

Consultation Report

Stock Routes Discussion Paper

Proposed amendments to the Stock Route Management
Regulation 2003 and associated legislation

March 2022



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Summary

Queensland's stock route network is an interconnected network of roads and reserves primarily used for droving stock. The network is managed jointly by state and local governments under the *Stock Route Management Act 2002* (the Act) and the *Stock Route Management Regulation 2003* (the Regulation).

In 2019, extensive stakeholder engagement and consultation was undertaken to inform a review of the *Stock Route Management Regulation 2003* and the *Stock Route Network Management Strategy 2014 to 2019*. This informed the *Stock Routes Discussion Paper: Proposed amendments to the Stock Route Management Regulation 2003 and associated legislation* (the discussion paper) which was released for further consultation in July 2021.

This report summarises the outcomes of the discussion paper consultation.

There were 16 formal submissions, 72 responses to the online survey, and 227 responses to the online poll. The report details the consultation process undertaken and the submissions received, and a government response is provided where appropriate. The submissions generally accepted that the proposed legislative amendments could improve the management of the network and the government thanks those who submitted their feedback.

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Purpose of the consultation

Queensland's stock route network is an interconnected network of roads and reserves primarily used for driving stock. The network is administered jointly by state and local governments under the *Stock Route Management Act 2002* (the Act) and the *Stock Route Management Regulation 2003* (the Regulation), with local governments responsible for the day-to-day management of the network in their local area.

The Regulation provides operational detail that supports the objectives of the Act. The Act's key objective is to provide for the management of the stock route network, to sustainably manage the network for use by stock as well as protecting other uses and values for current and future generations.

The *Statutory Instruments Act 1992* (Statutory Instruments Act) provides that a regulation automatically expires (or sunsets) after 10 years to ensure regulations are regularly reviewed and have continuing relevance to the economic and social needs of Queenslanders.

The Regulation is due to expire on 31 August 2022, having been exempted from expiry since 2013 under section 54(1) of the Statutory Instruments Act while extensive consultation has been undertaken on stock route reforms to endeavour to meeting industry and local government expectations and the need for, effectiveness and efficiency of the regulation.

In April 2019, the Queensland Government released a consultation paper titled *Review of Stock Route Management Regulation 2003 and Queensland Stock Route Network Management Strategy 2014-19* for broad consultation. Four regional workshops, one Brisbane workshop and meetings were held with government, industry, conservationists, and other stakeholders.

One outcome was the development—and publication on 19 March 2021—of a new *Stock Route Network Management Strategy 2021-2025* to coordinate and direct the management of the stock route network. A Stock Route Management Working Group of key stakeholders has been established to provide advise and support the strategy's implementation.

Another outcome was the identification of proposed improvements to both the Regulation and the Act. This informed the *Stock Routes Discussion Paper: Proposed amendments to the Stock Route Management Regulation 2003 and associated legislation* (the discussion paper).

Consultation process

The discussion paper was released for consultation on 16 July 2021 on the Department of Resources (Resources) website. A social media campaign delivered advertisements to people's newsfeeds over 550,000 times, with Facebook being the main referrer of traffic to the consultation ('Have your say') page. The online engagement tools used were surveys and quick polls. Submissions closed on 3 September 2021.

Feedback sought

The discussion paper sought feedback on proposals about the following key issues.

- **Stock Route Management Regulation**

- Declaration of stock routes through digital mapping
- Stock route network management plan requirements
- Interest on amounts payable
- Prescribed market value of seized stock
- Costs and revenue to manage the network (with a focus on greater cost recovery) including:
 - Using a fee unit model (where 1 fee unit = \$1.00) to allow fees to be annually indexed and maintain their value over time
 - Increasing travel and agistment fees to improve cost recovery for local government's management costs
 - Introducing an application fee to cover assessment costs for travel and agistment applications
- Updating schedules relating to requirements for stock route management plans, fees and definitions

- **Nature Conservation (Protected Areas Management) Regulation 2017**

- Making the fees for travelling stock on the protected areas estate the same as for stock routes

- **Stock Route Management Act**

- Simplifying and modernising processes for local governments
- Enabling greater cost recovery for local governments.

As well as general feedback on these proposals, responses were sought to the following questions:

1. Do you have any feedback on the amendments proposed in the Stock Route Discussion Paper? (Survey question)
2. Do you have any concerns regarding the proposed changes to fees, including fees for a travel permit, agistment permit, or making an application? (Discussion paper/similar survey question)
3. Do you think it is reasonable that fees for small stock are set at approximately one seventh the fees for large stock, given the different consumption levels of small versus large stock? (Discussion paper/similar survey question)
4. Do you think it is reasonable that local governments with over 50 hectares of primary stock routes in their area be required to prepare a specific stock route network management plan? If not, what would you propose and why? (Discussion paper/similar survey question)
5. Do you think the criteria which local governments must consider when deciding a fee for an agistment permit are appropriate? Is there anything else which should be considered? (Discussion paper/similar survey question)
6. Do you have any concerns with the proposed stock routes Act amendments? (Discussion paper/similar survey question)
7. Do you have any other feedback, or concerns, you would like the government to consider? (Discussion paper question).

In addition, an anonymous 'quick poll' asked, 'Should stock route network fees change?'

Stakeholder feedback

Number of submissions

There were:

- 16 formal submissions to the discussion paper (7 local governments, 6 peak bodies, 2 individuals and one government agency)
- 72 responses to the online survey (estimated 11 responders affiliated with councils, estimated 3 with the droving sector, and 58 unidentified)
- 227 unidentified responses to the 'quick poll'.

Attachment 1 lists the formal submissions.

Overview

Generally, the formal submissions were largely supportive of the proposals in the discussion paper. The key stakeholders, including AgForce, local governments, Local Government Association of Queensland (LGAQ) and environmental groups, viewed this as a positive step towards improving the management of the stock route network and addressing some of the ongoing issues by supporting clearer and consistent management practices. There was also consistent feedback about the importance of the stock route network to the different stakeholders and the state, regional and local economies.

Common feedback from these key stakeholders was that the state should:

- retain strategic oversight of the stock route network to achieve a coordinated state-wide approach to investment, management, and maintenance of the network
- retain ownership of stock routes and associated infrastructure, with fragmentation of the network and asset management being key areas of concern
- declare stock routes using digital maps, with LGAQ also supporting a map update process that sits outside the regulatory gazettal framework
- continue to require local governments to prepare stock route management plans
- continue to pay for assets maintenance and replacement through an on-going and unreduced annual capital works funding program.

While the responses from this group were generally aligned, there were minor divergences on the details relating to:

- the mapping of undeclared stock routes
- the use of 50 hectares of primary stock route as a threshold for requiring a stock route management plans—some local governments indicated usage should be a key factor, while environmental groups favoured mandating management plans for all local governments with stock routes
- continuing to charge an application fee under the *Local Government Act 2009* rather than under stock route legislation—to support full cost recovery
- keeping the current 50-50 revenue share arrangement—to demonstrate the commitment of both the state and local governments to the joint management of the stock route network
- keeping the current ratio of permit fees for small stock at one fifth of that for large stock rather than changing it to one seventh—the argument is that the latter does not account for loss of pasture through trampling
- looking into innovative ways of generating revenue from the other uses of stock routes—to support further cost recovery without making droving unviable
- concerns that the proposed legislative amendments were a first step towards the state divesting itself of stock routes and reducing funding for local governments.

These key stakeholders also raised a range of other issues and indicated the reforms should go further. Other issues included retaining stock routes primarily for use by travelling stock and not allowing other uses to interfere with this; managing long-term grazing activities on the stock route network more appropriately; and addressing fencing issues (e.g narrowing of stock routes; difficulty of defining stock routes when they are unfenced on both sides, leading to conflicts; stock moving from the stock route onto adjoining cropped land).

There was also consistent feedback about the need to further increase cost recovery for local governments, recognising that local governments (and their rate payers) will still be substantially subsidising the operation of the stock route network on behalf of Queenslanders.

The LGAQ and local governments would not support a reduction in capital funding and are keen for discussions to continue on achieving further cost recovery. A local government suggested an annual operational grant or subsidy from the state to support those local governments which maintain their stock routes to a good standard. Local governments also seek continued policy and legislative support from the state, including for fencing issues, seized stock and compliance activities.

AgForce would also support stock route fees being progressively increased to cost recovery. They would support the rationalisation of the stock route network only if the active route stays open and is managed for travelling stock and where associated benefits are redirected back into managing and maintaining the active route. Divestment of assets was not supported. Further, AgForce believes that if management of the network was to be devolved to local government, councils should be provided a simple system to administer, be able to raise adequate revenue and have enough control and flexibility to manage the network regionally.

Environmental groups supported the protection of the environmental values of the stock route network, maintaining the integrity of stock routes as wildlife corridors and greater cost recovery to assist local governments better manage the stock route network.

Drovers are the main stakeholder group that raised concerns regarding the proposed changes. While generally supporting a user pays approach, their concerns are mainly about fees (seeking for all users and particularly graziers paying their fair share under a single regime, that is, the Stock Route Management Act), compliance, and long-term grazing on the network authorised under the *Land Act 1994* (Land Act) for their impact on travelling stock (e.g. accessibility, availability of pasture/over-grazing, need to discourage use of stock routes as a paddock).

Feedback from the online survey ranged from not being supportive to offering varying degrees of support. Commentary also varied—from ‘yes’/‘no’ answers (with limited or no indication of stakeholder affiliations or interests) to more substantial responses, particularly from responders affiliated with key stakeholders such as local governments and drovers.

Survey responders affiliated with local governments generally supported the proposed legislative amendments (consistent with the LGAQ submission), with one saying that stock routes should not be closed but made available for public access/ environmental corridors.

Responders affiliated with the droving sector are the main stakeholder group with concerns about the changes – mainly fees and long-term grazing on the network. While they support all users paying to use the network, they do not support increases in stock route fees unless the fee for ‘permanent’ authorised grazing of the network is also increased (to match stock route fees) and ‘illegal’ grazing on stock routes is addressed.

Many of the issues raised, or improvements suggested, in the formal submissions and online survey responses were either outside the scope of the stock routes legislation (e.g. vegetation clearing on the stock route, fire and pest management, grazing leases) or are operational, rather than legislative issues.

More detailed stakeholder feedback on the individual proposals in the discussion paper for the Regulation, Nature Conservation (Protected Areas Management) Regulation 2017 and the Act is provided in this report, with feedback summarised in terms of formal submissions, online survey and quick poll responses.

Government response

The Queensland Government proposes to amend legislation as outlined in the discussion paper with the following refinements in response to stakeholder feedback:

- Providing a modernised and efficient administrative process for declaring and amending the map of declared stock routes in addition to publishing the stock route network map in digital electronic form on the Resources website.
- Mandating stock route management plans only for those local governments that have a significant amount of primary stock route in their local area.
- Requiring notification of changes to local government stock route management plans using flexible publishing options (with notification on a website at a minimum with the option of also publishing through other suitable media).
- When preparing or changing a stock route management plan, requiring the local government to consult with relevant state agencies, including where stock routes are co-located on or adjacent to state-controlled roads, waterways, and protected areas to minimise potential stock movement impacts and manage risks to road safety, transport infrastructure, fish habitats and protected areas.

More detailed government responses are provided, where appropriate, to stakeholder feedback on the individual discussion paper proposals below.

Stock Route Network Management Regulation 2003

Declaration of stock routes

Proposal

Declare stock routes by mapping their location on a digital data set called Stock routes–Queensland available through the Queensland Open Data Portal. Maps derived from this data set will be accessible from department offices and the department website. The data and maps will be updated through an efficient and transparent process.

A majority of formal submissions (69 per cent) were supportive of the proposal to declare stock routes by digital mapping, with submitters agreeing it was a more efficient and transparent process, providing certainty and ensuring currency of data.

Key stakeholders including AgForce, the LGAQ, local governments and the Wildlife Preservation Society of QLD (Wildlife QLD) support affected stakeholders (e.g. local governments, landholders, users of the network) being able to provide input to significant stock route declaration and amendment decisions. AgForce also favours the online map being supported by hard copy maps and supporting information being freely available at local government offices.

As a further improvement, the LGAQ proposed the establishment of a map amendment process not involving regulatory gazettal and involving input by local government on changes to mapping and network categorisation.

There were varied opinions on which stock routes should be declared, as well as the merits of mapping both declared and undeclared stock routes (i.e. other roads ordinarily used for travelling stock). The underlying concern for the LGAQ and some local governments was that, since all roads can be used as stock routes, the community found it confusing that not all stock routes were clearly identified on the stock route network map, often resulting in conflict between different stakeholders on the ground.

Other formal submitter feedback included:

- redefining the term 'stock route', for example, "A road or route capable of accommodating the movement of livestock on foot under ordinary circumstances, or a route declared as a stock route under regulation".
- one local government suggesting it was unnecessary to declare stock routes in its area due to low usage and issues surrounding livestock re-entering clean country across the tick line
- declaring only primary and secondary stock routes as mapping minor and unused stock routes has caused confusion
- not classifying stock routes but rather directing resources based solely on level of use
- undeclared stock routes should be mapped for clarity and to show connectivity with stock routes that have been declared
- reviewing the stock route network and retaining only primary stock routes
- Resources developing consistent communication/education tools for all stakeholders to ease the burden on individual local government officers who must respond to concerns about grazing on stock routes not identified on the maps.

While supporting the declaration of stock routes as proposed, 19 per cent of responders to the relevant survey question identified the need to maintain ease of access to stock routes for other users (e.g. for farmers, travellers and other recreational users). Survey responders also suggested:

- The digital stock route network map must be available to download onto iPhones, iPads etc., with the maps updated every 12 months.
- Make available a map of the reserves, cater for easy access to these reserves for recreational users and clarify permitted uses on the reserves.
- A stock route should not be determined by usage since this varies with the seasons or by quality of land.
- There should be no limitation, restriction or closure to established routes.
- Only primary routes should be kept open, and all others should be shut down to allow for the main routes to be managed properly, with one respondent suggesting, “The stock routes should be kept in the west where they are at least some use to the grazier.”

Government response

The government supports a modern and efficient administrative process for declaring stock routes.

In addition to the proposal to allow the stock route network map to be published in digital electronic form on the department’s website under the Regulation, based on stakeholder feedback, it is proposed to amend the Act to change the existing mapping process requiring a regulation, to a more streamlined and efficient process enabling the chief executive to make and amend the map of declared stock routes. This is consistent with more contemporary map amendment processes in other legislation.

Stakeholder concerns about the mapping of undeclared stock routes and reserves and associated on-ground conflicts are noted. These matters can be considered through the Stock Route Strategy Stakeholder Working Group.

Stock route network management plans

Proposal

List only those local governments which are required to prepare a management plan—those with more than 50 hectares of primary stock route in their local area. Other local governments can still prepare a management plan if they choose to do so; however, they can also include stock routes in other planning documentation.

A primary stock route is defined as a stock route that has a demonstrated history of frequent and high-volume use, predominantly comprises more productive and resilient land types, and that has reliable water.

Seventy per cent of the formal submissions (including from the LGAQ, AgForce, local governments and environmental groups) supported the concept of stock route management plans (management plans) to provide clarity on a local government’s stock route management objectives as well as arrangements across the network; to ensure consistent and effective connectivity; and, to inform stakeholders.

Submitters generally favoured the state developing a template that would:

- assist local governments prepare their management plans at reduced costs and meet a minimum standard
- ensure the relevance and consistency of management and compliance across local government boundaries
- ensure the stock route management plans comply with the Stock Route Management Act.

The LGAQ would be prepared to work with Resources to develop this template.

However, there were varying views about when a management plan should be needed, for example:

- All local governments with stock routes should have to prepare a plan specifying their management proposals/standards.
- A local government commented that all local governments should be encouraged to prepare and maintain a management plan for the purposes of managing assets, pastures and travelling stock; and to support the level of knowledge, resources and staff capacity needed to maintain and manage stock routes and compliance issues.
- Wildlife Queensland's view is that the state must establish a State Plan and set minimum standards that must be met for the entire network, preferably within a targeted time-bound schedule and supported by strong compliance and an "audit process to ensure current strategies are in fact working". In the absence of a State Plan, management plans (which can be a component of other planning documents) are necessary for heavily used stock route networks to specify a local government's management standards.
- Only selected councils should be mandated to prepare a management plan, noting that:
 - The LGAQ believes local governments that currently do not have to prepare a management plan should not have to under amended legislation, recommending the proposed criteria be reviewed.
 - A local government submitted there should be no differentiation between classifications of stock route when determining the need for a management plan.
 - A local government supported the concept of only those councils with 'active' stock routes being required to develop a management plan.
 - A local government strongly objected to being mandated to prepare a management plan on the grounds it was a new requirement for that council, and it was neither reasonable nor relevant due to the low number of stock travel permits which that council handles and the associated financial and resourcing impost.
- The proposed 50 hectares threshold was considered a small area in grazing terms for a whole local government area. Wildlife Queensland argues 50 hectares is "an arbitrary figure. It is just as critical to know if secondary stock routes are being managed appropriately."
- The level of usage may be more relevant than an area-based trigger (the LGAQ, AgForce and a private submitter).

The remaining submissions were silent on management plans.

The majority (69 per cent) of survey responders also supported requiring local governments with stock routes to prepare management plans. Their responses largely echoed the wide-ranging positions of the formal submissions on when this requirement should be triggered. A responder stated that "the State Government should have a hand in it and provide initial funding support for the first plan."

Fifteen per cent of survey responders opposed the proposal. Their concerns revolved around matters such as the associated financial impost for councils; local councils being too busy to get involved in stock routes; duplication with other government requirements (e.g., biosecurity plans); letting animals roam freely for feed provided they do not interfere with any other lands; "...the roadways are good enough". A drover opposed to requiring only some local governments to prepare management plans was concerned that some "fantastic routes...will be closed off completely from the network" and all local governments should be "kept to the management plan and encouraged to include walking stock on public stock routes".

Government response

In response to feedback, it is proposed to mandate stock route management plans only for the following local governments with significant primary stock routes in their local area:

Balonne Shire Council	Banana Shire Council
Barcaldine Regional Council	Barcoo Shire Council
Blackall Tambo Regional Council	Boulia Shire Council
Central Highlands Regional Council	Diamantina Shire Council
Flinders Shire Council	Goondiwindi Regional Council
Isaac Regional Council	Longreach Regional Council
Maranoa Regional Council	McKinlay Shire Council
Murweh Shire Council	Paroo Shire Council
Richmond Shire Council	Western Downs Regional Council
Winton Shire Council	

Importantly, those local governments that do not need to develop a plan under existing legislation will not have to develop a plan under the new arrangements. Local governments not listed can still choose to prepare a management plan or may choose to include stock routes management information in their other planning documentation.

Under proposed amendments to the Act, local governments will have to consult with relevant state agencies when preparing their management plans. This will allow operational issues to be addressed early, for example, where state-controlled roads, waterways, protected areas or other values may be affected by stock movement or agistment.

Developing a management plan template for local governments to use to simplify and support consistent and effective management of stock routes by local governments is an action under the *Stock Route Network Management Strategy 2021-2025*. Resources will work with the Stock Route Strategy Stakeholder Working Group to develop the template.

Other management concerns raised by stakeholders can be considered through the Stock Route Strategy Stakeholder Working Group.

Interest on amounts payable

Proposal

It is proposed to change the interest rate to the rate prescribed under the Taxation Administration Regulation 2012. This applies to Queensland:

- transfer duty
- land tax
- royalties (all land-based taxes), and
- payroll tax.

This is based on the more contemporary bank bill yield rate for the day plus a margin of eight per cent. The bank bill yield rate means the monthly average yield of 90-day bank accepted bills published by the Reserve Bank of Australia.

The benefit of using this rate is to provide greater consistency with other Queensland legislation, and to strike a mid-point between other common interest rates charged.

Around 38 per cent of formal submitters (including key stakeholders such as the LQAQ and AgForce) and one survey responder (affiliated with local government) responded to this proposal. The remaining submitters and survey responders did not provide feedback on this proposal.

No concerns were raised by those who responded to this issue.

Government response

It is planned to proceed with this proposal.

Prescribed market value of seized stock

Proposal

It is proposed to continue to use a value of \$1000 or above to trigger the requirement for a local government to sell seized stock by public tender or auction.

Around 38 per cent of formal submitters (the LQAQ and AgForce included) responded to this proposal. The remaining formal submissions and survey responses did not provide feedback on this proposal.

A local government considered the proposed \$1000 fee for seized small stock to be too high and suggested it be lowered to \$200. Otherwise, respondents supported the proposal.

Government response

It is planned to proceed with this proposal.

Fee framework and small stock fees

Proposals

It is proposed to introduce the following fees:

Fee	Stock size	As a fee unit
Travelling fee	Large stock	1 fee unit per 20 head*
	Small stock	1 fee unit per 140 head**
Agistment fee	Large stock	2.8 fee units – 5.5 fee units per head per week***
	Small stock	2 fee units to 4 fee units per 5 head ⁴ per week***
Application fee [#]		150 fee units

* or part of 20 head
 ** or part of 140 head
 *** or part of week
 # Application fee unlikely to be included in remade regulation due to requiring a change to the Act.

It is proposed to charge a travel and agistment fee for small stock at one seventh the fee for large stock.

Most of the formal submissions (81 per cent) supported stock route fees being based on a user-pays principle, the adoption of the proposed fee framework comprising a fee unit structure for indexation, increases in travel and agistment permit fees, fees for small stock fee being set at one seventh of that for large stock, and a standard application fee.

Submitters generally acknowledge that the fee increases are long overdue and necessary to make up for the significant shortfalls in cost recovery. Overall, they considered the proposed fee levels to be reasonable, more representative of the value of the benefits to stock route users, and agistment fees more aligned with commercial rates.

The strongest support came from the LGAQ, AgForce and local governments, although a local government recommended amendments to enable councils to waive travel permit fees (e.g. drought declared impacts). A submitter affiliated with a local government proposed further increasing the fees for travelling stock to better reflect the benefit stock route users receive from the use of the network. AgForce, the peak body for graziers, noted the fees proposed would still cost less than trucking stock.

AgForce, the LGAQ and local governments would support continued discussions to further increase cost recovery to benefit the upkeep and maintenance of the stock route network. A local government also suggested the state provides sufficient funding to support costs that are considered unrecoverable.

While Wildlife Queensland supported increases in fees, they cautioned that such increases “must be accountable, justifiable and transparent” and increasing fees to a level that makes droving unviable is not an option. Wildlife Queensland also suggested:

- “The use of the stock route should be set so that stock from other States are not encouraged to walk the Stock Routes in time of need.”
- The government explores innovative ways to raise income from other uses of stock routes (e.g. properties adjoining the unfenced sections of stock routes should fence the route or pay a fee in case their stock accidentally access the stock route).

Similarly, another submitter suggested opening stock routes to other compatible, fee paying, recreational activities (e.g. fossicking, camping), leveraging both the economic and social values of the stock route network.

A local government, and a private submitter with local government affiliations, opposed prescribing the proposed 150 units (\$150) application fee under stock route legislation. The main concern was that as local governments are currently able to charge an application fee under the *Local Government Act 2009*, prescription of this fee in stock route legislation would remove the flexibility for councils to determine when the fee should apply or to amend or waive the fee if it so desires. Another local government recommended each local government be allowed to set its own application fees to recover costs relating to assessments of permits. However, the general feedback from stakeholder submissions is that prescribing the application fee under stock route legislation would provide clarity, consistency, and transparency across local governments.

A local government also recommended that Resources reimburses local governments for any expenditure relating to capital assets/items on stock routes and the costs for the repair and maintenance of those assets.

Drovers were mainly concerned about the disparity between the stock route permit fees and the rates under the Land Act for long-term grazing on the network. Concerns were also raised about the impacts on pasture for travelling stock of long-term grazing tenures, overgrazing as well as unauthorised grazing. A drover strongly opposed stock route fees changing without long-term grazing rates and tenure arrangements also being reviewed.

Fifty-three per cent of survey responders supported the proposed fee regime while 24 per cent were opposed. There was general support for a user-pays approach, but the concern was that fees should not increase to levels which make droving unviable.

Survey feedback included:

- “The fee for agistment fees are applicable to the current commercial agistment rates.”
- A responder affiliated with a local government recommended increasing the proposed agistment fees to the following for greater cost recovery:
 - Large stock 0.40 - 0.78 fee units per head per day
 - Small stock 0.29 - 0.57 fee units per 5 head per day.
- Redo “the figures to include all leases of any part of the routes, if user pays, leaseholders should be paying a premium price to tie up the reserves for long periods of time, some leases are for 2 years and more at a time to adjoining landholders for next to nothing, eaten out and not accessible to walking stock or short term agistment”.
- The fees need to be “commercially realistic to enable upkeep to be ongoing and to deter some users from gaming the system, even though they have feed at home”.
- Concerns (including amongst drovers) about the state of the stock routes, suggesting revenue from current fees is not being re-invested in the maintenance or improvement of stock routes and associated infrastructure (e.g. weed control, fencing and water points) with one survey respondent commenting—“Qld routes are the cheapest compared to [NSW] routes in saying that we can handle a small increase but we need to see the products our money is going to. The Qld routes are very inadequate in water infrastructure. We need more water points so we can utilise the routes to the fullest. When it’s drought [and] everyone is in struggle street not everyone can afford to have a water cart with their stock so that makes access very hard in a lot of areas with none to very little water points.”
- “I agree with the proposed fees for travelling stock to try and generate additional revenue for local government management of the Primary network however due to the transient nature of droving/ travelling stock that is seasonal at best, as usage drastically increases with drought conditions [and] plummets in average to good seasons, budgeting for employing additional staff or funds to undertake maintenance or improvements will be very difficult as not a steady income stream. I believe there is a vast untapped income stream and management resource namely the graziers & farming land owners adjoining the secondary & minor/unused stock routes. Issue Occupation Licences or Permits to Occupy that could be charged at local government Rates units (based on Unimproved land value) with renewal dependant on good land management practices, maintenance/upgrade of facilities at a bi-annual review. Travelling stock will still have right of way to use the Stock Route Network.”

- “The stock route is commons land that is primarily the responsibility of the Queensland government and to some extent the Commonwealth government because of its very high biodiversity ecological connectivity values. As it belongs to all, its management must be paid for by all. Merely raising grazing fees probably will not address this fundamental need to adequately fund and manage this important resource.”
- “Increasing application and agistment fees are not a solution in their own right. It will still be a loss making service to manage properly. A full compliance audit of local government should occur first to identify additional issues. A range of compliance measures should back up any changes. These should include on the spot penalty notices, warnings and magistrates court regulatory offences including naming and shaming orders.”
- There should be penalty fees for lingering too long in sections of stock routes as well as for littering and unsanitary practices at roadside camping areas.

Survey responders’ comments specifically opposing the fee structure included:

- All users of the stock route network should pay, including beekeepers and stock grazing.
- “There is no mention of introducing fees for permanent grazing on the stock route network. Everyone must pay the same.”
- “I object to the fee increase for travelling stock and short term agistment when there is no increase for the main users of the network. 90% of the network is being grazed permanently for very little or no cost. User pay. All users pay. All stock grazing the network pays.”
- “Payment of fees confers a level of entitlement and ownership. It is better if there was a clear understanding by all users that this is public commons land and must be cared for by all.”
- “Charging an application fee is ridiculous when the rangers travel across shires for many other various parts of their jobs. This is not necessary nor a fair cost. Marking up fees to nearly 500% for walking stock is not going to be productive to the industry.”
- “The government once again is making [it] harder and more costly for our drovers.”
- “...as a drover when a farmer or stock owner is affected by changes to fees for the above mentioned then they are less inclined to consider putting stock out on the road...”
- “When people use these routes it is because they have fallen on hard times it is unfair to take advantage of them.”
- “...the high increase of fees and applications will make it too costly for travelling stock.”
- “It will be unviable to have cattle on the road during hard times such as drought when things are already stressful.”
- “I think the fees & charges are already far too high!”
- “No fees at all.”
- “...Should be 100% government fund for the maintenance of Australian stock route.”
- “What happened to the days when this was all free for the travelling stock.”

The quick poll question on whether fees should change gave responders the opportunity to reply directly:

- 26.1 per cent supported an increase.
- 40.4 per cent supported retaining the current fees.
- 33.5 per cent supported a reduction in the fees.

No identifying information about poll responders was collected, so the nature of these responders’ interests and the level of knowledge about current management arrangements is unknown.

Small stock fees

There was general support from formal submitters, key stakeholders and survey respondents for the proposal to charge a travel and agistment fee for small stock at one seventh the fee for large stock.

A local government opposed the small stock fee being set at one seventh of the large stock fee because it did not account for pasture consumption and loss of pasture through foot traffic (trampling). Instead, the local government favoured retention of the existing rate of one fifth. However, feedback from other submitters supported the rationale applied in the discussion paper, with a local government saying that one seventh is a widely accepted ratio among industry and stakeholders.

A majority of survey responders (51 per cent) thought the fees for small stock being set at approximately one seventh of that for large stock was reasonable. A few responders suggested keeping the current one-fifth rate which better accounts for pasture consumption, and loss through trampling by small stock. Survey respondents comments included:

- The proposed fee for small stock may be appropriate but should not be so high as to restrict use by small landholders.
- “Small stock fee should be 20% of the cost of large stock.”

Government response

The proposed fee framework for the stock route network best reflects stakeholder feedback for a user pays system, supporting greater cost recovery by local governments and for moving stock on the network continuing to be viable.

A standard application fee for travel and agistment permits will be included in the Regulation, providing consistency for stock route users and to support local governments recover their administration costs. Local governments will have the ability to waive application fees due to hardship.

Travel and agistment fees for small stock will be set at one seventh the fee for large stock.

Long-term grazing and associated fees were beyond the scope of the stock route regulation review as they are administered under the Land Act. However, these matters can be considered through the Stock Route Strategy Stakeholder Working Group.

Criteria for local governments to charge a fee for agistment

Proposal

No substantive changes are proposed to the existing issues local governments must consider under the regulation when deciding an appropriate fee for agistment.

Generally, submitters and survey responders thought the existing issues local governments must consider when deciding an appropriate fee for an agistment permit are appropriate.

Stakeholder concerns revolved mostly around unauthorised or long-term grazing (including under Land Act tenures) impacts on availability of pasture for travelling stock. Suggested improvements included:

- not allowing agistment on stock routes, particularly primary stock routes
- not allowing long-term grazing under the Land Act
- not issuing grazing permits in times of drought and the routes made available for all travelling stock
- lowering prices when feed is abundant as drovers are maintaining the routes with stock grazing, and in the warmer months this is adequate for fire hazard reduction.

Government response

It is planned to retain the existing issues local government must consider when deciding an appropriate fee for agistment.

Long-term grazing (agistment) is beyond the scope of the stock route regulation review as it is administered under the Land Act. However, suggested improvements can be considered through the Stock Route Strategy Stakeholder Working Group.

Schedules in the current regulation

Proposal

The two terms still in use are small stock and large stock. It is proposed these definitions be retained, with the only change being that vicunas are removed from the definition of large stock and placed in the definition of small stock.

There were no concerns with the proposed amendments to the schedules generally. There was some feedback that vicunas be removed altogether from the definition of stock. However, this would require an Act amendment and further consultation with stakeholders.

Government response

It is planned to proceed with the proposal.

Proposed amendments to the Nature Conservation (Protected Areas Management) Regulation 2017

Proposal

It is proposed to amend the Nature Conservation (Protected Areas Management) Regulation 2017 to charge the same fee for travelling stock on the protected areas estate as proposed for stock routes.

The LGAQ, local governments and AgForce were generally supportive.

A local government and an affiliated submitter suggested that, rather than separate legislation dealing with the same activity, stock travel over protected areas should be authorised under the Stock Route Management Act, with the Department of Environment and Science imposing conditions within the stock route legislative framework in much the same way the Department of Transport and Main Roads does for stock to travel on state-controlled roads.

Outdoors Queensland queried the appropriateness of charging the same fee for travelling stock on stock routes and over protected areas. Instead, they sought consideration of higher fees for travelling stock on the protected area to discourage stock movement through these areas and to offset the increased administrative burden in issuing permits for the protected area estate.

Wildlife Queensland prefers such activities do not occur, particularly in national parks and special wildlife reserves. However, given under certain circumstances travel through protected areas can occur, Wildlife Queensland would accept the change, suggesting the proposed daily fee rate, compared to the existing per kilometre rate, may encourage slightly shorter stages in protected areas.

Survey responders unaffiliated with local governments did not provide feedback on this matter.

Government response

Aligning travelling stock fees under Nature Conservation (Protected Areas Management) Regulation 2017 with stock route fees under the Stock Route Regulation will provide consistency for users of the stock route network and adjacent protected areas.

It will also help avoid unintended consequences of two different fee regimes—for example, making it cheaper to travel stock through a protected area instead of using off-protected area stock routes.

Proposed improvements to the Stock Route Management Act

Proposal

Amendments to the Stock Route Management Act to:

- Remove the requirement for Ministerial consideration of stock route management plans.
- Remove mandatory working groups for preparing stock route management plans.
- Change notification requirements under the Act from notices in newspapers to digital or other contemporary solutions.
- Extend the duration of local government management plans from four to five years and providing for review every five years, consistent with the review timelines for the State's Stock Route Network Management Strategy.
- Require local governments to consult with relevant state agencies when developing management plans.
- Allow local governments to retain 100 percent of revenue received from permit fees, penalties and water facility agreements to fund administration and maintenance of the network.
- Provide that local governments can charge an application fee for permits.

Fifty-seven per cent of the formal submissions provided feedback on the proposed amendments to the Stock Route Management Act. The submissions mostly supported the proposed amendments. The strongest support came from the LGAQ, AgForce and local governments. Environmental groups were also generally supportive.

Seventy percent of survey responders commented on the proposed Act amendments, with very wide-ranging views. Responders affiliated with local governments were generally supportive of the proposed amendments.

Management plans and notification requirements

Formal submitters were generally supportive of the proposed changes to management plans and Act notification requirements. Feedback included:

- Removing the requirement to set up a working group for preparing management plans should not reduce consultation with, and considering the needs of, livestock owners and other users (e.g. the community, recreational users).
- Notification of changes to management plans could include digital options as well as hardcopy newspapers where they still exist since not all areas have reliable digital connectivity.

Three submitters proposed broadening the proposed consultation requirements. One submitter proposed that local governments should have to consult agencies that may have a state interest on or adjacent to a stock route, including for potential state-owned forest products and quarry material under the *Forestry Act 1959*. A local government suggested also requiring state agencies to consult with the relevant local government when management activities will affect stock routes or where management programs can be coordinated with better results. Outdoors Queensland suggested Sport and Recreation should be included as one of the government agencies to be consulted by local government in recognition of the recreational value of the stock route network.

There was no consistent view expressed by survey respondents, with local government affiliated respondents generally supporting the proposed changes to management plans and notification requirements. Other respondents were concerned about removing the requirements for Ministerial consideration of management plans; establishing working groups; and no longer mandating notifications in newspapers.

Retaining revenue

Again, formal submitters were generally supportive of the proposed changes allowing local governments to retain 100% of the revenue they receive from received from permit fees, penalties and water facility agreements and charge a permit application fee.

One local government and an affiliated submitter strongly opposed local governments keeping all stock routes revenue as proposed in the discussion paper. Their concern was this may be the first step in the state exiting from managing the stock route network, while keeping the current 50-50 fee arrangement would show an ongoing commitment by both local and state governments to joint management of the network.

Survey respondents (mainly affiliated with drovers) were concerned about the proposal. Feedback included:

- Concerns about the state of the stock route network (e.g. water points, weed control, fencing, grazing), with one survey responder questioning whether stock route revenue currently kept by local government was being reinvested in the network, while another responder stated that if local governments “charge a larger fee for agistment they might be able to put more money into fixing water facilities instead of telling the drover he can walk the stock route if he has a water truck”.
- “Councils should not receive 100% fees, this would not keep transparency and integrity in the management of the routes and degradation would be inevitable. Management needs to be kept with an independent governing body and all charges for the routes on the user pays system should be 70% to council 30% management body. Checks and balances should be enforced to make sure that money earned goes directly to maintenance, repairs and infrastructure improvements with encouragement for walking stock in regards to desertification.”
- “It all needs to benefit the stock, stock owners, drovers [and] local councils otherwise it will never work”.
- “They need to listen to the drovers that need to use it, keep the stock route free for travelling stock.”
- “I do not see how any of the amendments can be used until the whole net[work] is considered.”

Comments from other survey responders included:

- “Ministerial consideration must remain to show unbiased; working groups must remain to show unbiased; notifications must remain in newspapers; application fees should only be a small amount not the \$150.00 that they charge.”
- “More consultation, actually speak with these farmers.”
- “...when these routes are leased they are only paying minimum rents, and just chewing them to the ground.”
- “It is an unfunded management impost to councils who are often too close to the users of the stock routes to be inclined to enforce the rules.”

Government response

The proposed changes to management plans are designed to reduce the administrative and regulatory burden for local governments in managing the stock route network.

When preparing or changing a stock route management plan, local governments will need to consult with relevant state agencies. This includes, but is not limited to, where stock routes are co-located on or adjacent to state-controlled roads, waterways, and protected areas to minimise potential stock movement impacts and manage risks to road safety, transport infrastructure, fish habitats and protected areas.

Local governments will still need to publish a draft management plan on their website for public feedback. In making a stock route management plan or notifying of changes, it is proposed to require local governments to use their website at a minimum. Local governments will still have the option of publishing through other suitable media circulating in the local government's area, including continuing to utilise newspapers.

Allowing local governments to keep 100 per cent of revenue and charge application fees will increase investment in the stock route network. Local governments will have the ability to waive application fees due to hardship.

The Act will continue to require local governments to use retained funds for administration, maintenance, or improvement of the stock route network in their area. Meanwhile, the Queensland Government continues to provide separate funding to local governments for stock routes capital infrastructure and maintenance.

Other matters

Stakeholders also provided feedback and suggestions on other stock route related matters, other than the discussion paper proposals and non-stock route related matters. Some of these issues are outside the scope of the Regulation review. Feedback and suggestions included:

- Wildlife Queensland is seeking the establishment of a Ministerial Advisory Committee with representation from all the various sectors that have an interest in the stock route network, including indigenous and conservation sectors, reflecting the multiuse of “this Australian icon”.
- The LGAQ and AgForce welcomed the establishment of a working group with key stakeholder membership to drive implementation of the Queensland Stock Route Network Management Strategy 2020-2025 and address operational issues.
- Stakeholders generally supported stronger compliance and enforcement programs with concerns mostly about long-term or unauthorised grazing on stock routes, and the impact on pasture availability for travelling stock.
- Grazing fees and leasing arrangements under Land Act should be reviewed to reflect commercial use and discourage use of the stock route as a paddock; and unauthorised grazing and compliance matters addressed appropriately. Noting AgForce supports continuation of grazing tenures under the Land Act, including on the stock route network, but applying “an appropriate and equitable system of rents (such as are paid for pastoral leases)” with revenue collected being provided to the relevant local government for maintenance of the stock route network.
- AgForce is of the view that effective biosecurity risk management must be an important consideration in the planning, management, use and funding of the stock route network by all stakeholders.
- A local government affiliated submitter also suggested the following also need to be addressed:
 - Conflict with permits and leases issued under other legislation (e.g. the Land Act), suggesting the Land Act be amended so grazing permits/leases be dealt with under stock routes legislation.
 - Conflict between stock route usage and non-livestock activities occurring on adjacent land (e.g. crop farming).
 - Poor conduct of users on the network, suggesting a user code of conduct be established.
 - Animal welfare considerations for travel on stock routes, suggesting an animal welfare standard for travelling stock on foot be developed.
 - Require stock owners to notify local governments of stock movement not needing a travel permit.
 - Unauthorized/illegal grazing of the stock route network suggesting an annual fee for landholders based on whether their land adjoining a stock route is fenced/unfenced.
 - Grazing permits during drought and amending the Act to clarify they are only for emergency use and more robust decision-making processes.
 - Setting up a simple process to allow for short term water agreements to source water from stock route water facilities.
- A submitter commented that broadening land access under the *Fossicking Act 1994* to include state lands such as state forests, stock route and other local government managed lands would provide increased economic and social benefits to the community when compared to rental revenue from grazing leases and permits.

Government response

The government supports continued improvements to stock routes administration and working with stakeholders. Resources and other state agencies will work with the Stock Route Strategy Stakeholder Working Group to consider ongoing improvements.

Attachment 1 – List of formal submissions

No.	Submitter	No.	Submitter
1	North Burnett Regional Council	9	Birds Queensland
2	Western Downs Regional Council	10	Winton Shire Council
3	Department of Agriculture and Fisheries	11	Kent Morris
4	Outdoors Queensland	12	Longreach Regional Council
5	Flinders Shire Council	13	AgForce
6	Maranoa Regional Council	14	Balonne Shire Council
7	Local Government Association of Queensland	15	Wildlife Preservation Society of Queensland (Wildlife Queensland)
8	Desert Channels Group	16	Frieda Berry-Porter

NOTE: Due to the nature of the online survey, Resources is unable to provide the identity of the 72 online survey respondents. However, there were approximately 11 responders affiliated with councils, an estimated 3 with the droving sector, and 58 were not identified with a specific sector.



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