



~~Mr PEARCE (Mirani—ALP) (12:27 pm): I move—~~

~~That the House take note of report No. 17, titled *Consideration of the Auditor-General's report 17 for 2015-16: results of audit—local government entities 2014-15*.~~

~~It is always good from time to time to remind those who take an interest in what is happening in parliament about how this system works. I would like to go through a few processes that have lead us to where we are today in reporting to the parliament on the work that has been done by the committee.~~

~~The Infrastructure, Planning and Natural Resources Committee is a portfolio committee established by the Parliament of Queensland Act 2001 and the standing orders of the Legislative Assembly on 27 March 2015. It consists of government and non-government members. The committee's areas of portfolio responsibility are: Infrastructure, Local Government and Planning and Trade and Investment; State Development and Natural Resources and Mines; and Housing and Public Works.~~

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~~I refer to the role of the Auditor General and the Queensland Audit Office. The Auditor General is an independent statutory officer appointed by the Governor in Council under the Auditor General Act 2009. The Auditor General is supported by the Queensland Audit Office. The Auditor General undertakes both financial audits and performance audits of public sector entities. Financial audits provide an opinion on the financial statements of public sector entities. Performance audits encompass broader objectives including evaluating whether an entity, program or initiative has achieved its objectives in an economical and efficient manner. The Auditor General must report to the Legislative Assembly on each audit conducted of a public sector entity. That is what we are doing here today. The Auditor General has reported to the committee, and our report is what we are speaking to today.~~

~~The Auditor General takes into consideration a number of things: financial audits of local governments, significant financial reporting issues, asset management planning and business activities of local governments. It is a general look at the local government entity. Given that it is using funds that belong to the people of Queensland or their local area, the Auditor General takes a good look at the entity to make sure that everything is working in an open and accountable way.~~

~~The Queensland Auditor General audits the financial statements of local governments and related entities each year. For the 2014-15 financial statements, the Auditor General reported that he issued 140 unmodified audit opinions and 10 qualified audit opinions—four for councils and six for local government entities. The number of qualified audit opinions was consistent with the prior year. Four councils and one related entity had not finalised their 30 June 2015 financial statements.~~

~~The Auditor General's report highlighted issues relating to asset management planning and weaknesses in disclosure of council business activities. There is always going to be these sorts of problems in local government. There is always a number of reasons why things are not done in the appropriate way. That is why it is good to have an audit office that can look at a local government entity and pick up on those issues which need to be identified and acted upon. It is a good way of picking up a local government area that is not using their finances in the proper way, to make sure there is no rotting of the system and that people are getting a fair go.~~

~~I want to talk about asset management. Each local government is required to prepare and adopt a long-term asset management plan. A long-term asset management plan enables councils to understand what the long-term gain is and the optimal either replacement or renewal—~~

~~(Time expired)→~~

~~Debate, on motion of Mr Pearce, adjourned.~~

STOCK ROUTE NETWORK MANAGEMENT BILL

<Message from Governor



Hon. AJ LYNHAM (Stafford—ALP) (Minister for State Development and Minister for Natural Resources and Mines) (12:33 pm): <I present a message from His Excellency the Governor>.

Mr DEPUTY SPEAKER (Mr Crawford): The message from His Excellency recommends the Stock Route Network Management Bill. The contents of the message will be incorporated in the *Record of Proceedings*. I table the message for the information of members.

MESSAGE

Stock Route Network Management Bill 2016

Constitution of Queensland 2001, section 68

I, PAUL de JERSEY AC, Governor, recommend to the Legislative Assembly a Bill intituled—

A Bill for an Act about the management of the stock route network and associated land, to repeal the Stock Route Management Act 2002, and to amend this Act, the City of Brisbane Act 2010, the Land Act 1994, the Local Government Act 2009, the Transport Infrastructure Act 1994, the Transport Infrastructure (State-controlled Roads) Regulation 2006, the Transport Operations (Road Use Management) Act 1995 and the Acts mentioned in schedule 2, for particular purposes

GOVERNOR

Date: 2 NOV 2016

Tabled paper: Message, dated 2 November 2016, from His Excellency the Governor, recommending the Stock Route Management Bill 2016.

Introduction

Hon. AJ LYNHAM (Stafford—ALP) (Minister for State Development and Minister for Natural Resources and Mines) (12.34 pm): I present a bill for an act about the management of the stock route network and associated land, to repeal the Stock Route Management Act 2002, and to amend this act, the City of Brisbane Act 2010, the Land Act 1994, the Local Government Act 2009, the Transport Infrastructure Act 1994, the Transport Infrastructure (State-controlled Roads) Regulation 2006, the Transport Operations (Road Use Management) Act 1995 and the acts mentioned in schedule 2, for particular purposes. I table the bill and the explanatory notes. I nominate the Infrastructure, Planning and Natural Resources Committee to consider the bill.

Tabled paper: Stock Route Management Bill 2016.

Tabled paper: Stock Route Management Bill 2016, explanatory notes.

I am pleased to introduce the Stock Route Network Management Bill 2016, or the stock route bill. This bill represents more than a decade's worth of conversation and deliberation with local government and other stakeholders to improve the way Queensland's stock route network is managed. It had its initial incarnation back in 2002. It has taken a long time for this bill to get to the House.

Queensland's stock route network covers about 72,000 kilometres of interconnected roads, routes and reserves and covers 44 local government areas. The pastoral industry has used the network and, to a lesser extent, other roads and reserves for more than 150 years to move and graze livestock. The network is vitally important, particularly during times of drought. Queensland's stock route network has areas of natural value that support biodiversity and areas of cultural heritage significance connected to Aboriginal culture and early colonial history. That is why the Palaszczuk government is modernising and simplifying the legislative framework used to govern the management of the stock route network. This network is important to Queensland. We are very serious about retaining it, but we have to improve the way it is managed to ensure it has a sustainable future.

Management of the network is currently administered under several pieces of legislation, making it extremely difficult for users of the network to do business. It also makes it difficult for local governments, as the day-to-day managers of the network, to administer. This stock route bill will address this issue by providing a single management framework to administer stock travel and grazing on the stock route network and on other related roads and reserves. It will also clarify the distinct roles of the state and local governments. The state will continue to have strategic oversight of the network to ensure the integrity and connectivity of the network for its main purpose of travelling stock. This strategic oversight will be through a state management plan.

Additionally, in the unlikely situation where a local government's actions are improper, the minister will have the power to step in and take any action necessary to give effect to the purpose of the act. The role of local government to sustainably manage the network will be strengthened under the bill. Local governments will retain their role as day-to-day managers of the network and be given greater capability to make informed decisions based on their local knowledge. Local governments will now have the responsibility for approving all stock related activities on the network.

The state will no longer issue grazing permits under the Land Act or the Transport Infrastructure Act for the network. However, where a state controlled road forms part of the stock route network, the state's consent will be required before a local government can issue a stock travel, grazing or pasture-harvesting approval under the bill. This is to ensure the operational integrity of the state's transport network and to minimise the impact of stock related activities.

At the same time the bill will also ensure that a connected network is maintained for travelling stock; ensure potential users of the network for stock related activities have an opportunity to use the

network by providing an order of priority for approvals; ensure the impact of stock related activities on other uses of the network, such as motor vehicle traffic, is minimised and road safety maintained; provide the ability to recognise areas on the stock route network that contain natural and cultural heritage values; ensure the network is sustainably maintained and managed; provide a framework for local government to be able to authorise stock travel, grazing and pasture harvesting on roads and reserves that are not part of the stock route network; and improve the fee and cost framework to reflect benefits to network users.

Stock travel and grazing activities are currently administered under several pieces of legislation including the Stock Route Management Act 2002, the Land Act 1994, and several transport acts including the Transport Infrastructure Act 1994. The stock route bill will repeal the Stock Route Management Act and amend provisions of the Land Act and transport acts to consolidate the management of travelling stock and grazing activities on the stock route network into a single act, and provide a framework for managing these activities on other roads and reserves. Consolidating and removing duplicated or prescriptive legislative provisions will reduce regulatory burden and provide flexibility to local government to equitably and effectively manage the day-to-day operation of the stock route network.

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The bill establishes that the main purpose of the network is for the use of travelling stock on foot. Using the network for grazing stock is a secondary purpose. This means that grazing should only be authorised if the network can continue to support travelling stock and there is sufficient pasture. A key aspect of maintaining the network for travelling stock is to ensure the travel routes remain connected. For this reason, the bill provides that the state will continue to be responsible for identifying Queensland's stock routes and reserves through a publicly available register. A local government affected by any potential change to what forms part of the stock route network must be consulted before the change is made.

To improve local governments' ability to manage the network, they will now be able to temporarily restrict or prevent stock access to part of the network. This could be for public safety reasons or because of a temporary unavailability of water or pasture on that part of the network. However, to maintain a connected network, local governments will not be able to permanently close a stock route. This responsibility remains with the state and would only be exercised after a review of usage and consultation with affected parties. To be clear on this point, the state has no intention of reducing the overall size of Queensland's stock route network. Temporary closure of a stock route by a local government under the bill also does not close the road to use as an ordinary road.

The bill proposes to introduce a two-tier classification system for stock routes. The classification of the stock route will reflect its level of use, and simplify management requirements, particularly in relation to stock facilities. Under a two-tier system, local governments will be able to quickly identify where resources and management are required to maintain the integrity and connectivity of the stock route network. Currently there are four stock route classifications: primary, secondary, minor and unused. The new system will have only two classifications: primary and secondary. Under the bill, the primary stock route network will be made up of the current primary and secondary network. This part of the network reflects the essential driving routes—that is, the areas that are used most often and are essential to maintaining a connected network. The secondary network will consist of the existing minor and unused network.

Building on this reclassification of stock routes are changes to how stock facilities, including water facilities on the network will need to be maintained. Under the bill, stock facilities located on the primary network will be the main focus for local governments to maintain in good working order. Local governments will be given the option to dispose of stock facilities located on the secondary network, with the state's approval. Facilities will remain an asset of the state and the state intends to maintain the existing capital works program for water facilities on the primary network.

To give effect to the main purpose of the bill—for travelling stock—the bill establishes a hierarchy for using the network. This is to address issues of equity and to improve administrative and operational effectiveness. Approvals to use the network will be issued by local governments in an order of priority, which I will now outline. First priority will be given to travelling stock of which there are two classes—slow and standard. Second priority is for unfit stock and emergency grazing. Unfit stock relates to animals that, because of illness, condition or other circumstances, are not able to travel at the required speed under an existing travel approval. Unfit stock approvals can be issued for up to two weeks only. Emergency grazing will be allowed if the land where the stock are situated has been affected by an adverse natural event such as flooding and cannot sustain the stock. Emergency grazing will be allowed on the primary network for up to two weeks and on the secondary network for up to four weeks.

Third priority is for short-term and long-term grazing. Short-term grazing will be allowed where the stock are situated on drought declared land or in instances where local governments invite applications to graze to help manage excess pasture. Short-term grazing will be allowed on the primary network for up to six weeks and on the secondary network for up to 12 weeks. Long-term grazing will be available to land owners or occupiers that are located next to the network. With approval, those located next to the primary network can access it for long-term grazing for up to one year, while those located next to the secondary network can access it for up to five years. Fourth priority is for pasture harvesting. Pasture harvesting will only be authorised where there is more pasture than is needed for travelling stock and the local government invites persons to apply for an approval.

Another purpose of the bill is to manage the stock route network in a way that minimises the impact on other uses of the land that comprises the network. The network is used for other purposes, such as road travel, recreation and tourism. Primarily, stock routes are roads which form part of the state's transport network. For this reason, road safety is required to be considered before granting an approval under the bill for stock to use the network. To recognise the natural heritage and cultural heritage values of the network, special interest areas will be able to be identified. Where a special interest area has been identified—either by the state or local government—conditions can be imposed to minimise the impact of travelling or grazing stock, or pasture harvesting. However, travelling stock will not be prevented from accessing these areas, except where there is a need to temporarily prevent access to maintain the natural or cultural heritage feature, for public safety reasons, or because water or pasture is temporarily unavailable.

It is important to note that the bill does not impact on protections already in place for these areas under other legislation, such as the Nature Conservation Act 1992, the Aboriginal Cultural Heritage Act 2003 or the Queensland Heritage Act 1992. This means that if there are values or interests protected under these acts located on the network, they must be managed consistent with these other acts.

The bill is also focused on ensuring Queensland has a stock route network available now and for use in the long term. This means ensuring it is sustainably managed. Currently, the state prepares a state management strategy, and then each local government that manages part of the network is required to have a local management plan, approved by the Department of Natural Resources and Mines. Under the bill, there will be a single state management plan making it clear for local governments what management outcomes are required for the network. This will significantly reduce the workload for local governments as they will no longer have to prepare and seek state approval of a local management plan. The state management plan will also suggest ways for local government to achieve the management outcomes. Local governments, however, will have the flexibility to identify alternative ways to achieve the management outcomes to suit their local situation.

Another key aspect that will improve the sustainable management of the network is providing local governments with the ability to allow pasture harvesting. This has been designed as a tool for local governments to manage pasture on the network, particularly where there is excess pasture to the needs of travelling stock.

The bill also provides a framework for local governments to authorise stock travel, grazing and pasture harvesting on roads and reserves that are not part of the stock route network. This can include: roads that are under local government control; reserves where the local government is the trustee of the reserve; and a state controlled road with the state's approval. The state will no longer issue permits for grazing under the Land Act on these roads or for approved state controlled roads under the Transport Infrastructure Act. This role will be taken over by local governments to reduce the number of government entities landholders have to deal with for grazing approvals.

The bill proposes a more equitable fee framework to support local governments in their management role and see approved users of the network paying a fee that better reflects the benefits they gain from the network. Under the fee framework, the state will continue to regulate the fees for travelling—slow and standard—stock on the network in recognition of stock travel on the network being a state interest. However, local government will retain all the revenue generated from these fees.

The Palaszczuk government recognises the impact of the drought situation on rural Queensland. For this reason, no increase in the fees for travelling stock, above annual indexing, is currently proposed. For other fees, local governments will have more latitude to set fees themselves. Grazing approval fees for emergency, short-term and long-term grazing on the network will be set by the local government at or above a minimum fee set by the state. Pasture harvesting fees on the network and fees for stock travel, grazing and pasture harvesting on roads and reserves that are not part of the network will be set by local governments. Local governments will also be able to charge cost-recovery

fees for processing applications—whether for applications on or off the network. Local governments will retain 100 per cent of the revenue generated from all approvals they issue under the bill for the network or other roads and reserves. They will also retain all revenue from water facility agreements.

As the state will no longer be issuing grazing approvals under the Land Act and the Transport Infrastructure Act for approved state controlled roads, local governments will now be able to charge a fee for these approvals and retain 100 per cent of the revenue. Additional information on the proposed fee framework will be provided to the parliamentary committee as part of their consideration of the bill.

To support local government with implementation of the changes, the Department of Natural Resources and Mines will work in partnership with the affected local governments as well as the Local Government Association of Queensland and other government departments, in particular the Department of Transport and Main Roads and the Department of Infrastructure, Local Government and Planning. The Department of Natural Resources and Mines will also engage with existing holders of grazing permits issued under the Land Act to explain the changes. Our plan is to have the bill fully operational within two years of commencement and the transitional provisions in the bill support this. In addition to repealing the Stock Route Management Act 2002, the bill also consequentially amends a number of other acts to give effect to the changes, namely: the Land Act, the Local Government Act, the Transport Infrastructure Act, and the Transport Operations (Road Use Management) Act. I commend the bill to the House.

First Reading

Hon. AJ LYNHAM (Stafford—ALP) (Minister for State Development and Minister for Natural Resources and Mines) (12.49 pm): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

Referral to the Infrastructure, Planning and Natural Resources Committee

Mr DEPUTY SPEAKER (Mr Crawford): In accordance with standing order 131, the bill is now referred to the Infrastructure, Planning and Natural Resources Committee.

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Portfolio Committee, Reporting Date

Hon. AJ LYNHAM (Stafford—ALP) (Minister for State Development and Minister for Natural Resources and Mines) (12.49 pm), by leave, without notice: I move—

That under the provisions of standing order 136 the Infrastructure, Planning and Natural Resources Committee report to the House on the Stock Route Network Management Bill by 2 February 2017.

Question put—That the motion be agreed to.

Motion agreed to. >

~~HEAVY VEHICLE NATIONAL LAW AND OTHER LEGISLATION AMENDMENT BILL~~

~~Order Discharged~~



~~**Hon. SJ HINCHLIFFE** (Sandgate—ALP) (Minister for Transport and the Commonwealth Games) (12.49 pm): by leave, without notice: I move—~~

~~That government business order of the day No. 9, Heavy Vehicle National Law and Other Legislation Amendment Bill, be discharged from the notice paper.~~

~~Question put—That the motion be agreed to.~~

~~Motion agreed to.~~

~~Withdrawal~~

~~**Hon. SJ HINCHLIFFE** (Sandgate—ALP) (Minister for Transport and the Commonwealth Games) (12.50 pm): by leave, without notice: I move—~~