - On active stock routes that support high conservation or aboriginal heritage and cultural values these must be protected while ensuring the needs of travelling stock. This is covered in this section and definitions (Div 2(14) and principles of management. Preference would be for the different uses to be outlined in the purpose. 	<ul style="list-style-type: none"> - Clause 14 of the bill provides the principles for stock route management in Queensland and identifies the generic values of the stock route network. It is not considered feasible or beneficial to present an exhaustive list of uses or to inadvertently limit alternative uses by omission.

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				<ul style="list-style-type: none"> The Government has committed that the SRN will not be disposed of or further fragmented. This section infers this but sale or disposal of the selected sections of the stock route may occur without destroying the connectivity of the remaining network. 	<ul style="list-style-type: none"> It may be necessary from time-to-time to adjust the location of stock routes in the community interest. Changes of this nature are referred to the Stock Route Management Unit, which addresses issues such as connectivity, the needs of travelling stock, biodiversity, cultural heritage and access to water.
Clause 14(a)(i)			Grayden Curry	<ul style="list-style-type: none"> Is it the principal use of public (stock access) land, particularly roads, and a transport corridor for driving stock? 	<ul style="list-style-type: none"> The reference to the principal use as <i>'a transport corridor for driving stock'</i> in clause 14 is a reference to the primary use of the stock route network and public (stock access) land for the purposes of the Stock Route Network Management bill only.
			Gympie Regional Council	<ul style="list-style-type: none"> Concern regarding the notion that public (stock access) land has driving stock as a principal use 	<ul style="list-style-type: none"> The meaning of the term <i>'public (stock access) land'</i> is defined in clause 11 of the bill. The reference to its principal use as a <i>'transport corridor for driving stock'</i> is a reference to its primary use under the Stock Route Network Management bill only.
Clause 14(b)(ii)			The Stock Route Coalition	<ul style="list-style-type: none"> Climate change principle. The SRN Coalition acknowledges this principle. This requirement would be best achieved with sustainable intermittent grazing and avoidance of burning where less damaging practices like intermittent. The Coalition is concerned that the plan does not appear to recognise the impending steep rises in cost of transport fuels with their inevitable impacts on the trucking of livestock to truck yards, other properties etc that are predicted with Peak Oil. This future cost provides a compelling reason for the maintenance of the SRN in its intact form in perpetuity to ensure that the grazing industries have affordable means of transport for their livestock. 	<ul style="list-style-type: none"> The agreed preference for pasture management is for well-managed, limited, or intermittent grazing rather than burning. This management needs to be balanced by the need for emergency grazing, management of fuel loads other than by burning, and the need for managed longer term grazing on unused parts of the network. The bill (clauses 196, 218) provides for the requirement for residual levels of pasture to be identified and managed as mandatory conditions—

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					<p>not only to cater for travelling stock, but to sustainably manage land condition</p> <ul style="list-style-type: none"> - The government has made a commitment to retain the entire network in recognition of its strategic relevance for travelling stock and the significance of its other uses and values.
Clause 14(d)			Wildlife QLD	<ul style="list-style-type: none"> - Strong support for this section, however the concept of landscape connectivity needs to be reflected. Perhaps clause (d) may be appropriate. Strong support is given for recognising the potential role for the SRN in adapting to climate change. - Recommend: Include the concept of landscape connectivity. 	<ul style="list-style-type: none"> - It is considered that the reference in clause 14(iii)(A) to the importance of the alternative uses of the network in supporting and maintaining '<i>biodiversity, cultural heritage, infrastructure and natural resources within or near the network</i>' sufficiently acknowledges the importance of the network to retaining landscape connectivity, as does the reference in clause 14(b)(ii) to the continued viability of the network and its role in supporting adaptation to climate change.
Clause 16	31	Content of state management plan	Wildlife QLD	<ul style="list-style-type: none"> - There is no difficulty with the direction but the plan must be accompanied by maps. Such maps must be available at an appropriate scale. It is suggested that there may have been a different outcome with some of the issues raised and not apparently resolved if maps at an appropriate size. - Recommend: Maps must be at an appropriate scale. 	<ul style="list-style-type: none"> - Maps are an integral component of the State Management Plan for the stock route network and will be included where required to convey concepts and information or explain requirements to facilitate the local government planning process. - Updated stock route mapping will be publically available at a detailed scale in GIS formats (as it is currently) on the web-based Stock Route Management System. This mapping will be available for public and government planning purposes.
Clause 26	35	Chief executive to classify mapped	AgForce	<ul style="list-style-type: none"> - The bill proposes to implement a 3 tiered classification system. AgForce has at every stage of the process opposed this measure 	<ul style="list-style-type: none"> - A three-tier classification system outlined in Chapter 2 Part 2 and clauses 439 and

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		stock routes		<p>and we again reiterate our opposition.</p> <ul style="list-style-type: none"> - A 2 tiered model is the industry preferred (and we understand local governments) model of classification. We would submit that a 2 tiered model is simpler and would impose a lesser administrative burden on local council and allow greater managerial flexibility in dealing with stock routes at a local level. - Further the inevitable and indirect consequence of fencing off active stock routes is that the landholder is funding the development of conservation corridors without proper or appropriate compensation. Whilst our primary submission remains a 2 tiered model is the best outcome, if the government is pre-disposed to implement a 3 tiered system then the consequential outcomes needs to be made clearer that any cost associated with the implementation of such a model should fairly distributed. - It is not fair or reasonable for landholders to be the funder of nature refuges without due recognition or appropriate consideration to the costs of management. 	<p>440 of the bill allows the interests of all parties to be balanced, with only about 5% of the network being unavailable for longer term grazing authorities. It allows differences between stakeholders to be minimised to a significant degree without compromising the overall outcomes.</p> <ul style="list-style-type: none"> - A two-tier classification system does not provide sufficient flexibility to satisfy the differing interests of all stakeholders. - Adjoining owners of unfenced stock route are only required to fence the area if they decline to apply for a grazing authority or are unable or decline to remove stock from the stock route (clause 249 in the bill). - As reflected in clause 90, long standing government policy supported by legislation is that the State does not share the cost of boundary fencing on stock routes or roads.
Clause 27	35	How to classify stock routes shown on stock route network map	Wildlife QLD	<ul style="list-style-type: none"> - There is strong support for this section of the bill. It introduces a transparent system of classifying the various components of the SRN based on numbers stock and locality criteria (clause 27). - What is puzzling and difficult to comprehend is why hard accurate data are not available to produce a new stock route network map reflecting primary A, primary B and secondary components based on the new classification. This is disappointing and as permits are issued in triplicate either problems exist at the local government level or the relevant state department has not processed data effectively or a combination of both. Hopefully with the introduction of an electronic state based system such unexplained situations will be minimised. However this will only occur if it is mandated if all permits and authorities are valid unless issued electronically. Also any maps produced must be at an appropriate 	<ul style="list-style-type: none"> - The paucity of reliable usage data has necessitated the proposed progressive review of classifications. Prior to commencement, the current stock route mapping will be reviewed and any obvious anomalies identified. Following consultation with an advisory panel, agreed anomalies will be rectified prior to commencement of the three-tier system; however, major changes are not envisaged during this process. Classifications will be reviewed two years after commencement (clause 440), using the best available data including data recorded in the Stock Route

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				<p>scale for the intended use.</p> <ul style="list-style-type: none"> It is also suggested that new maps will be produced after two years that reflect hard data to hand. A two year wait while not desirable may be acceptable if there is genuine effort to collate accurate data during that period but also investigate the past 10 years and obtain the necessary data. Such action is required to underpin the new mapping with nay degree of confidence. Furthermore connectivity should be criteria at least between primary A routes, numbers alone should not be the only criterion at least between primary A routes, numbers alone should not be the only criterion for classifying the network. Recommend: concerted efforts must be made to retrieve accurate data to validate the accuracy of the component mapping of the SRN. In future all permits, authorities must be electronically issued and information transferred immediately to a central data base. Consideration to be given to connectivity as a criterion for classifying the network. 	<p>Management System. This reclassification will take place before any grazing authorities that were issued routes on now classified fenced primary A routes are terminated.</p> <ul style="list-style-type: none"> Data relevant to any future permits and authorities issued will be automatically recorded by the Stock Route Management System (SRMS) from which increasingly more accurate reports will be generated. There is no other process to issue permits and authorities other than by using the SRMS (e.g. refer Clauses 135(2), 213(a)). Maintaining the connectivity of the network is a key principle of managing the stock route network (clause 14 of the bill). Usage of stock routes is the main criterion for classifying routes and is included in clauses 27 and 29 of the bill.
Clause 65	58	Required content of local management plan	Wildlife QLD	<ul style="list-style-type: none"> The plan must be an appropriate scale so it is meaningful. Recommend: Plans must be available at an appropriate scale. 	<ul style="list-style-type: none"> Where necessary to explain concepts and requirements in local plans, the State Management Plan for stock routes will be accompanied by mapping at an appropriate scale to facilitate the planning process. The requirement for local plans to include mapping will also be made explicit in the requirements of the State Plan. The State can assist in the preparation of these local maps if required Detailed mapping of the stock route network will be publically available on the Stock Route Network Management System
Clause 97	76	Obligation to manage and conserve pasture	Wildlife Queensland	<ul style="list-style-type: none"> Develop conservative grazing strategies that will maintain or enhance conditions of the SRN. There is strong support, although a shorter phase out period is desirable but probably not practical. 	<ul style="list-style-type: none"> The best available science-based pasture management information will be incorporated into a guideline for local

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				<ul style="list-style-type: none"> - Wildlife Queensland is not aware of the development stage of the prescribed guidelines on levels of pasture to be maintained. - There have been indications that a robust, objective and rapid assessment technique will be used. However it is strongly recommended that scientifically based studies are undertaken to clearly demonstrate that the approved technique results in consistent results for the various land types and results do not vary outside defined limits with a range of different users. - There are no major concerns with short term grazing permits, 6 to 12 weeks, being issued on primary A for appropriate management e.g. reduce biomass and fuel load, particularly if exotic pasture grasses are involved. 	<ul style="list-style-type: none"> - governments to support setting residual pasture levels for land types and pasture management requirements. - All grazing permits and authorities will be issued subject to the mandatory conditions (clauses 196, 218) that adequate residual pasture is retained to meet the needs of travelling stock and that land is managed sustainably. - Pasture and condition assessment will be supported by a mobile assessment tool (MAT), using hand held-computers. The data collected will be stored on the SRMS and be available to support future assessments.
Clause 102	79	Supply of particular stock facilities on primary stock routes	Boulia Shire Council	<ul style="list-style-type: none"> - The existing infrastructure in the Boulia Shire is in many cases in very bad state of repair, very old and barely functioning. A considerable amount of money would be required in order to renew or repair the State's water infrastructure which has been neglected for decades due to the very limited funding available from the State to keep facilities to in good repair. The State is handling these obsolete decaying assets to local government and then the Minister has the power to instruct local government to supply water facilities and to maintain them. As the equipment is so old it will be expensive either to keep paying someone to continue to patch it up or to make the significant capital investment to provide a new functioning water facility. The funds raised through AGA's will not be sufficient to fund an asset replacement program or maintenance program as well as fund the administration, monitoring and compliance of managing the routes. - Requires that a local government must comply with a written notice from the Minister requiring a stock facility to be supplied on a primary stock route or reserve in its management area. 	<ul style="list-style-type: none"> - The State will continue to retain ownership of assets on stock routes. The current situation where local governments have responsibility for managing these facilities and maintaining them in association with the State will continue. - The State currently has an ongoing program to provide limited annual funding to support the maintenance and capital replacement of priority facilities on the network. Assets on unused or little-used routes are considered low priority and are therefore less likely to receive funding. - Under clause103(2) a local government has the capacity to determine the retention (or disposal) of, and management agreement arrangement for, facilities of those stock routes classified secondary under the new arrangements.

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				<ul style="list-style-type: none"> ▪ Does the local government retain ownership of the stock route facility supplied or will it be a state asset. We strongly object to the requirement for local government to fund new infrastructure on state owned bores given the previous neglect by the State in the repairs and maintenance of the facilities and the probable need to replace many facilities in the near future. 	<ul style="list-style-type: none"> - The existing Land Protection Act provides for the Minister to direct a local government to supply a water facility.
Chapter 4	94	Driving stock	Wildlife QLD	<ul style="list-style-type: none"> - The network must be able to able to accommodate increased use which may result from rising fuel prices from peak oil and carbon trading. The structure of the bill accommodates this; In fact the requirement for a local authority to issue a continuous permit across adjacent local authorities obviously subject to appropriate conditions may encourage further use of SRN as the drover can give the client some surety of reaching the desired destination. 	<ul style="list-style-type: none"> - All elements of the bill are structured to manage varying degrees of use of the network for multiple purposes, including significant increases in standard and scheduled consecutive travel when driving stock on the network.
Clause 119	92	Stock movements not requiring a travel permit	Grayden Curry	<ul style="list-style-type: none"> - Is it appropriate for this to apply to all local government roads? Should urban, arterial or sub arterial roads be excluded due to safety, and amenity issues? This clause is silent with respect to liability, supervision and insurance matters. 	<ul style="list-style-type: none"> - The provisions of clause 119 are carried over from the current Land Protection Act (s.133). The intended application of this provision has not changed, being for shorter duration travel. - The local government retains discretion as to whether stock can travel on a local government road and is empowered under the Local Government Act 2009 (s60 Control of roads) to make local laws regarding ancillary works and encroachments (including movement of stock) as defined under the Transport Infrastructure Act. - Consideration will be given to inclusion of supervision and insurance requirements.
			Gympie Regional Council	<ul style="list-style-type: none"> - Request that urban and arterial roads be excluded from the provision permitting stock movement without a travel permit. No comment regarding liability, supervision and insurance for stock movement without a travel permit. 	<ul style="list-style-type: none"> - The provisions of clause 119 are carried over from the current Land Protection Act (s.133). The intended application of this provision has not changed, being for shorter duration travel. - The local government retains discretion as

Clause No.	Page No.	Policy or initiative	Submitter	Issues raised in submission	Comments
					<p>to whether stock can travel on a local government road and is empowered under the Local Government Act 2009 (s60 Control of roads) to make local laws regarding ancillary works and encroachments (including movement of stock) as defined under the Transport Infrastructure Act.</p> <ul style="list-style-type: none"> - Consideration will be given to inclusion of supervision and insurance requirements.
Chapter 5	130	Grazing Stock	Stock Routes Coalition	<ul style="list-style-type: none"> - The SRN acknowledges the management plans requirements for sustainable grazing in the SRN to ensure the protection of fodder for moving cattle and in some circumstances for the protection of biodiversity values. - The preferred SRN Coalition position on grazing of ALL sectors of the SRN, either by droving or on grazing authorities, is to allow only sustainable intermittent grazing. There is ample scientific evidence that intermittent grazing provides vastly superior biodiversity outcomes to continuous grazing unless the latter is at much lower stocking rates than those traditionally considered to be sustainable on the basis of providing fodder for future travelling stock. The SRN consists of a thin ribbon of land in a sea of grazed, cropped or mining lands and so should be treated as a unique as a unique resource, not as a convenient extension of current leased lands. 	<ul style="list-style-type: none"> - As outlined in clause 14 of the bill, the principle use of the network will continue to be for the driving of stock. The duration of grazing is managed on primary routes so that reasonable levels of pasture are retained for travelling stock on more highly used routes and biodiversity values are sustained. - Grazing is permitted on secondary routes subject to conditions that will be consistent with the criteria for deciding applications (clauses 188, 211, 225), which amongst other things require consideration of biodiversity values. .
Clause 198	144	Permit periods for grazing permits	AgForce	<ul style="list-style-type: none"> - Under a 3 tier system industry would need to see addressed short term agistment listed at 3 months not 6 weeks. - The ability to roll agistment over in good seasons with no travelling stock. 	<ul style="list-style-type: none"> - DERM recognises that when there has been a good season but little or no travelling stock, more than 6 weeks grazing may be required for pasture management purposes on primary routes. Consideration will be given to amending the bill to allow a grazing permit to be

Clause No.	Page No.	Policy or initiative	Submitter	Issues raised in submission	Comments
					<p>renewed once, for a further 6 weeks only (up to a maximum of 12 weeks/3 months), or be made available to a different applicant.</p> <ul style="list-style-type: none"> - There should be no provision to renew permits beyond 3 months on primary A and B routes. Longer periods of grazing are provided through grazing authorities where applicable.
Part 3	148	Grazing Authorities	AgForce	<ul style="list-style-type: none"> - AgForce submits that a grazing authority must only apply to active and inactive stock routes – NOT to local and/or state roads as proposed by the bill. AgForce clearly accepts that landowners with grazing access to the SRN should contribute to the funding and management of the SRN. - AgForce believe that the Government has grossly underestimated not only the financial but also the administrative burden such a measure would impose on industry and local government. - GA should only apply to stock routes. - For LG and state controlled roads a permit system could be introduced. - The intent of the GA proposal was to create a revenue raising tool for LG to administer active stock routes. It should not be seen as an infinite revenue raiser for other objectives. 	<ul style="list-style-type: none"> - Grazing authorities must apply to roads (public (stock access) land) because they replace permits to occupy for grazing issued over roads under the Land Act 1994. These are the only instrument available to local governments to authorise access to road which is a State-owned resource. - This change simplifies the regulatory arrangements for industry and local governments, such that a common approach regarding grazing authorities and permits applies to all public lands used for stock driving and grazing. - The requirement to have a permit to graze public land is long standing and the use of a grazing authority will allow most revenue to be retained by local governments to fund the management of stock routes and roads grazed and traversed by stock. Currently the revenue from such permits is retained by the State.
Application of grazing authorities	148		AgForce	<ul style="list-style-type: none"> - The intent of Grazing Authorities was for the SRN and not public (stock access) land i.e. State and LG controlled roads. This creates an administrative nightmare and should be a simple permit system totally unrelated to the management of the SRN. 	<ul style="list-style-type: none"> - Refer to comments above (under Part3) - The bill provides local government with adequate flexibility to manage fenced primary A routes without being locked into

Clause No.	Page No.	Policy or initiative	Submitter	Issues raised in submission	Comments
				<ul style="list-style-type: none"> - LG won't have the ability to utilise the flexibility of the GA system fully with the imposition of a tier 3 tier classification system on stock routes. Revenue raised on fenced Primary A is totally reliant on travelling stock or short term agistment which can be very intermittent and doesn't fully utilise the resource. LG controlled static grazing under a GA on fenced Primary A gives a consistent revenue stream and allows the LG to determine grazing pressure to maintain adequate pasture quality and quantity. It is inconsistent that LG be trusted to manage the SRN but not have the ability to determine grazing management on fenced Primary A regionally. - Allowing GA's on the SRN makes the landholder responsible for pest and weed control and fire hazard control. With fenced primary A being excluded from the GA system there is a far greater risk of fire and hence damage to biodiversity. - Remitting 35% of GA to a central fund from LGs that don't have any active stock routes i.e. will not be part of any Stock Route management plan, will create a lot of ill feeling against the cross subsidization of the SRN. Any such revenue would be better spent on pest and weed control within LG concerned. 	<ul style="list-style-type: none"> - longer term static grazing (clause 205), particularly in poorer seasons. On higher usage routes, this will ensure better management of the stock routes for their other values (e.g. biodiversity, habitat, climate change, landscape connectivity) - Management of pest plants and animals on fenced primary A will remain the responsibility of local governments under the Land Protection Act. - The portion of revenue remitted to the State according to clause 398 of the bill is to be established through subordinate legislation. That portion will be committed to support ongoing implementation of the overarching framework including SRMS, training, support and compliance and will not be used for other purposes.
Static grazing			AgForce	<ul style="list-style-type: none"> - AgForce submits that local governments must be given the express authority to authorise static grazing on fenced active routes. It is in fact that fees generated from travelling stock amount to less than 5% of the total cost of maintaining stock route infrastructure. - Allowing local governments to authorise static grazing, in a sustainable way, will allow them to generate additional revenue to ensure appropriate maintenance of existing facilities. It will also allow local government to more appropriately manage these lands and prevent infestation of pests and weeds and build of fire hazards. 	<ul style="list-style-type: none"> - Refer comments under <i>Application of grazing authorities</i> above. - Allowing longer term static grazing on fenced primary A routes will likely significantly add to the management responsibilities of local government to ensure protection of other values of the network, and put at risk the principal use of the network for driving stock..
Phasing out static grazing			AgForce	<ul style="list-style-type: none"> - AgForce strongly appose the proposed phasing out of static grazing on fenced active routes over a 5 year period within legislation. We submit that landholders who manage active routes effectively should be entitled to a recurring GA on that route based on adherence to an appropriate management plan and 	<ul style="list-style-type: none"> - The phasing out of static grazing of fenced primary A stock routes is based on the view that static grazing and frequent travelling stock movements are incompatible and very difficult for local

Clause No.	Page No.	Policy or initiative	Submitter	Issues raised in submission	Comments
				<p>regular review process.</p> <ul style="list-style-type: none"> - If for any reason a portion of the primary A route is fenced by a landowner it automatically triggers his exclusion from access. However, he is still held responsible by default as he now has an absentee neighbour. Because of the nature and isolated extension of the SRN there remains a mutual obligation by all landowners for land management and protection, including public lands. 	<p>governments to manage.</p> <ul style="list-style-type: none"> - Also note comments above under "Application of grazing authorities" and "Clause 198" and "Static grazing"
Section 205(2)(a)	148	Who may apply for a grazing authority	LGAQ	<p>5 While the LGAQ accepts the proposed three tier approach to the classification of the SRN, it does not agree with the determination that those areas in the Primary A network that are fenced on both sides, be permanently excluded from static grazing under GA's.</p> <p>6 Availability of feed for travelling stock can be managed through appropriate conditions set in GA</p> <p>7 Landowners who do not comply with the conditions of GA can have their agreement revoked.</p> <p>8 Local Governments with a high proportion of Primary A than other local government areas will be significantly disadvantaged in the following ways:</p> <ul style="list-style-type: none"> ▪ Stock routes with a GA over them are to be maintained by the GA holder. Primary A networks will be maintained by the local government, however, the local government in question has reduced access to income to recoup the costs of maintenance because they have fewer areas available for the issuing of GA's. It was clearly demonstrated at the beginning of the review process that permit to travel fees did not provide sufficient revenue to cover the cost of maintaining the network, resulting in a 96% subsidy to ratepayers. <ul style="list-style-type: none"> ▪ This situation will be exacerbated during periods of low use by travelling stock, when management needs for weeds and fire will increase. ▪ Landowner disapproval and animosity as a result of being excluded from opportunities for static grazing on SRN adjoining their properties and anger over an asset they paid for (i.e. fencing) being used to exclude them from access, where those that did not invest in a fence are not penalized in the same manner. 	<p>9 Refer comments above under "Application of grazing authorities" and "Clause 198" and "Static grazing" on provisions for managing longer term static grazing on fenced primary A routes</p> <p>10 The intent of the initial review of stock routes management and the subsequent bill is to improve the management of the network (as well as public (stock access) land) and increase the revenue available to local governments for management and maintenance purposes.</p> <p>11 Improving the flexibility of local governments in the management of shorter term static grazing on fenced primary A routes provides a balance of increased revenue and improved management of these higher use routes.</p> <p>12 The bill makes provision for the setting of threshold usage numbers as part of the stock route network classification criteria (clauses 31, 32 and 440). The actual threshold numbers are not set in the bill and will be set in the Regulation within 2 years of commencement and prior to any review of the classification. The Stock Route Advisory Panel will be involved in setting the threshold values.</p>

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				<ul style="list-style-type: none"> - The LGAQ believes the thresholds set of over 2000 head per annum for the classification of Primary A is to low. Current usage numbers indicate that high and regular use is better represented by a figure of between 10000 to 15000 head per annum for Primary A and 2000 head per annum for primary B. <p>Recommend:</p> <ul style="list-style-type: none"> - Remove section 205(2)(a) from the bill. - In the prescribed regulation – increase the stock thresholds to between 10000 to 15000 head per annum Primary A and 2000 head per annum Primary B. 	
			Longreach Regional Council	<ul style="list-style-type: none"> - It is Council’s contention that the threshold for determining: <ul style="list-style-type: none"> ▪ Primary A stock routes be 8,000 head in 4 out of every 10 year period; and ▪ Primary B stock routes be 4,000 head in 4 out of any 10 year period. 	- Refer to comments for s205(2)(a) above.
Clause 218	157	Grazing authorities mandatory conditions	Bouliia Shire Council	<ul style="list-style-type: none"> - Stock must not damage a formed road (rain/cattle will walk to the road to find the highest point) <ul style="list-style-type: none"> ▪ This clause is not practical for large properties with hundreds of km of unsealed roads and on unfenced stock routes. If there is a storm along the roads, there is no way to remove the cattle from the area other than by helicopter which would be extremely expensive. The landholders would have to attempt to remove cattle from the entire paddock whenever there was a storm in the area with no men on the ground this would be almost impossible. - Must control declared pest plants <ul style="list-style-type: none"> ▪ Before the land management is passed to the landholder then the State must eradicate all existing pest plants and any emerging from seed for the next ten years prior to this part of the clause being implemented. 	<ul style="list-style-type: none"> - The difficulty of managing grazing stock on roads is recognised. Consideration will be given to amending clause.218(c) to read “the stock must not be allowed to damage road transport infrastructure” and omit “or the surface of a formed road - Local government will be able to include specific conditions in relation to road surface management. - Also that the above wording replaces the wording of s196(d). - Under the existing Land Protection (Pest and Stock Route Management) Act, local governments currently have responsibility for managing pest plants on all roads. Pest plants are not a management issue for this bill.
Clause 220	160	Authority period for grazing authority	AgForce	<ul style="list-style-type: none"> - In the instance of converting PTO to GA removing 2 year conditional/ 3 year extension requirements unless linked with the ability to continue GA after 5 years with demonstrated 	- The bill requires that grazing authorities over the unfenced Primary A and Primary B network be annual to enable the

Clause No.	Page No.	Policy or initiative	Submitter	Issues raised in submission	Comments
				<p>management on Primary A and Primary B areas.</p> <p>– Reviewing GA’s annually will be expensive and must retain flexibility. The issue of 3 tier vs. active/inactive in that primary A future GA infringements by the landholder could lead to creating a fenced corridor that LG won’t be able to raise revenue upon. This may well lead to a locked up wildlife corridor paid for by rate payers.</p>	<p>requirements of travelling stock to be better monitored. In the interests of natural justice, all permits to occupy transitioned to Grazing Authorities will be for 5 years (2 years on primary routes plus availability of 3-year extension dependent on meeting management conditions – clauses 447 and 448) including those on fenced Primary A. The 2-year review is to assist and ensure landholders manage the land in accordance with the needs of travelling stock for the balance of their authority.</p> <p>– The bill seeks to implement a user pays system of stock route network management and does not seek to have any part of the stock route fenced unless adjacent landowners with stock are unwilling take out a grazing authority or manage the land in accordance with the grazing authority conditions.</p>
			Boulia Shire Council	– Minimum grazing authority 3 months. Should be twelve months minimum, increased paperwork and given other clauses, the preferred applicant could use it as a quarterly installment process for payment, making unnecessary processing for the local government.	– Consideration will be given to amending clause 220 of the bill to increase the minimum period for a grazing authority to one (1) year, except in the initial term. Consideration will be given as to a shorter period in the initial term so that, for billing purposes, the term may be synchronised with the first term of the next financial year (1 July).
Clause 274	188	Criteria for deciding application for	The Stock Routes Coalition	– The Plan excludes any consideration for protection of biodiversity values in the list of criteria for issuing harvesting permits. The coalition would like some consideration of the impacts of	– The bill makes provision for the inclusion by regulation (clause 274) of other criteria for deciding an application to harvest.

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		harvesting pasture		prospective harvesting on the supply of seed of both native herbs and grasses prior to issuing of permits. Perhaps some systematic provision of protected strips of vegetation could ensure a ready supply of seed for regeneration of annuals and perennials.	Consideration will be given to including a criterion in the regulations requiring local governments to consider the protection of biodiversity values when issuing harvesting permits.
Clause 312	208	Penalty for stock must be adequately supervised	Grayden Curry	- This clause doesn't reference clause 119 stock movements not requiring a permit.	- Clause 119 refers to stock being 'driven' on a stock route or road, which implies a level of supervision. For the purposes of clarity and consistency, consideration will be given to include supervisory requirements within clause 119
Part 1		Advisory panels	AgForce	<ul style="list-style-type: none"> - AgForce has actively participated in the SRAP process, which has been a lengthy and complex consultative environment, we have, on every available opportunity, forcefully put forward the industry position and participated in the debate in active manner. - Similarly AgForce has actively, both privately and publically, defended the SRAP processes however strongly believe that minority interest groups have dominated the final draft bill, forcing a significant departure from the original intent of the SRAP process. - AgForce therefore reserves the right to distance itself from any recommendations put by SRAP. 	<ul style="list-style-type: none"> - AgForce has been an active contributor to the development of the bill and an active advocate for the grazing industry. - The stock route network has a wide range of attributes, including conservation and cultural heritage. If those who derive a private benefit from the stock route pay an adequate amount for its use, all significant values can be managed while a viable network is maintained for the use both of driving stock and static grazing. - The bill seeks to develop a balanced approach to the management of the stock route, which enables all significant values to be sustainably managed.
Clause 383	247	Chief executive may establish advisory panels	Wildlife QLD	- SRAP must be expanded to include persons with expertise on all the values of the network particularly conservation/environment and Aboriginal cultural heritage.	- The bill makes provision under clause 384 for persons with a wide range of expertise to be appointed to advisory panels, including those knowledgeable about conservation and cultural heritage, including Aboriginal traditions.

Clause No.	Page No.	Policy or initiative	Submitter	Issues raised in submission	Comments
				<ul style="list-style-type: none"> - This has been achieved. However the bill does pose some concerns. The bill empowers the CEO to establish advisory panels and that person states the function and TORs of the panel. The CEO also directs how the panel reports. However the membership of the panel is then defined and there is considerable imbalance in the number of members from the various categories. This would be acceptable provided the legislation did not stipulate that an advisory panel may conduct its business in a way it considers appropriate and provides detailed directions on voting. - More balance should be in the representation but this is overcome to some degree by the fact that the rights for minority reports are enshrined in the bill. This must be placed in perspective. As with all advisory panels or committee their role is advisory not decision making and that function remains with the person to whom the panel or committee reports. 	<ul style="list-style-type: none"> - Within the guidelines set in the bill the advisory panel may conduct its business in a manner that it considers appropriate. - The advisory panel makes recommendations on stock route matters to the chief executive, who is the decision-maker regarding the management of stock routes. The chief executive is not bound to follow the recommendations of an advisory panel, and may also consider minority and other specialist input.
			Stock Route Coalition	<ul style="list-style-type: none"> - We would argue that input from all the stakeholders is a valuable resource for the good administration of the SRN, so it is considered that the Chief Executive must establish a Stock Route Advisory Panel and may establish other advisory panels as needed. 	<ul style="list-style-type: none"> - Advisory panels, which will make an important contribution to the management of the stock route, will be established by the chief executive as required. The Advisory Committee is not required to be a standing committee.
Clause 384(f)	249	Membership of advisory panels	Stock Route Coalition	<ul style="list-style-type: none"> - We respectively submit that the Stock Route Coalition is an appropriate body to nominate a representative of conservation interests to any advisory panels formed at the State or Local level. Such nomination would be made after a round of consultations with member organisations, similar to that which resulted in the final Log of Claims. 	<ul style="list-style-type: none"> - Under clauses 383, 384 of the bill the chief executive selects the body that he/she considers represents conservation issues to nominate a representative to the advisory panel. The Stock Route Coalition would be given due consideration by the chief executive.
Clause 398	254	Amounts payable by local governments to	Grayden Curry	<ul style="list-style-type: none"> - The proportion to be paid to the state is unknown at this time. 	<ul style="list-style-type: none"> - The bill is silent on the proportion of stock route revenue to be remitted to the State for stock route activities. This information

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		department			will be the subject of further discussion prior to the introduction of the supporting regulations to the bill.
Chapter 12	275	Transitional provisions	AgForce	<ul style="list-style-type: none"> - AgForce further submits that any change brought about by enacting of the bill should be phased in over a period of time. This will allow local governments to adjust to the changes and implement systems that will allow them to cope with the extra administrative burden imposed by the draft legislation. - It is suggested that these reforms should initially focus on shires with active stock route networks and must allow those areas with no active networks to opt out of the management framework. 	<ul style="list-style-type: none"> - The bill places a timeline on the conversion of existing permits to occupy for grazing to grazing authorities (clauses 445, 446). While the collection of revenue to support the management of the stock is an important component of the reforms, no specific time limits are imposed - Permits to occupy for grazing also exist over local roads and the bill requires that these permits transfer to grazing authorities (clauses 445, 446). The management of roads and stock routes for grazing is integrated into a single piece of legislation by the bill in the interests of regulatory simplification. Initial piloting of the program and implementation will focus on local governments with travelling stock.
Part 1	284	Amendment of this Act	Wildlife QLD	- See comments Chapter 1, Part 1, Commencement 2(2), p. 26.	
Schedule 3	310	Minor and consequential amendments of Acts	Wildlife QLD	- See comments Chapter 1, Part 1, Commencement 2(2), p. 26.	

Appendix C – Witnesses at public hearings

Witnesses – Wednesday 16 November 2011 Brisbane
Mr Graham Rogers, Secretary, Stock Routes Coalition
Mr Grayden Curry, General Manager, Technical Services, Gympie Regional Council
Mr Craig Johnstone, Acting General Manager, Local Government Association of Queensland
Mr Paul Donatiu, Executive Coordinator, National Parks Association of Queensland Inc.
Professor Hugh Possingham, Professor of Ecology and Mathematics, University of Queensland

Witnesses – Friday 18 November 2011 Longreach
Mr Peter Hall, Cattle Board Director, AgForce Queensland
Mr Bill Little, Representative, Droving and Stock Routes Association
Mr Andrew Simpson, Cattle Policy Director, AgForce Queensland
Mr Steve Taylor, Cattle Board Director, AgForce Queensland
Mr Geoff Atherfold, Manager, Environmental Health, Central Highlands Regional Council
Mr Scott Day, Rural Land Officer, Central Highlands Regional Council
Councilor Ian Groves, Councilor, Barcoo Shire Council
Mr Mike Hayward, Chief Executive Officer, Bulloo Shire Council
Mr Keith Jarrett, Senior Rural Land Officer, Central Highlands Regional Council
Mr Peter Pigeon, Stock Routes Rural Land Officer, Barcoo Shire Council
Councilor Ed Warren, Mayor, Winton Shire Council
Councilor Mick Bichsel, Deputy Mayor, Longreach Regional Council
Councilor Cedric Marshall, Mayor, Isaac Regional Council
Councilor Kelsey Neilson, Deputy Mayor, Boulia Shire Council

Appendix D – Proposed new offences contained within the bill

Clause	Proposed offence	Proposed maximum penalty
92	A landowner to whom a fencing notice has been given must comply with the notice unless the landowner has a reasonable excuse.	400 penalty units (\$40,000)
93 (2)	The owner must maintain the fence in a stock-proof condition unless the owner has a reasonable excuse.	400 penalty units (\$40,000)
96	A person to whom a mustering notice has been given must comply with the notice unless the person has a reasonable excuse.	100 penalty units (\$10,000)
100 (1)	A landowner to whom a stock reduction notice has been given must comply with the notice unless the landowner has a reasonable excuse.	400 penalty units (\$40,000)
152 (2)	The permit holder must give a written or oral notice (an unfit stock notice) under subsections (3) to (5), unless the permit holder has a reasonable excuse.	50 penalty units (\$5,000)
166 (2)	The permit holder must, within 10 business days after the change, give notice of the correct particular to the local government issuing the permit.	50 penalty units (\$5,000)
171 (2)	The holder must comply with the requirement unless the permit has been lost, stolen or destroyed because of circumstances beyond the holders' control.	50 penalty units (\$5,000)
228 (2)	The grazing permit or grazing authority holder must, within 10 business days after the change happens, give notice of the correct particular to the issuing local government.	50 penalty units (\$5,000)
233 (2)	The holder must comply with the requirement unless the permit or authority has been lost, stolen or destroyed because of circumstances beyond the holder's control.	50 penalty units (\$5,000)
280 (1)	A relevant person holding a harvest permit or harvests pasture under a harvesting permit must allow an authorised person to inspect and measure the permit area or the relevant person's place of business within 5 business days after the harvest or longer as agreed between the authorised person and the relevant person.	10 penalty units (\$1,000)
280 (2)	The relevant person must also comply with any reasonable directions given by the authorised person for carrying out the inspection or measurement of the pasture.	10 penalty units (\$1,000)
281 (1)	A person who holds a harvesting permit or harvests pasture under a harvesting permit must keep a written record stating each day pasture is harvested under the permit and the quantity.	10 penalty units (\$1,000)
281 (2)	The person must keep the record for 2 years after the pasture is harvested.	10 penalty units (\$1,000)

Clause	Proposed offence	Proposed maximum penalty
285 (2)	The harvesting permit holder must, within 10 business days after the change happens, give notice of the correct particular to the issuing local government	50 penalty units (\$5,000)
287 (2)	The permit holder must comply with the requirement unless the permit has been lost, stolen or destroyed because of circumstances beyond the holder's control.	50 penalty units (\$5,000)
290 (2)	The person must not allow the stock to be driven or grazed on a part of the stock route network or public (stock access) land if a closed area declaration is in force for the part of the land or in contravention of a declared usage or special management condition relating to a area.	100 penalty units (\$10,000)
291 (1)	A person must not harvest pasture on a part of the stock route network or public (stock access) land if a closed area declaration is in forced or in contravention of a declared usage or special management condition of the area.	200 penalty units (\$20,000)
292 (1)	A person who owns or is in charge of stock must not drive or allow the stock to be driven on a part of the stock route network or public (stock access) land unless the owner or authorised person holds a travel permit or unfit stock (travel) permit or the person has a reasonable excuse.	20 penalty units (\$2,000) up to 20 head then 1 penalty unit (\$100) for each head 21 to 100 and for every 10 head over 100, 1 penalty (\$100)
293	A person who owns or is in charge of stock must not, without a reasonable excuse, allow the stock to stray onto the stock route network or public (stock access) land.	20 penalty units (\$2,000) up to 20 head then 1 penalty unit (\$100) for each head 21 to 200 and for every 10 head over 200, 1 penalty (\$100)
296	A person who owns or is in charge of stock must not allow the stock to graze on a part of the stock route network or public (stock access) land unless the owner or authorised person hold a relevant grazing authorization or has a reasonable excuse	20 penalty units (\$2,000) up to 20 head then 1 penalty unit (\$100) for each head 21 to 100 and for every 10 head over 100, 1 penalty (\$100)
297 (2)	The person must not allow the stock to graze on the part of the stock route network or public (stock access) land unless the person or an authorised person holds a relevant grazing authorization or has a reasonable excuse.	20 penalty units (\$2,000) up to 20 head then 1 penalty unit (\$100) for each head 21 to 100 and for every 10 head over 100, 1 penalty (\$100)

Clause	Proposed offence	Proposed maximum penalty
299	A person must not without a lawful excuse burn pasture or cause pasture to be burned on a part of the stock route network in a local government area without the local government's consent.	200 penalty units (\$2,000)
300	A person must not harvest pasture from the stock route network or public (stock access) land unless the person is employed by the local government to harvest pasture under section 101, holds a harvesting permit or has a reasonable excuse	200 penalty units (\$2,000)
302	A person must not take water from a public water facility unless under a water facility agreement, travel permit, grazing permit, grazing authority, unfit stock permit, a State-controlled road or a reasonable excuse	200 penalty units (\$2,000)
303	A person must not release or cause release of water from a public facility unless for stock purposes or to pollute public water facility	50 penalty units (\$5,000)
304	A person must not damage a stock facility or hinder the usual operation of a stock facility.	50 penalty units (\$5,000)