



## 1. POLICY STATEMENT

The purpose of the BSC Stock Route Compliance Priority Policy and Procedure is to:

- a. Meet Council's obligations to manage the stock route network in the shire in accordance with the Queensland Stock Route Management Act 2002, Draft Queensland Stock Route Management Strategy 2020-2025 (SRMS), Council's Stock Route Management Plan, and Corporate Goals.
- b. Achieve stock route management and compliance in a way that is prioritised to achieve outcomes aligned to the primary, secondary, and negotiated priority stock route classifications in the SRMS, and within limited financial and staff resources
- c. Achieve compliance through a fair and measured process where users have a good understanding of their responsibilities and options.

#### 2. PRINCIPLES

The Vision of the State's Draft Stock Route Management Strategy 2020-25 is: "The stock route network is managed for the responsible use for travelling stock while supporting the inherent natural and cultural values of the network"

The Balonne Shire Council Corporate Plan 2018 – 2023 states that the Environmental Goal is 'To enhance, protect and sustain the environment, ensuring a triple bottom line approach of balancing social and economic needs with environmental goals. This includes the environmental Program Area of 'Biosecurity, pest management and stock route planning'.

#### 3. SCOPE

The policy is relevant to all users of stock routes from landholders to drovers and the public. It relates to all offences under the Queensland Stock Route Management Act 2002.

#### 4. RESPONSIBILITY

Balonne Shire Council is responsible for management and compliance of stock routes under the oversight of the Department of Natural Resources Mines and Energy, and in conjunction with related legislation and bodies such as the Department of Transport and Main Roads

#### 5. PRIORITY POLICY

The policy provides for four descending levels of priority dependant on resources, safety, and transitioning from historic use.

#### Level 1 - Ongoing Compliance

- 1. WDEF funded fencing must be on applicant's land/boundary
- 2. Boundary vegetation clearance not to be beyond 3m without approvals (eg WDEF 5m)
- 3. Boundary vegetation cleared to be removed from stock routes (by 'practical completion' of the fence for WDEF schemes)
- 4. 'Substantial' encroachments on primary stock routes eg cropping, grazing, tyres, buildings
- 5. Unauthorised fencing for agistment
- 6. Drover and agistment adherence to permit conditions
- 7. Specific issues identified for action by DNRME eg from satellite





# Level 2 – 2020/21 Staged Compliance with new wing and (soon) grid standards

- 2020 Programme to check all past wings (ERS) and grids (IS) and determine staged priority for bringing to the new standard:
- a. Immediate: key areas of safety eg siting, non-frangible components, and signage
- b. Later: permits, minor safety aspects, potential grid removal

## Level 3 – 2021 Formalise agreements for facilities and utilities

1. Program to inventory and formalise water and other agreements with neighbouring landholders, or to cease informal agreements

### Level 4 – 2021-2023 Historical use of stock routes

- 1. Develop a kit with options for landholders with unformed roads or boundary fences in stock routes, such as: permits to occupy, stopping, fencing with double unlocked gates, fence renewal on boundary, and withdrawing use
- 2. Develop a communications campaign on stock route compliance and options with expectations to come into compliance by a sunset date
- 3. Systematic identification of all unformed roads, fencing, cropping, and grazing
- 4. Systematic and consistent compliance process after sunset date.
- 5. Determination of Council level of maintenance for unformed roads.

#### 7. LEGAL PARAMETERS

- Stock Route Management Act 2002
- Vegetation Management Act 1999
- Environmental Protection and Biodiversity Conservation Act 1999
- Nature Conservation Act 1992
- Natural Resources and Other Legislation Amendment Act 2019

## **8. ASSOCIATED DOCUMENTS**

- Draft Queensland Stock Route Management Strategy 2020-2025
- Council's Stock Route Management Plan 2012-16 (currently being updated)
- BSC Corporate Plan 2018 2023





# **Stock Route Compliance Procedure**

Under the BSC Stock Route Management Plan to achieve compliance Council will generally undertake the following course of actions:

- 1. Clarify with the offender their obligations under the Act and negotiate with the offender for them to undertake necessary action set out in the Act.
- 2. Provide a verbal warning.
- 3. Provide a written warning.
- 4. Depending on the severity of the breach of compliance undertake appropriate actions (including legal action) to enforce compliance

The full process Council will take is outlined in the compliance flow chart attached.

The process is designed to ensure a consistent, fair, and staged approach to obtaining compliance from stock route neighbours and users.





Investigation has ascertained an offence has been committed AT ANY STAGE IN THE PROCESS COUNCIL WILL COMMENCE THE PROCESS FIRST: Attempt to contact property owner at the first available opportunity by phone to ensure discussion. If unwilling OF CONCILIATING AN OUTCOME to comply go to Step 4. SECOND: If no contact, ensure a minimum of 2 additional calls over 2 days, with a short message about the issue and requesting to call back. NO EMAIL AVAILABLE THIRD: If no phone response Send a letter to the property owner requesting contact property owner by email. they contact BSC. FOURTH: After 7 days without response send a 'Warning Letter' for voluntary compliance within 14 days. FIFTH: After the 14 days, if no response, make a follow-up phone call. Failure to respond or comply will result in a 'Compliance Notice'. SEVENTH: Failure to comply gives rise to council considering its SIXTH: Failure to respond after the formal review period (14 response, such as a fine and/or pursuing the property owner for days) will result in an

# COMPLIANCE OUTCOMES

- 1. Property owner discusses with rural services staff a range of options. Officers have capacity to use discretion based on individual circumstances.
- **2.** Property owner fails to contact council. A written compliance notice is issued.
- **3.** Property owner responds positively to compliance notice. Council commences mediation to resolve the issues as in step 1.
- 4. Property owner responds negatively to compliance notice. If no remediation or resolution in given timeframes an infringement notice is issued. Issue may be resolved by council and costs claimed against the property owner.
- 5. Council reserves the right to issue further infringements after the expiration of the initial infringement, in the event the offence is not remediated.

# BE POSITIVE

'Infringement Notice'.

Respond in a professional tone, do not argue or insult

## BE TRANSPARENT

Provide name and work location, detail reason for the call

#### **BE TIMELY**

any remediation costs.

Respond in a reasonable period of time, particularly if returning the property owner's phone call

#### BE HELPFUL

Conciliate a compliance outcome and ensure follow- up