



STOCK ROUTE PERMITS TRAVEL & AGISTMENT POLICY

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Policy Type:	Strategic
Responsible Officer:	Natural Resource Management Officer
Department:	Community and Corporate Services

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1	GRC 0081	22 July 2015	Review July 2018
2	Reviewed and Amended OM-126/18	25 July 2018	Review July 2021
3	Reviewed and Amended OM-080/19	24 April 2019	Review March 2020
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1. BACKGROUND

Goondiwindi Regional Council has in its region identified and allocated Stock Routes as per the Stock Route Network Management Plan. A permit to allow use of the stock route network is available to landholders or persons who meet the criteria as stated in the *Land Protection (Pest and Stock Route Management) Act 2002*.

DEFINITIONS

Stock Route Grazing (agistment) Permit provided to the owner of stock who have applied to graze their livestock on the stock route network.

Stock Route Travel Permit provided to the owner of stock or a person acting on behalf of the owner who have applied to travel stock by foot on stock route network.

PIC Number Property Identification Code - A PIC is a unique identifier for land. PICs are assigned to individual properties and are allocated by Bio Security Queensland.

Stock Brands / Earmarks are used to prove ownership of livestock. They are only compulsory for cattle and pigs when they are being sold. They are recommended to avoid ownership disputes over stray animals.

Public Liability Insurance protects business or small companies against the financial risk of being found **liable** to a third party for death or injury, loss or damage of property or economic loss resulting from your negligence.

2. POLICY STATEMENT

Types of Applicants

- Landowner whose land is adversely affected by drought, fire or flood or
- hold a stock route travel permit and wish to temporarily cease travelling to brand, crutch, dip, drench, jet, shear; or
- truck the stock under control, or spell the stock to comply with an obligation imposed by animal welfare legislation; or
- are responding to a notice by local government inviting applications for agistment of stock; or
- if Council has identified that there are more pasture and water than is needed for the use of travelling stock.

Assessment Criteria

- Council can grant or refuse the application
- Council may grant the application only if satisfied that:
 - i. the applicant has not held a stock route grazing (agistment) permit for the land for more than 3 months in a financial year; and
 - ii. there is more pasture and water available on the land than is needed for the use of travelling stock; and
 - iii. the land is not subject to a lease or permit under the *Land Act 1994*; and
 - iv. the stock's agistment is not likely to:
 - (A) introduce a declared pest onto land in the entity's area; or
 - (B) spread a declared pest on the land; or
 - (C) degrade the land; or
 - (D) adversely affect road safety; and
 - v. the stock to be agisted are not affected by a notifiable disease
 - vi. the stock's rate of travel will be at least the rate stated for the stock under the permit, having regard to the condition of the stock; and
 - vii. the stock's travel is not likely to have an adverse effect on road safety.
- Also, if the land is a State controlled road, Council may grant the application only if the use of the land for agistment is approved, with or without conditions, by the chief executive of the department responsible for managing State-controlled roads.
- A condition of an approval mentioned in subsection (3) may only be about:
 - i. protecting road transport infrastructure under the *Transport Infrastructure Act 1994*; or
 - ii. road safety.

Conditions of Approval

- Council may issue a permit provided that notice is given; in accordance with the Department of Natural Resources and Mines requirements. The application for a stock route grazing (agistment) permit or application for a stock route travel permit is completed and sent to Council. Applications can generally be lodged in person or by post, fax or email.
 - i. If responding to a local government notice, an application must be lodged within 7 days.
 - ii. If applying for agistment of travelling stock, apply at least 3 days before the proposed agistment period.
 - iii. If applying for other reasons, allowing at least 7 days for the application to be processed.
- Council requires adequate contact details to complete the approved form as requested on the Stock Route Management System; this includes:

Contact details including:

 - (A) street address or PO Box details
 - (B) landline
 - (C) mobile
 - (D) email address
 - i. Property Identification Code (PIC).
 - ii. Brand and earmark.
 - iii. Details of Public Liability Insurance Cover to the value of \$20,000,000.00
- Council will not process incomplete applications.
- If Council decides to grant the application, Council must give the applicant:
 - i. the stock route grazing (agistment) permit in the approved form created through the Stock Route Management System; and
 - ii. If Council decides to impose conditions on the permit - a review notice about the decision and that it is clearly identified in the permit
- The permit takes effect from:
 - i. The day of its issue; or
 - ii. if a later date is stated in it – the later date.
- The fee is paid in full on signing the permit
- Applications for bulls on the stock route network:
 - i. Council will not permit bulls to depasture on the stock route network, with the exception being; if it is deemed necessary, council may allow bulls to depasture for up to 7 days in conjunction with travel permits with strict conditions applied.

- ii. Council will permit bulls to travel on the stock route network, while retaining the right to request their removal if the bulls are found to be adversely affecting the route or adjoining landholders.

Duration of Permit

- A stock route grazing (agistment) permit remains in force, unless it is sooner cancelled, for the term, of no more than the default days – 28 days when issuing using Stock Route Management System
- A travel permit will remain in force, unless it is sooner cancelled, for the term as calculated when using the Stock Route Management System.

Renewal of Permit

- An application for the renewal of a permit must :
 - i. be made before the permit expires
 - ii. may be requested be verbally, in writing or electronically
- Council may renew a stock route grazing (agistment) permit if satisfied:
 - i. the permit holder has not already held any permit for 3 months in that financial year
 - ii. no other request for the same reserve have been received from other landholders or persons who meet the criteria as stated in the *Land Protection (Pest and Stock Route Management) Act 2002* or this policy.
 - iii. provided that there is enough pasture or water for the continued agistment and the use of travelling stock
- If the permit is renewed, the applicant must pay all fees in full upon signing the permit

Cancellation of Permit

- Council may cancel a stock route grazing (agistment) permit if satisfied:
 - i. the permit holder has not complied with a condition of the permit as stated in standard conditions; or
 - ii. the relevant land under the permit can no longer provide enough pasture or water for the continued agistment and the use of travelling stock
- If Council decides to cancel a stock route agistment permit, Council must:
 - i. give the permit holder a written notice stating the following:
 - (A) that the permit is cancelled
 - (B) the grounds for the cancellation;
 - (C) the facts and circumstances that are the basis for the grounds;
 - (D) that the permit holder may ask the chief executive to review the decision;
 - (E) how to ask for a review
 - ii. refund to the holder the amount of the permit fee less the amount that would have been payable for the term of the permit before it was cancelled
- The cancellation has effect immediately the notice is given.

Review of Permit

- If an applicant is not satisfied with a decision made by Council:
 - i. to refuse to grant or renew a permit;
 - ii. impose conditions on a permit or refuse to amend conditions on request; or
 - iii. cancel a permit.

The applicant can apply to Department of Natural Resources and Mines (DNRM) for a review of Council's decision.

- An application form for a review of a decision must be obtained, completed and returned to DNRM.
- A request for a review of a decision does not stay the operations of the decision. Council's decision will stand until the review has been decided which may take up to 14 days for a stock route grazing (agistment) permit and 7 days for a stock route travel permit.
- If DNRM decides to confirm with the decision of Council, the applicant or permit holder of a stock route grazing (agistment) or stock route travel permit can apply to the Queensland Civil and Administrative Tribunal (QCAT) to appeal against the confirmation of the decision.
- Under Section 297 of the *Land Protection (Pest and Stock Route Management) Act 2002*, an appeal is started by filing a notice of appeal with QCAT within 28 days of receiving the confirmation of the decision by DNRM by:
 - i. giving a copy of the notice to the person who made the decision being appealed; and
 - ii. complying with the rules of QCAT.

The notice of appeal must state fully the grounds of appeal and the facts relied on. Potential appellants should refer *Queensland Civil and Administrative Act 2009* for detailed information regarding the appeals process and requirements.

Fees & Charges

- Agistment & Travel Permits - charges are applied as per *Land Protection (Pest and Stock Route Management) Act 2002* and the Council's Fees and Charges Schedule.
- Application for Travel Permit – an application fee is charged for travel permits that are for more than 2 days duration, as per Council's Fees and Charges Schedule.
- Alteration to Travel Permits – a fee is charged where there is an alternation to the travel permit during its duration, as per Council's Fees and Charges Schedule.

3. PURPOSE

This policy has been developed to ensure that local land owners and individuals in the community have fair access and use of Stock Route Reserves and Travel Stock Routes as per the Stock Route Network Management plan and *the Land Protection (Pest and Stock Management) Act 2002*

By using this policy and the guidelines within it, Council can ensure that all applications for a permit are assessed in an open and fair manner.

4. POLICY OBJECTIVE

- To provide corporate guidelines and criteria on the provision of permits to land owners and individuals in accordance with the *Land Protection (Pest and Stock Management) Act 2002*
- To provide guidelines and standards when assessing applicants for permits
- To control the management of Stock Route Reserves and Travel Stock Routes to ensure that adequate maintenance and management throughout the growing season is achieved

5. REVIEW DATE

March 2023

6. ATTACHMENTS

Nil