



Queensland

Stock Route Management Regulation 2023

Subordinate Legislation 2023 No. 33

made under the

Nature Conservation Act 1992
Stock Route Management Act 2002

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Part 1 Preliminary

1 Short title

This regulation may be cited as the *Stock Route Management Regulation 2023*.

2 Commencement

This regulation commences on the commencement of the *Land and Other Legislation Amendment Act 2023*, section 64.

3 Definitions

The dictionary in schedule 3 defines particular words used in this regulation.

Part 2 Stock route network management

4 Local governments to which ch 3, pt 3 of Act applies—Act, s 104

Each local government mentioned in schedule 1 is prescribed for section 104 of the Act.

5 Interest on overdue amounts—Act, ss 153 and 159

- (1) This section prescribes the rate of interest on an overdue amount and the way the interest is calculated for sections 153(2) and 159(2) of the Act.
- (2) The interest accrues daily, at the rate calculated under subsection (3), for the period starting on the day immediately after the day the overdue amount becomes payable and ending on the day the overdue amount is paid in full, both days inclusive.

[s 6]

- (3) The rate of interest is the annual rate equal to the sum of—
 - (a) the bank bill yield rate, rounded to 2 decimal places, for each day the interest accrues; and
 - (b) 8%.
- (4) In this section—

bank bill yield rate, for a day, means the monthly average yield of 90-day bank accepted bills published by the Reserve Bank of Australia for the month of May in the financial year immediately before the financial year in which the day occurs.

6 Market value of seized stock—Act, s 170

For section 170(2) of the Act, the amount prescribed is \$1,000.

Part 3 Fees

7 Fees

The fees payable under the Act are stated in this part and schedule 2.

8 Stock route agistment permit fee—Act, ss 116 and 122

- (1) This section prescribes, for sections 116(6) and 122(5) of the Act, the permit fee for a stock route agistment permit for relevant land in an issuing entity's local government area.
- (2) The permit fee is the amount the issuing entity considers reasonable, having regard to the following—
 - (a) the characteristics of the relevant land;
Examples of characteristics—
topography, vegetation

-
- (b) the weather conditions forecast by the Bureau of Meteorology for the relevant land for the term of the permit;
 - (c) for a stock route agistment permit that is renewed—the weather conditions for the relevant land when the permit is renewed;
 - (d) the number of stock to be agisted under the permit;
 - (e) the type of stock to be agisted under the permit;
 - (f) the reason for the agistment of stock under the permit;
Examples of a reason for an agistment of stock—
 - allowing stock to graze in an area to manage excess fuel loads so as to reduce the risk of fire
 - ensuring stock have access to pasture during drought
 - (g) the quality of pasture available for the agistment of stock under the permit;
 - (h) the accessibility of water for the agistment of stock under the permit;
 - (i) any proposed use of travelling stock facilities under the permit;
 - (j) the commercial rates for agistment in the issuing entity’s local government area for stock of the type to be agisted under the permit.
- (3) However—
- (a) the permit fee for eligible small stock must not be less than the minimum amount, or more than the maximum amount, stated in schedule 2, item 2; and
 - (b) the permit fee for eligible large stock must not be less than the minimum amount, or more than the maximum amount, stated in schedule 2, item 3.

9 Amount payable or refund for changed stock route travel permit

- (1) This section applies if—

[s 9]

- (a) because of a change in circumstances, the holder of a stock route travel permit (the ***original permit***) gives the issuing entity for the permit a notice under section 140(2) of the Act; and
 - (b) the issuing entity issues a replacement permit, showing the correct particular, under section 141(3) of the Act.
- (2) Subject to subsection (4), if the original permit had included the correct particular and the revised permit fee would have been more than the original permit fee, the holder must—
- (a) if the holder has paid the original permit fee—pay the amount of the difference between the fees to the issuing entity; or
 - (b) otherwise—pay the amount of the revised permit fee to the issuing entity.
- (3) Subject to subsection (4), if the original permit had included the correct particular and the revised permit fee would have been less than the original permit fee, the issuing entity must—
- (a) if the holder has paid the original permit fee—refund the amount of the difference between the fees to the holder; or
 - (b) otherwise—reduce the original permit fee by the amount of the difference between that fee and the revised permit fee.
- (4) If stock have been driven on foot under the permit before the change in circumstances happens, an amount mentioned in subsection (2)(a) or (b) or (3)(a) or (b) must be adjusted in proportion to the number of days in the term of the permit remaining after the change in circumstances happens.
- (5) In this section—

original permit fee means the permit fee that was paid or payable for the issue of the original permit.

revised permit fee means the permit fee that would have been payable for the issue of the original permit if the original permit had included the correct particular.

Part 4 Repeal and transitional provisions

Division 1 Repeal

10 Repeal

The Stock Route Management Regulation 2003, SL No. 117, is repealed.

Division 2 Transitional provisions

11 Definition for division

In this division—

repealed regulation means the repealed *Stock Route Management Regulation 2003*.

12 Permit fees

- (1) This section applies if—
 - (a) before the commencement, a person applied for a permit under section 116(1) or 134(1) of the Act; and
 - (b) from the commencement, the permit is issued to the person; and
 - (c) the person has not paid the permit fee for the permit.
- (2) Section 17(1), (2) and (5) and schedule 2, items 1 and 2 of the repealed regulation continue to apply in relation to the permit fee as if this regulation had not been made and the repealed regulation continued in force.

[s 13]

13 Interest on overdue amount

- (1) This section applies if immediately before the commencement, an amount mentioned in section 153(1) or 159(1) of the Act was overdue.
- (2) From the commencement, section 13 of the repealed regulation continues to apply in relation to the interest payable on the overdue amount as if this regulation had not been made and the repealed regulation continued in force.
- (3) Section 13 of the repealed regulation continues to apply under subsection (2) until the overdue amount and the interest payable on the amount are paid.

14 Revised permit fee for changed stock route travel permit

- (1) This section applies if—
 - (a) before the commencement, the holder of a stock route travel permit gave the issuing entity for the permit a notice under section 140(2) of the Act; and
 - (b) the issuing entity issues a replacement permit under section 141(3) of the Act from the commencement.
- (2) Subject to subsection (3), section 9 applies in relation to the permit fee for the stock route travel permit.
- (3) Section 9(5), definition *revised permit fee* applies as if the reference in the provision to the permit fee that would have been payable were a reference to the permit fee that would have been payable under section 17(1) and (5) and schedule 2, item 2 of the repealed regulation as in force immediately before the commencement.

Part 5 Amendment of Nature Conservation (Protected Areas Management) Regulation 2017

15 Regulation amended

This part amends the *Nature Conservation (Protected Areas Management) Regulation 2017*.

16 Amendment of sch 7A (Fees)

Schedule 7A, part 2, item 7—

omit, insert—

- 7 Travelling stock permit (ss 71AB(2)(c) and 159AM(1)),
for each day the stock are to travel under the permit, for
each group of up to 20 head of large stock or 140 head of
small stock 1.00

17 Amendment of sch 8 (Dictionary)

Schedule 8—

insert—

large stock means alpacas, buffaloes, camels,
cattle, deer, donkeys, horses or llamas.

small stock means goats, ostriches, peafowl or
sheep.

Schedule 1 Local governments to which ch 3, pt 3 of the Act applies

section 4

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

Schedule 2 Fees

sections 7 and 8(3)

| | Fee units |
|---|------------------|
| 1 Application fee for stock route agistment permit (Act, s 116(4)(b)) | 150.00 |
| 2 Permit fee for stock route agistment permit for eligible small stock (Act, ss 116(6) and 122(5)) (s 8(3)(a))—for each 5 head of stock to be agisted under the permit, for each week or part of a week of the permit term— | |
| (a) minimum amount of fee | 2.00 |
| (b) maximum amount of fee | 4.00 |
| 3 Permit fee for stock route agistment permit for eligible large stock (Act, ss 116(6) and 122(5)) (s 8(3)(b))—for each head of stock to be agisted under the permit, for each week or part of a week of the permit term— | |
| (a) minimum amount of fee | 2.80 |
| (b) maximum amount of fee | 5.50 |
| 4 Renewal application fee for stock route agistment permit (Act, s 122(2)(b)(ii)) | 150.00 |
| 5 Application fee for stock route travel permit (Act, s 134(2)(b)) | 150.00 |
| 6 Permit fee for stock route travel permit (Act, s 134(4)), for each day the stock are to be driven on foot under the permit, for each group of up to 140 head of eligible small stock or 20 head of eligible large stock | 1.00 |
| 7 Inspecting register of water facility agreements (Act, s 164(3)(a)) | 17.05 |

Schedule 3 Dictionary

section 3

eligible large stock, in relation to a permit fee for a permit, means alpacas, asses, buffaloes, camels, cattle, deer, donkeys, horses, llamas, mules or vicunas that are not excluded stock for the permit.

eligible small stock, in relation to a permit fee for a permit, means goats or sheep that are not excluded stock for the permit.

excluded stock means—

- (a) for a stock route agistment permit—stock mentioned in section 116(2)(b) of the Act being travelled to a gymkhana or rodeo under a stock route travel permit; or
- (b) for a stock route travel permit—
 - (i) stock being travelled to a gymkhana or rodeo under the permit; or
 - (ii) unweaned stock of less than 6 months travelling with their mothers under the permit; or
 - (iii) horses being used for droving stock under the permit.

ENDNOTES

- 1 Made by the Governor in Council on 27 April 2023.
- 2 Notified on the Queensland legislation website on 28 April 2023.
- 3 The administering agency is the Department of Resources.

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