



Consultation Summary Report

In response to

*Planning for the future of South Australia's
Pastoral Rangelands Discussion Paper*

For:

Primary Industries and Regions SA

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Introduction

In July 2019, the Government of South Australia released a discussion paper to elicit community and stakeholder feedback as part of its review of the *Pastoral Land Management and Conservation Act 1989* (Pastoral Act). Feedback was received via the government's YourSAy website and submissions made directly to PIRSA.

Dr Kristine Peters of KPPM Strategy was engaged to analyse the findings and provide a report that summarises responses to the discussion paper/survey questions as well as identifying key themes and issues. This document presents a summary of findings in the body of the report, and provides detailed evidence as attachments.

Methodology

The questions posed in the Discussion Paper were all open-ended. Therefore the analysis of responses used qualitative (keyword and theme) methods; and where a specific question was asked, the percentage of responses (by response and respondent type) were also provided.

The analysis of survey findings was conducted separately from the analysis of submission responses, with survey results presented against each question – illustrated where appropriate by quotations from the survey and submissions.

More than 55,000 words were analysed to produce this report.

Responses

205 valid, complete survey responses were received, as well as submissions from 53 sources.

Of the survey responses, the largest response group was Members of the Public (123 responses or 60% of all responses).

Lessees/managers of pastoral leases (Pastoralists) provided 42 survey responses (20% of all responses) as well as an estimated 29 direct submissions (55% of the 53 non-survey submissions)¹.

A small number of responses were received from Government Departments; Special Interest Groups and 'Other' – mainly recreational users as well as a small number of land managers, scientists and residents. Generally the sample size for these groups was too small to support detailed analysis, but feedback was included in the report.

¹ There was no specified format for non-survey submissions. Some respondents identified themselves as current/past pastoralists, which formed the basis of this estimate.



Key themes

1. There is a shared vision from respondents to the survey and submission that acknowledges **our role as custodians of a unique and important landscape**. One of the priorities for all respondents was to ensure the long-term sustainable use and conservation of a healthy and biodiverse ecosystem in the rangelands.
2. From the perspectives of the two key stakeholder groups (pastoralists and public) and apart from a healthy ecosystem, **pastoralists prioritised financial viability, ability to diversify and productivity**; and the **public prioritised access**. Access was mentioned 684 times in survey responses, and at least 65 times in the submissions.
3. There was **overwhelming support for mixed/diversified use** (by 74% of survey respondents), **provided that land condition and ecology is preserved** or improved and that **pastoral use is not impacted**. Suggestions for mixed use mainly focused on tourism (including recreation – bushwalking, 4WD and camping) and biodiversity/environmental restoration. Other suggestions for commercial activities were: renewable energy production, mineral exploration/extraction, education, carbon farming and biodiversity offsets, boutique/native food production, kangaroo harvesting, Aboriginal cultural tourism, communication towers, hunting of feral animals, irrigated intensive agriculture, and storage of waste (including nuclear).
4. **62% of survey respondents (who answered the question) said that pastoralism should remain the majority use** (28% of respondents did not answer this question). Of the pastoralists who answered the question, 86% felt that pastoralism should remain the majority use, while 66% of the public (who answered this question) felt that pastoralism should remain the majority use. Respondents who felt that pastoralism should *not* be the majority use cited unsustainability of grazing, desire for the land to return to a natural state, and a belief that Crown land should not be used for profit.
5. **Good land condition** was largely defined by vegetation condition and biodiversity. Similar proportions of pastoralists (45%) and public (42%) felt that government should decide standards of land condition. All categories of survey respondents included '**variable stocking according to conditions**' in their descriptions of sustainable use; and all consistently stated that there should be **no further degradation of land condition**.
6. A number of issues were suggested for **management at a whole of landscape level** (rather than an individual property level), with feral animals, weeds and invasive flora, fencing, water supply (especially Great Artesian Basin) and carbon emissions most frequently mentioned.
7. Of the 127 people who answered the survey question, **54% felt that 42 year leases are no longer appropriate**, with the majority of pastoralists calling for longer lease periods and the public divided about longer or shorter periods. Submissions echoed the pastoralists' perspective, **87% of submissions** that mentioned lease length recommended a **longer lease** period – with perpetual leases most frequently



mentioned. Transition arrangements for longer lease periods favoured 'at the end of the current lease' and 'extend after review/inspection'.

8. **Suggestions to realise the greatest value from the rangelands**, maintain land condition and improve economic and cultural opportunities were: improved public access (with pastoralists calling for retention of prior permission or notification); and increased Aboriginal and Torres Strait Islander involvement and employment. Mechanisms to achieve these outcomes included expanded use of ILUAs, management of safety, support for economic development, implications of Native Title, and upgraded provisions within the revised Act.
9. Suggestions for **creating flexibility for a range of uses** included: allowing lessees to diversify; maintaining (or increasing) public access; monitoring ecosystems; ensuring pastoral priority; managing associated costs; and improving communication and engagement processes. Management of mixed use on each site should be controlled through planning and monitoring impact (environmental condition). Pastoralists were most likely to support agreements that extend beyond the term of the lease.
10. **Government management of occupation and land use should prioritise assessment and monitoring**, as well as reviewing the governance arrangements (e.g. independent board, Rangelands Authority), undertaking forward/strategic planning with input from lessees, and licencing. Suggestions for a streamlined, responsive approach to separate management of occupation and land use were: planning at the enterprise level; improved governance arrangements; and clear guidelines and conditions. A range of potential off-lease impacts were identified – from climate change to public access.
11. **92% of survey respondents (who answered the question) agreed that public access to pastoral rangelands should be preserved**: 99% of public respondents (who answered the question) and 72% of pastoralists (who answered the question). The most commonly-stated reasons were: public land, tourism, educational value, and historic importance. A number of survey and submission respondents also commented about issues associated with public access, mainly: public misuse, policing and penalties, and the need for prior permission. Many people called for an **easier permission system** that includes online, real-time information about access, and better public education/awareness. There was strong support for **improved management of PAR routes/sites**, particularly state government responsibility for maintaining high-use routes, and adjustment of fees/reimbursement to lessees for lost production and cost of remediation.
12. Survey respondents felt that **flexibility and access to the rangelands** would be improved through stronger legal and regulatory structures and better information.
13. **Interactions between mixed uses would be improved** through information, communication, education, collaboration and engagement; clarity in the Act; and an independent representative Pastoral Board.



14. Respondents felt that an independent body (representative of all interest and user groups, including scientists) was the best way to ensure decisions are objective, consistent and responsive. However **simpler regulation, consistent guidelines, speedier decision-making and transparent processes** were also important. A number of survey and submission respondents provided suggestions as to structure, membership and processes of the Pastoral Board. Governance decisions should be based on **reliable information and advice from all stakeholders, and consistent decision-making processes**.
15. 52% of pastoralists and 74% of the public (who answered the question) felt that the **Pastoral Board and the Dog Fence Board** should be combined – citing cost savings and integrated decision-making. However there was **strong opposition from submission respondents**, with all but one submission (that addressed this question) rejecting the merger – with the main reasons being that there were different issues and scope for each board.
16. In terms of ‘assessment and compliance to manage risk’, the majority of responses related to **monitoring and inspections** (with a number commenting on current delays and backlogs); and **standards and protocols**. A small number of responses addressed the question about obligations on different parties, with the majority of these suggesting that **risk management is a government obligation**. 29% of pastoralists and 38% of public survey respondents felt that assessment and compliance action should be linked to risk – but comments indicated that a minimum standard of assessment was necessary for all uses.
17. Pastoralists were more likely to be in favour of **land value as a way of determining lease costs** (48% of pastoralists, compared to 27% of public). Survey respondents who opposed land value as a measure cited: valuation difficulties, lease costs based on income/profit, consideration of lessee improvements, and impact on the land. Survey respondents who favoured land value also mentioned valuation options, as well as land condition, capital value and profitability.
18. Respondents to the survey and submissions raised topics not covered in the Discussion Paper questions, with the most frequently-mentioned being:
 - Issues relating to management and diversification of the Rangelands
 - Stock/grazing management
 - Pests, weeds and fencing
 - Overlapping legislation
 - Kangaroos
 - Leases and rent
 - Climate change
 - Biosecurity
 - Water resources





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Quotes that capture the essence of survey and submission responses:

“It is critically important for SA's pastoral tenure arrangements to remain nationally competitive, in terms of attracting investment and supporting modern ideas on sustainable production.”

“Take into account the impact and opportunities to communities and neighbouring areas by the pastoral industry. While the Act is in part to protect landholders, a sustainable pastoral industry and the environment, it also generates secondary industries and economic (diversification) drivers for the community and neighbouring land holders of varying tenures/land uses. The legislation should be an enabler, not a blocker to a range of entities that can strengthen community and other industries or economic growth opportunities.”

“The high probability of drier, hotter times as a result of climate change brings a new and elevated importance to manage the Rangelands in an adaptive way, and a way which reads the trends in vegetation condition, and ensures that condition does not fall below levels that at a minimum ensure land has effective vegetation cover, even in extended dry periods, or we risk desertification.”

Q3.

Do you think the rangelands should be used for activities in addition to pastoral purposes?

There was overwhelming support for additional activities, albeit with Pastoralists least supportive of this concept (some felt that only pastoralism was appropriate).

The most common survey suggestions for other uses were for tourism, biodiversity/environmental restoration, recreation (e.g. bushwalking, camping) and public access.

Other suggestions for commercial activities were: renewable energy production, mineral exploration/extraction, education, carbon farming and biodiversity offsets, boutique/native food production, kangaroo harvesting, Aboriginal cultural tourism, communication towers, hunting of feral animals, irrigated intensive agriculture, and storage of waste (including nuclear).

A number of submissions addressed economic diversification, or mixed/alternate use, with the following notable comments:

“Allowing for diversified land use, whether it be grazing, tourism, carbon farming, conservation, Aboriginal cultural activities or combination thereof, provides for a more appropriate, productive and viable land use.”

“Any move in this direction must continue to recognise the fragility and aridity of the pastoral zone and the importance of maintaining a healthy cover of indigenous vegetation. Eco tourism is supported as it generally encourages land managers to adopt

Respondent type	% that answered 'yes'
Government	100%
Pastoralists	62%
Public	74%
Other	86%
Special Interest	81%



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sustainable management practices and helps to improve community awareness about the values of our arid lands.”

“For pastoralists to survive and ensure this fragile ecosystem is maintained they will need other incomes that are not influenced by abiotic factors such as weather. Strengthening the role of the pastoralist as the custodian of the environment is paramount.”

“Provide mechanisms and assistance for pastoralists to diversify into new business ventures. Allow for shared use of pastoral land by different entities so long as the activities of one entity do not impact negatively upon each other.”

“The ability of pastoralists to diversify their businesses is critical for long term success in semi-arid areas. It should be up to the individual lease holder to decide who and what else can utilise their lease. Pastoralism should retain exclusive commercial rights.”

“The Emissions Reduction Fund has achieved 67,594,163 Australian Carbon Credits since 2012. Many of these are generated by carbon sequestration projects in Australian Rangelands (e.g. 120 projects in Queensland's western rangelands, NSW has over 160 and WA has 40), but there are 0 registered projects in South Australia's rangelands. This is because the 14 year rolling lease term is not as secure as a single term lease or a perpetual lease, and the Act doesn't reference ERF projects and should specifically state that they are approved subject to application and conditions.”

“The provisions of the new Act should ensure conservation is a legitimate and permissible land use, independent of any pastoral activities.”

“The region currently has a healthy patchwork economy. In dry times, the economic contribution from the pastoral sector declines and this decline in jobs and turnover can be significant. It is crucial for jobs and the regional and state economy that diverse income streams are enabled and incentivised, so that when one sector is down, others carry the regional communities and state economy.”

Q4.

Should pastoralism still be the majority use of the rangelands? If not, why?

The majority of responses (62% of those who answered this question) favoured pastoralism as the majority use. The table which shows the percentage of ‘yes’ responses from all respondents in that group – noting that a substantial number (58 respondents, or 28% of all respondents) did not answer this question.

% each group	% of each group that answered ‘yes’
Government	0%
Pastoralists	60%
Public	48%
Other	43%
Special Interest	56%

Because of the large number of non-responses for this important question, a secondary analysis was conducted, based only on Pastoralists and Public *who answered the question*. This resulted in:

- 86% of pastoralists said that pastoralism should be the majority use
- 66% of the public said that pastoralism should be the majority use



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Their reasons were:

- Unsustainability of cattle/sheep grazing; areas of the rangelands that are not economic for pastoral purposes and more productive uses (e.g. conservation, tourism) should take priority.
- Pastoralism has contributed to degradation of the environment, cattle grazing contributes to climate change and should be reduced.
- Large areas of pastoral properties should remain remote from water to ensure that biodiversity and threatened species can coexist with pastoralism in the long term (potentially these areas should be converted to conservation reserves).
- The land should be returned to its natural state, and pastoralism replaced by eco-tourism.
- Crown land should not be used for profit.

Comments (survey and submissions):

“With changing climatic patterns, pastoralism might need to be more opportunistic rather than consistent. Red meat production concentrating on the commercial harvest of kangaroos would make more sense, taking advantage of seasonal conditions and reducing costs and environmental impacts of pastoral production during dry times. It is also important to be mindful of changing local and global markets in relation to meat production and wool manufacturing in China.”

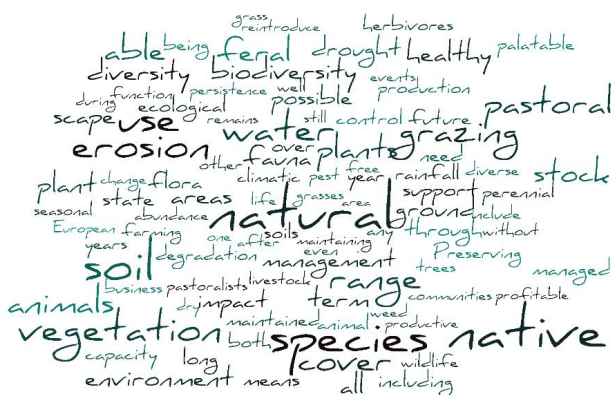
“The regulatory framework should ensure there are no impediments in place that restrict landowners from maintaining the native vegetation and ecological communities which exist on their land nor prevent them from drawing new income streams from this activity.”

Q5.

What do you think is meant by 'good land condition'?

Vegetation condition was the most frequently-mentioned measure of land condition, with the following forming the majority of responses:

- Vegetation cover, especially during drought
- Healthy native flora/fauna and biodiversity
- Land can regenerate when conditions improve
- Healthy soils (no erosion, desertification)
- Sustainable grazing practices (stocking to native pasture capability)



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Comments (survey and submissions):

“Retaining areas within pastoral land with low or no stock grazing is essential to maintaining ecological function, species diversity and long term resilience. These areas provide refuges for species, particularly during dry times, which can sustain populations vital for ecosystem resilience and productivity. This therefore is essential to maintaining a viable long term pastoral industry.”

“‘Good land condition’ is too subjective and no-one can describe what that looks like as what I think is good is not what others may think is good - as has happened in the lease assessment process. I believe the term “land capability” is more appropriate as this can be used in many aspects. If overstocked, the land is not capable of maintaining that number of stock in the long term. If there is a change of animal species, is the land capable of sustaining that species? If someone has access to ground water and decides to build a feed-lot or water half the property, can the bore sustain this usage and if not then the land is being used beyond the capability as it is not able to provide the required recharge. If there is a proposal to build a wind farm or mine it, what capability will this effect? Land capability also has consequences when there are high numbers of native or feral animals. Good land condition has too many implications in a drought.”

“The review of the Pastoral Act should also consider the value of the natural capital of the pastoral rangelands. The natural capital is defined by the nature of the landscape and the effectiveness of management; not all of the landscape is defined by its economic potential or productivity, and it is important that future changes consider this. Suitable use is determined by the ability of the land to maintain the land use sustainably, with the ability to adapt or recover from change. Land that has the functional resilience to withstand and recover from disturbance and stresses e.g. drought, fire when managed appropriately and is able to respond productively with minimal artificial intervention to improving climate/weather conditions when they occur.”

Q6.

Should government decide what the standard of 'good land condition' is?
What constitutes sustainable use for the rangelands?

Pastoralist definitions of sustainable use:

- Variable stocking according to conditions
- No progressive decay in the land condition over time

Public definitions of sustainable use:

- Variable stocking according to conditions
- Maintain the land in its current state or better
- No impact to the natural balance

	% of each group that answered 'yes' (should government decide standard)
Government	100%
Pastoralists	45%
Public	42%
Other	52%
Special Interest	56%



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- Activities should not require external inputs such as weedicide or fertiliser
- No vegetation clearing
- If current land use were terminated, land would return to a "normal" state
- Species are neither in decline or over abundant

Special interest and 'other' definitions:

- Variable stocking according to conditions
- Sustainable use of the rangelands should be viable in the long term, protect areas of high ecological and cultural significance, and not lead to land, water or other environmental degradation
- Usage that does not further degrade the land's ability to support any practice undertaken on the land
- Able to regenerate and have enough residual biomass to withstand fluctuations in the natural course of events
- Maintain the environmental and productive condition of the land for future generations
- Sustainable use of precious water resources that are largely derived from underground aquifers
- In areas where conservation and tourism are the primary land use sustainability issues relate more to development of infrastructure such as roads/tracks that provide access and camping areas

Submission comments about sustainable use:

"Sustainable use means utilising what is there without inhibiting the regeneration of plant and animal species. An industry that doesn't just use up a resource and move on. An industry that can manage the system as a whole – pest animals and plants, tourists, land erosion and plant use."

"Sustainable use is use of land available up to and only to a level where it can recover in normal seasonal conditions."

"Sustainable use for the rangelands varies according to land tenure and land use. In areas where grazing of living stock is the main land use sustainability involves managing total grazing pressure from stock, feral and native herbivores to allow vegetation communities to persist with regular grazing. It also requires sustainable use of precious water resources that are largely derived from underground aquifers. In areas where conservation and tourism are the primary land use sustainability issues relate more to development of infrastructure such as roads/tracks that provide access and camping areas. Such developments need to consider the environmental impacts they may have on the local area and surrounding vegetation.

Managing stock during drought is a critical part of successful overall grazing management. It is during droughts that the potential for substantial long-term damage to natural resources can arise because of the decreasing ratio of forage availability to livestock numbers and the moisture stress that plants are under at these times. There can also be a tendency for livestock to use parts of the landscape that are usually avoided or used only minimally. This grazing pressure may compromise the natural resource



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values of these areas, which might otherwise have good biodiversity values. Vegetation should be allowed to recover for sufficient time following the breaking of a drought or a flood event before restocking. Rapid restocking after drought may assist a pastoral enterprise financially but can compromise the recovery of the vegetation or cause the death of plants if they are heavily grazed at an early stage of regrowth. The same applies to grazing soon after a fire.”

Q7.

Are there any issues that need to be managed at a whole of landscape level, rather than at an individual property level?

Survey keyword category	% Pastoralists	% Public
feral animals	45%	20%
weeds and invasive flora	29%	20%
fencing	24%	14%
water supply/artesian	19%	0%
carbon emissions	17%	2%
protection of parks	12%	7%
infrastructure (telecommunications, public roads)	10%	1%
reforestation	10%	0%
overpopulations of native animals (not kangaroos/dingos)	7%	3%
wild dogs/dingos	7%	2%
native flora/fauna corridors	7%	2%
climate change preparation/drought	2%	13%

Comments (survey and submissions):

“Many issues, ranging from water management and conservation, through landscape scale environmental remediation, (such as traditional burning practices etc.) to soil ecology projects and endangered species rehabilitation. The issues of feral plants and animals would also transgress property boundaries.”

“Biodiversity is threatened by many factors, not least introduced plants and animals, none of which respect property boundaries. Combatting such threats on a property-by-property basis will be ineffectual and only coordinated action across the entire rangelands can achieve a positive outcome.”

“There may be merit in consideration of planning zones within the pastoral region to maintain certain values e.g. the patchwork of linear tracks and infrastructure at Innamincka significantly detracts from the special values mentioned above and this activity may not be compatible with other industries like tourism, conservation, carbon farming etc.”

“A small number of pastoral managers have taken steps to protect Great Artesian Basin springs on pastoral leases, but the vast majority remain open to stock impacts. This review of the Pastoral Act should be seen as an opportunity to provide a more effective legal framework for protecting GAB springs on pastoral lands. Current provisions regarding Reference Areas are not fit for purpose.”



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“The Rangelands needs to be managed as one geographic system. If not the case, it is possible that one land tenure may be required to reduce grazing pressure but a neighbouring tenure may not, causing the former more cost and potentially compliance action for reasons beyond their control.”

“A systems wide approach must recognise the concept of connectivity i.e. whether the land management mosaic allow sufficient gene flow, catchment management for water quality and sub-surface water reserves. Further, are aquifers being recharged and is the water use sustainable? These considerations extend well beyond lease boundaries and go well beyond considerations relevant only to grazing interests. The ‘leaky landscapes’ concept is important in managing interconnected impacts from different land uses across diverse ecosystems.”

Q8.

Are 42 year leases appropriate, or do you believe different lease length should be considered?

	Y	N	No answer	Total
Pastoralists	33%	52%	14%	100%
Public	28%	33%	40%	100%

Survey respondents answered ‘no’ (i.e. felt that a different lease length should be considered) and provided a comment about length:

- One pastoralist saying the length should be shorter
- All remaining pastoralist comments (9 comments) recommended longer leases – ranging from 50 to 99 years
- Public responses were more likely to favour shorter periods, with:
 - 9 respondents recommending shorter periods (from 5 to 20 years)
 - 2 recommending a case-by-case approach, and
 - 7 recommending longer lease periods (from 50 to 99 years)

15 submissions specifically mentioned lease length:

- 8 recommended perpetual leases, with three of these saying that if perpetual leases were not possible, then lease periods should be between 60 and 99 years
- 1 recommended freehold, and if this isn’t possible then a perpetual lease
- 1 recommended 60 years with rolling 20 year renewal
- 1 recommended 99 years with 10 year reviews
- 2 recommended ‘longer’
- 2 recommended ‘no change’

Comments (survey and submissions):

“The IPCC report on Climate Change and Land found that insecure land tenure affects the ability of people and landowners to commit to making changes to land and land



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management practices that will advance adaptation and mitigation. Environmental, conservation and Aboriginal land uses will often need more than 42 years to develop and implement meaningful change. Conservation covenants and areas of Significant Environmental Benefit require much longer, if not perpetual, time frames. Commercial and tourism initiatives require enormous financial and sweat equity inputs. Long term sustainable commitment to and investment in pursuits other than grazing may call for longer terms of lease.”

“The current Pastoral Lease term and system of extensions, subject to review and acceptance of lease conditions is unnecessarily complex, doesn’t reflect current needs and is expensive and complicated to administer. The concept of a terminating lease, expiring decades into the future as a lever to achieve compliance, is an over regulatory and inefficient approach. This is much better achieved by an immediate obligation to comply with a universal duty of care.”

“The lease period should be extended, financial institutions are not happy when a short period is left on a lease and more funds are required.”

“In perpetuity leases recognise that the pastoralists are entitled to the rewards of these fundamental services that benefit all of society.”

Q9.

If longer leases were considered, how would this transition occur for the current lessees?

Survey keyword category (>2 mentions)	# mentions
at the end of the current leases	10
extend lease after review/inspection	8
offer/option to extend	6
automatic extension	3
same extension date for all leases to ensure equity	3

Q10.

Consistent with the retention of the Section 47 provisions, are there matters this review should consider that will help realise the greatest value from the rangelands, maintain the condition of the land and improve economic and cultural opportunities for Aboriginal people in the rangelands?

Survey keyword category	# mentions
free access/open to all/public access to rangelands/more indigenous access	22
increased indigenous involvement	15
request/notification to access pastoral land	14
indigenous employment/increased/diversified economic opportunities	11
increased cultural education (including to pastoralists)	10



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Use of ILUAs (survey and submissions):

“Partnerships and mutual respect are required as well as a definition of traditional pursuits especially in areas where Aboriginal occupation has not been present for many decades. There should also be clarification on which groups are allowed to exercise those rights, the local recognised group or groups from interstate etc. This would give lessees more clarity on what is allowed to happen on their leases as they are managing the country and should have the right to know who is accessing the land and when. ILUAs should be encouraged and it should be clear in the ILUA who is responsible for what and what activities are covered. ILUAs should be a true partnership between lessees and traditional groups with input from both.”

“There are likely to be benefits for both Aboriginal people and Pastoral lessees if the new regulation is able to encourage and facilitate existing Native Title and Section 47 rights to manifest in an individual and specific ILUA agreement that properly resolves and manages co-existent rights at a local level.”

“We support the rights of traditional owners and native title holders onto pastoral leases where an appropriate ILUA exists. The pastoral industry in South Australia acknowledges the prior and current possession of particular language groups to the majority of the pastoral estate in South Australia and there historically has been often a close and symbiotic relationship between traditional owners of the land and the pastoralists who settled the land over the past century and a half.

Recognition of that prior cultural connection and tradition, where established, is both welcomed and embraced. However, we are critical of some of the provisions of the act because the definitions of “Aboriginal” is too broad, potentially for the traditional owners of the land themselves.”

“Camping rights by Aboriginal persons are subject to an ILUA, but I'm concerned that Aboriginals camp at the only water in the paddock which prevents livestock from watering. It's an animal welfare issue.”

Safety

“There are public safety issues accessing pastoral lands due to the use of helicopters, motor bikes and sporting shooters and this poses risks if this is not well managed for the traditional use zones and cultural sites on pastoral leases.”

“The only issue I have with the current situation is the fact that there is no requirement for notice. This generates a potential for dangerous situations, because the land manager does not know who and where people are on their lease. Notice is not about permission, it is about knowledge of potential safety risks.”

Economic development

“The review needs to consider how we support Aboriginal people to work on country. They know the rangelands ecology better than most and if we work together we can encourage healthy native ecosystems. As previously mentioned, fire was a critical part of rangelands management, how do we enable Aboriginal and non-Aboriginal managers to introduce fire practices again?”



“Carbon projects have the potential to support Aboriginal groups’ connection to country through co-management boards. The land stewardship principles that underpin carbon farming activities are, in many respects, complementary with native title rights and interests and provide opportunities for long term engagement of Aboriginal groups, capacity building through training and economic resources and additional long-term, on country employment.”

“The primary concerns with the review for Indigenous people relate to the pursuit of sustainability and ‘land condition’, especially with future environmental expectations for the lands in mind. Through greater opportunities to manage the lands for conservation and cultural reasons, indigenous groups believe that a sustainable approach can lead to an extensive economic future for the rangelands through several different drivers aside from pastoralism.”

Native Title

“In the near future, if untested, granting of native titles in South Australia will ensure that the majority of pastoral lease country in the rangelands will come under the legal restraint of Native Title. This outcome will create an environment of increased risk and uncertainty for pastoral leaseholders. There should be a section included in the (revised) Act that will protect rangeland leaseholders with grazing rights from the unknown future effects of the processes associated with aboriginal native title grants. It is probable that in the future pastoralists may come under the same regime that mining companies currently operate under; namely the monetisation of the necessity of a native title clearance. For miners this appears to be required by Aboriginal people for any activity anticipated on land that is subject to native title grants. We seek legislative protection that will exempt pastoralists from having to pay for native title clearance fees as we understand they are currently requested.”

Provisions within the revised Act

“The Pastoral Lands Act in its current form reflects a post-colonial approach to Aboriginal engagement with the lands. Tempered by the reforms of native title in the last two decades, but still limiting the role of Aboriginal people to rights of access for cultural purposes but not to integration in management systems. A system with increased efficiency where conservation and other land uses can be easily obtained, will create economic and cultural opportunities for Aboriginal peoples and other stakeholders in the rangelands. Provisions for special environmental leases could give Aboriginal people the opportunity to manage and improve ‘land condition’ which will result in increased cultural, environmental and tourism based economic drivers in the region. These leases could be provided in a way comparable to those under s70 of the Pastoral Lands Act 1992 (NT), which allows for the sublease of pastoral land to Aboriginal communities for community living purposes (living purposes including residential, educational and medical purposes, the keeping of stock, and growing of fruit and vegetables).”

“The revision of the Pastoral Act must include a new definition of “Aboriginal” persons to reflect more accurately the persons who are entitled to enter a lease. The Act should consider real cultural ties with leases as a more important connection to country than a person’s broad Aboriginal heritage.”



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“Aboriginal people are often prevented from exercising their rights that are supposed to be granted by s47. The existence of s63, which provides that it is an offence to hinder or obstruct a person exercising powers under this act ought to provide indigenous titleholders with a tool in accessing pastoral land in accordance with s47. However, the experience of Aboriginals is that these provisions are not effective and do not do enough in allowing Aboriginal people to travel, stay or enter pastoral land for following traditional pursuits.”

“The Act currently does not state a need to survey for Aboriginal cultural heritage prior to the grant of a pastoral lease. Surveys of this nature are respectful and are needed for other statutory leases such as those needed for mining and mineral exploration. AMEC considers the same expectations of the mining and mineral exploration industry for the management of Aboriginal cultural heritage and Native Title should be extended to pastoral lease holders.”

“Given that approximately 30% of South Australian pastoral leases are Aboriginal pastoral leases, there should be Aboriginal representation on the Pastoral Board.”

Q11.

How can we create flexibility for a range of uses in the rangelands while preserving land condition and supporting the productivity and profitability of pastoralism?

Survey responses grouped by keyword and number of comments:

Diversification

91 comments, with the most frequently-mentioned being:

- allow lessees to diversify/mixed use (17 comments)
- allow lessees to diversify but monitor land condition (11 comments)
- allow managed tourism (2 comments)
- allow mixed use with pastoral priority (2 comments)

Environment/land condition

15 comments, with the most frequently-mentioned being:

- land condition is primary (3 comments)

Access

14 comments, with the most frequently-mentioned being:

- maintain access (8 comments)

Engagement processes

11 comments

Submission comments re ‘how to create flexibility’:

Ecosystems:

“Any move in this direction must continue to recognise the fragility and aridity of the pastoral zone and the importance of maintaining a healthy cover of indigenous vegetation. Eco tourism is supported as it generally encourages land managers to adopt



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sustainable management practices and helps to improve community awareness about the values of our arid lands.”

“Development of the pastoral Act so the pastoralist/lessee can be rewarded for ecosystem services is fundamental to the longevity of the area and aligns with the National Farmers Federation 2030 Roadmap that aims for ecosystem services to be 5% of farm revenue.”

“The provisions of the new Act should ensure conservation is a legitimate and permissible land use, independent of any pastoral activities.”

“The regulatory framework should ensure there are no impediments in place that restrict landowners from maintaining the native vegetation and ecological communities which exist on their land nor prevent them from drawing new income streams from this activity.”

Pastoralist tenure/rights:

“In finding a sustainable way forward, it will be critical for pastoralists that key strategies such as flexibility, innovation and diversification are available, encouraged and rewarded by the tenure model.”

“It should be up to the individual lease holder to decide who and what else can utilise their lease. Pastoralism should retain exclusive commercial rights.”

“The Lessee should have the right to be part of any non-primary production type of development and not be automatically handed back to Government as co-grazing should be part of the consideration in the development.”

“The Pastoralist must have priority wherever possible and appropriate under the amended Pastoral Land Management and Conservation Act.”

“We need greater flexibility for development not related to pastoralism that is cognisant of the land manager having a key role or influence in such activities on their property.”

“Whilst alternative appropriate uses of pastoral land need to be evaluated and encouraged under a progressive tenure model, this should not occur at the expense of the (primary) lessee, being the holder of an existing individual property right.”

Externalities/costs:

“High-visitor tourism leases could shoulder a greater burden of cost, where their clients are using common assets in the outback region.”

“It could be reasonably expected that lessees choosing to farm goats, or voracious feeders such as dorper sheep, should be subjected to tighter restrictions on fencing and stock management than other lessees.”

Mechanisms:

“Grazing will be a continued feature of pastoral land but the antiquated system of distribution and management of the land is not suited to the needs and interests of present day stakeholders. Effective evidence-based management will in part depend



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upon the needs and impact of particular uses, and whether those uses are undertaken by a single entity or by sublessees, licensees, or third parties.”

“Other uses should not be under the Pastoral Act: they should be advertised by public tender outside of the Act.”

“We understand that PIRSA has more recently formed the view that conservation agreements (e.g. Heritage Agreements under the Native Vegetation Act 1991) are not legally permissible on pastoral leasehold land. In our view, this is an unnecessarily narrow reading of the relevant legislation, because: 1) The Pastoral Act explicitly provides for the setting aside of pastoral land for conservation purposes, with the consent of the leaseholder and the approval of the Pastoral Board (s.22); and 2) The Native Vegetation Act 1991 does not require Heritage Agreements to be in perpetuity – the duration of a Heritage Agreement could be matched to the duration of the relevant lease.”

“When mining companies take over a lease, the country they are not using should be allotted to neighbouring properties to keep as much country as possible in production.”

Q12.

How should mixed uses of one site be managed as there may be different land impacts?

Three suggestions dominated the survey responses:

planning, conditions, inspections, science-based monitoring	15 comments
priority is environmental impact/land and water condition	15 comments
case by case/plans with annual reporting	14 comments

Comments (survey and submissions):

“Each activity and combination with others must be evaluated, flexibility to reduce or eliminate some activities or combinations of activities if they harm the land. Multiple activities should trigger the requirement of annual reviews of impacts of the land-use practices.”

“Manage via good, scientific, objective advice and information. In terms of multiple land user economic development, through partnership discussions, allowing a space for full and frank discussion of issues by stakeholders with an experienced moderator managing such discussions.”

“Partnership between lessee, board, environmental body and independent body with each site assessed on merit.”

“Provide mechanisms and assistance for pastoralists to diversify into new business ventures. Allow for shared use of pastoral land by different entities so long as the activities of one entity do not impact negatively upon each other.”



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Q13.

How should government manage who occupies the rangelands, and what they can use the land for?

The discussion below shows the number of survey comments relating to each topic, together with example comments.

Assessment (23 comments):

“Change to the purposes the land can be used for, must have very strict conditions and short initial leasing terms, independent body with sufficient resources to measure and manage the leases must be included.”

“Independent assessment. Another reason for long term leases, to stop conflicting interests over land every 42 years.”

“Individual applications for changes in land use that address triple bottom line.”

“Properties assessed to identify their capacity/capability to support a proposed activity, with consideration given to the sustainability of the proposed use, assessment should include reference to traditional owners and industry experts, and applicable research on the potential impact of proposed activities. For example, arid land may not be suitable for pastoral activities, and land with limited water should not be considered for high water use activities that involve drawing water away from existing uses in the broader landscape. Areas of high ecological significance should not be allocated for pastoral use.”

Governance (17 comments):

“By a professional body independent of ministerial or commercial interest.”

“Creation of Rangelands Authority (government, aboriginal, pastoralists, tourism, mining and special interest groups) who discuss and refer submissions to the Minister.”

“Government management with input by pastoralists.”

“Land use should be based on sound and proven practice of the occupier and their intended activities. This should be gauged by an independent body, staffed by appropriately qualified people with the ability to effect the outcome.”

“Local Aboriginal communities must have a say, as must environmental scientists.”

Strategic planning (12 comments):

“Forward planning, consider likely impacts and activities involved with different land uses, implement zones for different activities if there is likely to be negative impacts on land use, land manager maintains benchmarks, and government can safely support that land use.”

“Government must be to prescribe that uses of land contribute to the restoration and maintenance of biodiversity, ensure compliance.”

“Review current land use leases to provide a basis for current and potential future land use, consideration of appropriate land use, enhanced monitoring and compliance of land



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condition when assessing new or continuing occupation, values on that property/landscape to be protected, maintained, improved, threatened species conservation and management, and the recognition of areas of importance.”

“A system of rangelands leases, specify the approved uses that match the capability of the land. Leases include the requirement for the land to be sustainably managed and would be subject to inspections to ensure compliance with the conditions and terms of the lease, individual lessee apply for one or more specific land uses to be included under the lease, multiple leases and leaseholders on the same land must be able to co-exist with the operations of each other in a significant manner, secondary leases could restrict and define the area and location over which a land use or activity can be undertaken.”

Local/lessee management (10 comments):

“To encourage investment and diversification land owners and lessees should be free to do what they believe is the best for the land and their business, outlined in the lease what you can and can't do.”

“No use of pastoral lease without the consent of the lessee. Should there be an opportunity for diversification or change of purpose then the lessee should have right of refusal or the ability to work directly with any proposed development.”

“The lessee must have control of both the lease and all licenses. Not to be transferred to any third party.”

Monitoring (6 comments):

“Better compliance assessment and embrace existing and new technologies to improve monitoring and compliance (e.g. remote sensing).”

“Local supervisor.”

“Pastoral Board publish an annual index of rangeland condition.”

Licencing (6 comments):

“Lease plus licencing.”

“Licensing process is transparent and open to public input.”

\$\$ (4 comments):

“Allow the lessee to agree and then to negotiate a financial compensation for that alternative use of the lease with the industry involved, government would also set rates on that industry for use.”

“Base rent (lease) with licenced activities.”

“Diversification without additional fees.”



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“The Act opened to any/all possibilities, protect the pastoralist and allow for diversification, without extra costs of fees involved to the pastoralist, allow pastoralists to earn another income from the one lease without causing degradation.”

Comments in submissions relating to management of rangeland occupation:

“If there is already a pastoral lease holder, it should be up to them who else can occupy the land and the second party must act in accordance with the act. In terms of a sale in the area, there needs to be a conversation with the purchaser or potential purchasers about the expectations of land use and management in accordance with the act. All activity secondary to pastoralism must be approved by the lease holder. No other licences to occupy the land can be granted without expressed agreement from the lessee.”

“I do not support foreign ownership of pastoral leases in Australia and feel that smaller Australian companies or families often have the long term knowledge and experience to manage pastoral land more effectively. Short term managers imported from interstate or overseas rarely come with the first-hand knowledge of land management issues in South Australia.”

Q14.

If occupation and use are managed separately, can it be ensured the process is streamlined, responsive and cost effective?

Survey responses grouped by keyword, with example comments.

Planning/management at enterprise level (17 comments):

“A single strategy for each business.”

“Everything done within a property / rangeland should be kept all under the same management. If not the same exact management then at least have communication so everyone is in the loop about the lands status.”

“Occupation and use would be for the lease holder to determine, within the scope of the legislation.”

“Use should be in consultation with the occupier. If someone has leased the land for cattle, no mineral company should be allowed enter without the occupiers agreement.”

Separate occupation and use

“Pastoral leases occupation and use are separate matters and many leases are currently un-occupied, a system of tiered leases or sub-leases may be possible, review on developing proposals for future rangelands leases.”

Don't separate occupation and use

“Apply multiple uses to lease.”



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“Do not manage separately, any use outside of the original lease permits need to go through assessment, sub-contracting land use should be permitted where such use is compatible with assessed parameters.”

“Occupation and use must be intrinsically linked, separate activities cannot be managed separately as each one will affect the other (access, safety, impact on stock, etc).”

Governance (15 comments):

Government

“Every measure needs to be taken to ensure that the processes for this that require interaction with government are one department of government able to provide all necessary support.”

“It is up to the government to administer the leases in a streamlined, responsive and cost effective way.”

“Occupation and use must be handled by the same agency.”

“Regional councils given greater powers in this regard since they are the local supervisors.”

Independent

“A single body/central guiding board is most effective.”

“Centralise through independent agency, CSIRO or similar group.”

Other

“By developing a comprehensive policy and communications strategy that seeks to represent the needs of the all the stakeholders in the pastoral lands.”

“One stop shop that can access specialists.”

“Should not be influenced by minority groups.”

Mechanisms (13 comments):

“Charge per use on lease.”

“Guidelines.”

“Improved compliance assessment and investment in monitoring.”

“Land management takes time and resources, so it should not be expected that this would be a cost-free exercise, changing the model will mean testing the new model and streamlining it over time.”

“Lease processed infrequently, licences processed as needed.”

“Risk of increase in fees/more red tape.”



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“You need people communicating effectively with each other, in my experience, this is rare when there are vested interests at stake.”

Conditions (3 comments):

“All non-pastoral activities would have to adhere to the same land condition parameters as Pastoralism, any additional management required for the other use would have to be borne by the third party user.”

“If occupation and management are separate I feel the passion and care for the rangelands will be compromised and completely profit driven in which case the triple bottom line will suffer, mainly the environment.”

“The land holder needs to be responsible for effectively managing the land regardless of whether they are personally located on the land.”

Comments from submissions:

“Amendment of the Act to allow longer lease terms would provide some confidence in licencing longer term (e.g. 100 year) carbon farming projects. It would enable the lessees to derive greater profit while ensuring any liabilities or responsibilities associated with a carbon farming project can be carried by the same lessee through a single lease term.”

“If an alternative model of leases and licenses is envisaged, which we believe is not necessary, our view is that where a licensee is a different party from the lessee, the lessee’s consent must be sought (not unreasonably withheld) and the lessee should receive a fee in consideration of permitting another party or parties to use the leased land. All licences should be subject to the same conditions as pastoral leases (except where inapplicable according to use) and any additional conditions applicable to a different use of the land. Where a National or State park, or non-government conservation area, are involved, fencing, grids and vermin baiting should be managed and maintained to the same standards as a livestock entity.”

“If there is already a pastoral lease holder, it should be up to them who else can occupy the land and the second party must act in accordance with the act. In terms of a sale in the area, there needs to be a conversation with the purchaser or potential purchasers about the expectations of land use and management in accordance with the act. All activity secondary to pastoralism must be approved by the lease holder. No other licences to occupy the land can be granted without expressed agreement from the lessee.”

“Specifically licensing pastoral land for different uses in parallel to primary lease rights may be a useful mechanism but needs to have consistent principles.”

“Tenure needs to be settled upon the pastoralist, not only as a matter of time or position, but must also incorporate the notion of the ability of the pastoralist to say “no” to other intended uses on the lease. Where there is an intended change of use or alternative use of a pastoral lease that the pastoralist should have a power of veto arising out of any intended change of use. Some interests, such as native title, cannot be vetoed. Nevertheless, it has been the experience of some pastoralists that access has been licensed without referral to the pastoralist as the manager of the land.”



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“We are oppose to any introduction of “licenses to operate different enterprise” on pastoral leases, we perceive this another layer of needless constricting red tape and a shameless revenue grab.”

Q15.

What are some potential off-lease impacts and how should these be managed?

The following keywords were mentioned in the survey responses:

Ability to restrict PAR access	Equity	Monitoring between lease terms
Aboriginal access	Finances	Pastoral inspectors
Access	Financial support for transition	Pest management
Adverse weather	Free camping	Profits not being invested into the land
Biodiversity	Ground water	Property plans
Biosecurity	Heavy vehicle noise/dust	Red tape
Climate change	Increased oversight costs	Right of access
CO2 emissions	Industrial pollution	Banning live cattle trade
Communications (pastoralists/miners)	Insurance	Strategy across agencies
Conflict between parties	Land values	Tourism
Conflict of interest	Litter, rubbish dumping	Transfer of top soil
Control of visitors	Loss of Pastoral Unit staff	Unmanaged air traffic
Degradation of internal roads	Mental health support	Vandalism
	Minimise mining	Walking access
	Mining damage	

Survey comments:

“There are a broad range of off-lease impacts that must be considered for the future viability of the rangelands. In particular:

- Climate change: support modelling and appropriate adaptation programs to be on the front foot; plan for future connectivity requirements; plan for increased droughts, wildfire and other extreme events; implement innovative adaptation projects such as vegetation restoration of species from different climatic zones.
- Broadscale erosion at a whole-of-landscape scale: implement erosion mitigation strategies at a broader scale to restore surface water flow critical for whole of ecosystem function (that supports productivity). Maintain vegetation cover, even in droughts. This will be key to protecting soils and biodiversity, and may be supported through assistance to move stock out of drought areas.
- Feral animals and weeds (e.g. goats, camels and invasive weeds): landscape scale, tenure neutral strategic mitigation; appropriate policy platforms and associated species listings.
- Tourism and public access (e.g. people travelling and camping throughout the rangelands). Appropriate education and awareness programs about the values of the lands (cultural and environmental); appropriate safety, access and interpretation



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infrastructure.”

Submissions mentioned:

“A significant off-lease impact is the impact caused by pest animals, complicated by the grey area of accountability by lease holder or occupier. There is a need to undertake a landscape approach to management which perhaps could be a condition of a lease.”

“As people become increasingly mobile and connected, public access on pastoral land needs greater attention and resources to managing impacts. These impacts include damage to roads and tracks, degradation of special places through access and camping, disruption to livestock waterpoints, threats to biosecurity and waste management problems. At the same time the need to cater for and expand the growing outback tourism economy needs to be recognised and catered for.”

“Consider 'shut the gate' principles and enforcement to manage local visitor impacts, maximise the benefits to the regional economy, and reduce disruption to the pastoral industry.”

“Management should consider off lease impacts which can be done via landscape function analysis (Tongway et al. 2004) to gain better outcomes for all leases. As an example, WA has robust provisions regarding leaseholder’s duties to environmental management, imposing positive duties to protect soil structure, prevent salinization, and conserve biodiversity.”

“Pastoral Act amendments require that adequate resources are available to address the impacts of vehicular access to pastoral land, if necessary, with a plan to manage those resources before a right of vehicular access to pastoral lease is declared under the PAR model. A pastoral lessee acting in good faith should receive maximum possible protection from the Act in relation to liability arising from legislated public access rights.”

“The draft Far North Prescribed Wells Area (FNPWA) Water Allocation Plan has provisions relating to protecting GAB springs from cattle impact.”

“The management of cross border impacts is essential to maintain equitable access for both industries and the environment.”

Q16.

Should there be an ability to enter into agreements on pastoral land that extend beyond the term of the lease? If so, who should benefit from these arrangements and why?

	Y	N	No answer	Total
Pastoralists	40%	19%	40%	100%
Public	18%	15%	67%	100%



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Survey responses to the question “If so, who should benefit?”:

Beneficiary	# mentions
Lessee	10
Mutual benefit	9
Affected by term	8
Government	1
Aboriginal people	1

Q17.

Do you agree public access to the pastoral rangelands should be preserved? If so, why?

	Y	N	No answer	Total
Government	33%	0%	67%	100%
Pastoralists	55%	21%	24%	100%
Public	82%	1%	17%	100%
Other	81%	5%	14%	100%
Special Interest	81%	0%	19%	100%

	People who answered ‘yes’ as a percentage of those who answered the question
Government department	100%
Pastoralist	72%
Member of the public	99%
Other	94%
Special Interest Group	100%

Survey: answered the question (if so, why?)

public land	46
tourism	17
education (environmental)	10
historic importance	10
cultural importance/education	8
important for Australians/future generations	8
beneficial to local communities	6
health/wellbeing/recreation	6
access	4
environmental protection	4
landscape/scenery	2
good for local economy	1

Survey: issues associated with public access

access needs to be managed and policed (penalties)	12
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with limitations (e.g. prior permission)	6
increase PAR	3
biosecurity	2
can't interrupt pastoral activities	2
investment in infrastructure	2
public safety/liability	2
enforcement of restrictions too difficult to police	1
more signage needed	1
most public users of property have little impact	1
not for ILUA areas	1
resourced by government	1
stock safety	1
theft/rubbish control	1
unless Aboriginal restrictions	1

Issues of public misuse (survey and submissions):

“At present there is a general duty under the Act imposed on pastoral lessees. There does not appear to be any similar duty imposed on the general public who may access the land. While there is an offence provision in s57 of the Act in relation to the misuse of pastoral land, it is recommended that in addition to the s7 general duty on lessees that the Act include a general statutory duty which applies to everyone else, requiring them to act reasonably in relation to their passage through and occupation of pastoral land so as not to cause any degradation of the land and its indigenous plant and animal life nor any adverse impact on the interests of the pastoral lessee or any Aboriginal heritage.”

“PARs should be maintained to support regional industry, tourism and local economies. The natural resources management considerations around this issue apply to the disrepair and interference that is occurring to sensitive ecosystems, culturally significant sites and places that while valued by tourists, leave a negative impact on areas of high conservation value.”

“There are other issues with public access, including leaseholder liability for damage, accidents, destruction of habitat. There is a strong basis for leaseholders to be permitted to bar access to areas that are ecologically fragile, undergoing regeneration, used for stock, dangerous for visitors, or in times of drought, fire risk, to protect fragile landscapes. Leaseholders could be required to maintain access records as part of lease conditions, or some form of online registration of access (possibly accompanied by a fee) could be implemented, but the costs of set up and management need to be closely contained to avoid extra administrative burdens particularly on leaseholders.”

“Yes but concerned about biosecurity, public safety, maintenance of roads and facilities, public liability insurance, increased incidence of theft, rubbish control.”

Q18.

How should public access to the pastoral rangelands be managed?

Survey responses are grouped by keyword and the number of mentions of each sub-topic are shown.



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Access

as current	19
lessee discretion/can deny entry for good reason	15
free access to all SA residents	1
locked gates with deposit for key and sign in to access	1
no access, private property	1

Permits and monitoring

easier permission system (including online, real time info for lessee)	26
prior permission	5
consistency in fees for camping/entering land	3
4WD clubs only	2
each area/site has its own set of conditions	2
monitoring and reporting by lessees	2
permits authorised by environmental protection rangers	2
capture application data for future management	1
National Parks type pass	1
online real time GIS information re track status	1
permits to enter Aboriginal land	1
restrictions/requirements for access to isolated sites	1
same as public access to other forms of tenure (e.g. freehold)	1
technologies to manage biosecurity	1

Public compliance

education awareness programs (e.g. public responsibilities)	12
signage (especially re gates)	11
penalties in regulations + enforcement	8
maps	4
code of conduct with ability to restrict abusers	3
gates	2
easy system for reporting bad behaviour and for action to be taken	1
registration via clubs, policing of behaviour	1

PAR network, management

gazette significant sites/roads, government maintain roads	12
expanded PAR infrastructure (link tracks)	3
restricted to current PAR, camping and special interest areas	3
better maintained tracks and more/bigger camping areas	2
land managers can allow access beyond PAR in their own businesses	2

Governance

by government and peak bodies	6
by government and lease-holder as condition of lease	5
PAR routes/access framework developed collaboratively with lessees	4



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government indemnify lessees	3
independent Board with criteria, budget and staff to make decisions	2
compensate lessee for lost production	1
identify responsibility for infrastructure, rubbish	1
not for government to manage	1
remove Minister's permission	1

Public education/awareness

"A public awareness campaign should be developed and maintained so a greater understanding and respect is shown to this beautiful environmental resource and the people who reside in it. One only has to observe the rubbish near roads in areas such as Lake Eyre to realise how disrespectful the travelling public can be."

"By making the conditions of entry clear to the public."

"PIRSA to develop a website and other collateral for travellers in the rangelands including maps showing "Rangeland Routes" and places of interest for travellers. This could perhaps be in conjunction with the campaign to reduce the level of "off-road" activities to reduce the damage to the environment, especially shrubs, small trees and bushes."

"PIRSA, together with the Department of Transport, to implement guidelines for road travel in the rangelands, for example speed limits, protocol on opening and shutting gates, carrying water, staying with the vehicle in the event of breakdown, lack of telephone reception and so on. We suggest that roads other than public roads not be included in the map."

Better framework for management of public access

"A national parks type of pass would at least be able to help identify miscreants, but without the costs. A minimal cost to cover administrative costs would be suitable."

"As people become increasingly mobile and connected, public access on pastoral land needs greater attention and resources to managing impacts. These impacts include damage to roads and tracks, degradation of special places through access and camping, disruption to livestock waterpoints, threats to biosecurity and waste management problems. At the same time the need to cater for and expand the growing outback tourism economy needs to be recognised and catered for."

"At present, public access routes are used for vehicle tracks but there is no protection for landholders if visitors camp off tracks or when they arrive at the tourist destination (which is often also on pastoral land). With the increasing number of 4WDs and visitors, public access routes need to better address these issues of liability or pastoralists will stop allowing the public to access their land."

"Currently, Public Access Routes (PARs) are a confusing 'grey area' within the Pastoral Act. Issues arising from PARs include liability and biosecurity risk. Those lessees on whose leases PARs have been declared must be widely consulted about their efficacy and continued relevance, prior to drafting of the new Act."

"PARs should remain open to members of 4WD Clubs because 4WD Clubs: have a Code of Conduct and specific training around respecting track and land management e.g. do



not go off tracks, respect for Land Owners stock and property, no unauthorized camping and taking rubbish with you, 2) have training in how to drive 4WD vehicles in an appropriate manner to minimize damage to tracks, 3) assist with PARs and National Parks management with working bees etc. and many members also belong to other Volunteer Groups like “Friends of Parks” and so have experience in Land Care, and 4) in the future are likely to want to be further involved if a need is identified during this Review that may take the form of Track Surveys and monitoring of PARs (similar to what is currently being done on the Border Track in Ngarkat Conservation Park) as we are aware the logistics are prohibitive for PIRSA to manage.”

“Pastoralist can place restrictions on access to their lease when there is a good reason for doing so and recreational walkers have an avenue to complain if a pastoralist is denying access without having a good reason.”

“Public access routes should be established as a condition of a lease, encouraging tourism to be a primary use for a rangelands lease, not secondary to pastoralism as it is now.”

“Rangelands to be accessible by the public to “places of interest” (with focus on improved telecommunications and signage for tourists) but otherwise not generally accessible. Travel by the public off public roads should be prohibited unless prior permission is sought from PIRSA and the lessee – perhaps via a website. In this context a fee structure could be implemented to be shared between PIRSA and the relevant lessee.”

“There could be a fee, annual or otherwise, for people accessing pastoral land, much as there is for National Parks. Such fees would be able to contribute towards the cost and maintenance of those public access routes and also enable some statistics to be kept on who is actually using these access routes.”

“We are alarmed at the proposition that any other right of access such as tourism should be allowed to be exerted beyond the period of the lease - this proposition demotes pastoralism and allows other industries such as tourism to rank higher in the hierarchy of interests. Pastoralists have reported that tourism operators have been authorised access to pastoral leases without reference to the pastoralist at all. Where this has occurred, it demonstrates that in the imagination of some parts of government, the pastoralist is nothing more than just another individual with a competing right of access rather than a superior right of access. The provisions of the rights of the Crown with regard to minerals as well as the rights of native title holders cannot be included in a veto of access, it nevertheless expresses a desire to maintain a right to veto for other propositions which impact on the management of the lease.”

Responsibility/cost of maintaining PARs

“If a site of significant historical or cultural value exists on a pastoral lease, the access route should be gazetted and maintained as an ordinary state road. The pastoral lessee should be compensated for any loss of production areas if this occurs.”

“Lease holders should never have to pay clearance fees for any works carried out on their properties. Permission to enter a pastoral lease should be required by the lessee.”



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“PARs are an asset in the region and adding value to the economy. Many PARs are experiencing high volumes of traffic which is reflective of the growth of the regional economy. Some PARs are now main thoroughfares and need appropriate signage and maintenance, consideration should be given to giving these ‘high-value’ PARs to DPTI to maintain as part of their network when the overall benefit of these routes supports wider economic benefits but additionally significant maintenance and environmental vandalism if not managed in a systematic and regulated way.”

“PARs should be maintained in the same way all public roads are maintained.”

“Public access to points of interest or other, should be preserved as long as there is no adverse effect on the lessee. Those access roads then need to be adequately maintained by the government and stricter penalties imposed for trespass. The South Australian government should be responsible for monitoring and maintain the provision of public access at the discretion of the lessee. All access needs to be approved by the lessee. They are the first point of contact. This can be clarified by granting the power of veto to lessee holders against those wishing to enter.”

“Review the PAR system to shift some PARs to the direct maintenance responsibility of DPTI. Consider 'shut the gate' principles and enforcement to manage local visitor impacts, maximise the benefits to the regional economy, and reduce disruption to the pastoral industry.”

“Some PARs are in poor condition and are not regularly maintained. More resources are needed for regular maintenance of PARs.”

“The most used PARs should be managed by DPTI or whoever is maintaining minor roads in pastoral lands.”

“With the increasing tourist trade there will be more pressure and increased maintenance costs. This should not be the responsibility of pastoralists. The interest of the community in accessibility to these lands can be balanced with an expectation of contribution.”

Q19.

Who should be responsible for monitoring and maintaining the provision of public access?

Survey responses were analysed for the key responsibility. Where more than one responsibility was identified (e.g. “partnership between lessees and government”) the two responsibilities were separated and each mention shown under its own category – there was insufficient consistency in the way joint responsibilities were described to present these as categories in their own right. Where specific agencies (e.g. DPTI, PIRSA) were identified, these have been collated under the agency name, other references to government (except Local Government) are collated under the generic ‘government’ category.



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Survey comments:

“First and foremost the pastoral lessee and their right to quiet enjoyment of their pastoral lease needs to be respected. If the Government is unwilling to commit to the funding for monitoring and maintaining PARs then they should close them. It is an unreasonable burden to place on pastoralists, especially during the drought to be responsible for the hundreds of people who use PARs. If the Government is determined to maintain public access, then the lessee needs to be compensated for the disruption this causes to their business.”

“Government needs to keep a record of unworthy persons/groups and mediate should a dispute occur between applicant and landholder. Likewise, a list of 'worthy' groups such as 4WD clubs and local groups should be kept to facilitate access.”

“Government should be responsible but in collaboration with land managers to provide the relevant data and techniques for making sure monitoring is conducted in a robust and repeatable way.”

“In so much that public access might be an income source for leaseholders, it seems reasonable that leaseholders take responsibility for providing and maintaining public access. However, in that public access might retard restoration and maintenance of biodiversity to pre-European settlement levels, it also seems reasonable that Government should monitor the public access.”

“Indigenous Rangers. They know the land, they have the right of access under S47 in any case, and are highly motivated to protect and educate.”

“It should be a partnership between property managers and government, whether local, state or federal. this should be assessed by the projected usage by the various stakeholders, or by referring to the respective promotion of secondary users (via tourism commissions, public attractions or development project managers, for instance. This usage could be divided on a percentage basis. As most pastoral roads are maintained by either the land owner, or by adjacent landowners, then this would probably be represented by payment from responsible third parties to fuel, time and upkeep in the pursuit of these day to day activities.”

“Land owners and the general public - initiate a 'carry pass' when travelling over someone's property that you can be asked to show.”

“Public access should be managed in collaboration between the Pastoral Lands Board, Government (for gazetted roads) and lease owners for non-gazetted tracks.”

Responsibility	# mentions
Government	51
Lease holders	31
PIRSA	14
DPTI	9
Pastoral board	9
Local government	7
Independent Board	4
Indigenous communities	4
National Parks and Wildlife	4
4WD clubs	3
Rangers	3
SAPOL	3
SATC	2
First settlers	1
Local supervisor	1
Public	1
SA Walkers	1
Volunteers	1



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Q20.

How can flexibility and access to the rangelands be improved?

Survey analysis: keyword	# comments
Legal and regulatory structures	48
Information	43
Access	19
Communications between parties	11
Resourcing	7

Survey comments:

“Properties assessed to identify their capacity to support a proposed activity, with consideration given to the sustainability of the proposed use, and whether there are any other relevant factors such as high ecological significance. Appropriate funding for roads and other services and infrastructure. Limited access and services will necessarily limit the opportunities for the rangelands.”

“Provide the lease holder with the legal right to object to an application for a new mining tenement and the legal right to negotiate and enter into a land access agreement or protocol with the mining proponent.”

“Too many rights conferred onto the those seeking access to pastoral leases and not enough emphasis placed on the responsibilities of the visitors to the rangelands.”

Q21.

How can interactions between mixed uses of the rangelands be clarified or improved?

Survey analysis: keyword (>1 response)	# comments
information/communication/education	27
collaboration and engagement	16
Act to outline intended uses/clarity, clear policy	9
independent representative board	7
more signage	6
priority is land condition	4
address mixed use component on merits	3
priority is pastoral	3
simplified access/permit process (e.g. online bookings)	3
technical monitoring: registration/satellite tracking required for permit	3
address conflicting legislation	2
agency oversight of interactions between mixed uses	2
equity/holistic approach	2
legally binding written agreement with penalties for breaches	2
long term planning	2
more access/PARs	2
rangers monitor	2



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Survey comments:

“Approved diversified commercial interests require ease of access to pastoral leases for their activities to be pursued as lease holders should be encouraged to engage in a mixture of acceptable diversified business enterprises to bolster their cash flows and be assisted by the Board in experimental activities. The fact is, the land is held on a lease based tenure and should be made more accessible to a mixture of enterprises and willing investors. These new activities (e.g. subterranean irrigation from the GAB could be one) should be fostered by the Board and not rejected out of hand as past experiences have shown. There needs to be an acceleration of "thinking outside the square" if the advancement of future production from the "Rangelands" is to meet with the Minister's timeline of change.”

“Each land use needs to be able to be established as being environmentally sustainable on its own merits, albeit that where there are multiple uses on a property, economic sustainability will also need to be considered on a whole of property basis.”

“Education of the vested parties, of the rights of each other. Clarification of the rights of access to the rangelands. Centralisation of information to allow easier and better contact between the vested groups.”

Q22.

How do we ensure decisions are objective, consistent and responsive?

Survey analysis: keyword (>1 response)	# comments
independent body representative of all interests/user groups (including scientists)	40
simpler regulation, consistent guidelines and speedier decision-making	24
public forums and meetings for transparency and discussion	20
board membership suggestions (see below)	18
regular reviews of process and decisions, accountability for decisions	9
administration and staffing (adequate resourcing)	5
communication prior to decisions/explain decisions	5
monitoring (including technology), publish data, faster interventions	5
science-based decisions/assessment, research	5
self-assessment/lessee accountability	3
skilled staff with experience of rangelands	1

Board suggestions (survey)

(numbers used to support easy reference)

1. All decisions must be based on the conclusions and recommendations of fearless, independent environmental scientists.
2. By having a board with an independent chair (not appointed by the Minister) to oversee the decision making process.
3. Consistent board members.
4. Decisions should be completely transparent and based on the 'sustainable use first' principle. Some consideration should be given to the fact that, because land conditions are not uniformly the same, and use impact will not be uniformly the



same, consistency of decisions simply will not always be achievable.

Responsiveness will depend on the resources that the pastoral board, the pastoral unit and the Indigenous advisory council have to have at their disposal to provide quick answers and decisions to enquiries and proposals.

5. Employ a range of people from different areas to give a more knowledgeable understating of proposed activities. The board also needs to ensure that the representatives from each area have hands on experience in that area and foster a mentorship style program where by residents from an area are given an internship on the board to build the skill diversity and understanding within the region they represent and are able to take on a greater role within the board in the future. It also needs guidelines for scenarios so that everybody knows where they stand.
6. Ensure that the Pastoral Unit is comprised of people able to deal with issues that arise with clarity, honesty and fairness and a sound knowledge of pastoral issues and special needs; including isolation, drought, and management.
7. Exclude minority groups. Decisions should be made by the landholder, with oversight/mediation by a board with as few minorities and government employees on it as possible.
8. Independent Board to make decisions regarding the appropriate use of the rangelands. However, in order for this system to work well, the Board must be comprised of a cross section of interests groups as well as be resourced with its own budget and staff.
9. Independent parties with no monetary interest in charge.
10. Independent pastoral board with relevant experience to the local area, guidelines and mentorship programs for lessees within the board, guidelines for pastoralists and land holders.
11. Independent pastoral board with relevant experience, pastoral board inclusive of indigenous members and government, experts on pastoralism, tourism, conservation, defence/mining, kangaroo industry.
12. No board positions held for more than three years.
13. Outsource to private enterprise, ensure board members are qualified.
14. Pastoral board is currently a stakeholder meeting of strategically interested parties, leave the operational decisions to the pastoral unit, too much board involvement in operational decisions.
15. People with established reputations for sustainability with lessees and councils.
16. Relinquish some of pastoral board responsibilities it is a significant amount of time and paperwork, pastoralists should not have to seek permission to put in items such as these, as it increases efficiency and makes the better use of their country.
17. Stop having non pastoralists on the board. No union appointments and no environmentalists who both have competing interests. Farmers only.
18. The Board should be free to appoint its own Chair from within the nominees. Industry should be able to nominate at least half of the Board members without interference from the Minister.
19. The board should be made up of representatives from lessees and include a PIRSA representative. The main objective being that there is a majority of land owner



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representation, to avoid the position of "check-mate" that often happens when other "stakeholders" are involved. Hold timely meetings and frequent education and training sessions for board members.

20. The composition of the Pastoral Board should comprise of the following members: 2 sheep producers, 2 cattle producers, 1 financial industry rep, 1 legal industry rep, 1 indigenous land rep, 1 NRM rep.

Board suggestions (submissions):

(numbers used to support easy reference)

21. A model of management is needed which allows the greatest possible flexibility for leaseholders, enables adaptation for future conditions and technologies, and preserves the land condition for productive use.
22. Currently the process to get approval by the Board to stock over the maximum number is too slow. I recommend that a simple one page electronic form be created which the lessee can fill out. To give the lessee the credit for their land management skills and to allow the good management clauses in the Act to take effect, the form should not be an application, but a notification of intention which stops any time loss within a departmental bureaucracy process. Thunder storms happen in December to February when departmental staff are on holidays which makes any application process plus timing to get to a Board meeting unworkable. In recent times the Pastoral Board is pushing Lessees to complete the returns as per conditions of the lease and imposing fines. It is ironical that this is happening when the Board is not able to get its lease assessment process completed in the timeframes set down which impedes on the lessees' business.
23. For the Pastoral Board to be effective it must have access to staff and an operational budget to ensure assessment and compliance is robust and delivered to all regions of the state regardless of the lessee or land tenure.
24. Given the aridity and fragility of pastoral lands, the Act should be clearly aligned with the [government's] Environment portfolio.
25. If pastoral legislation is going to exist then the system of a Pastoral Board drawn from the industry itself as the oversight body is utterly correct.
26. In recent times the policy settings for the Board have been changing and the communication of these settings has depended on contact directly with the unit, there has not been and direct communication to effected lessees. The changes in fencing policy is an example. If policy changes, the changes need to communicated to all lessees to enable them to run their businesses.
27. In the Pastoral Act of 1989 there is a Pastoral Land Management Fund (Part 2, Clause 9), we have the following questions: What is the Funds balance? Is the Pastoral Board aware of the use of the Fund? How have the funds been invested by current and previous Ministers? Refer Part 2 (9) (4). If the funds have been used as per Part (9) (5), where are the results of such research and have the report papers been released to Pastoral Lessees (i.e. stakeholders that are levied for research they don't share in).
28. Pastoral nominees from Livestock SA should be lessees.



29. That there is adequate discussion with the lessee involved. Adequate staffing that are adequately trained in rangeland management in south Australia. Governance decisions should be made with compassion for the industry and with recognition of prior compliance and the vision of the Lessee for the future. They should be made unbiased to “above” and “below” the dog fence. The board needs to consist of people who are supportive of the pastoral industry as well as representation of other industries. Board members should be voted on by the lease holders, with approval of the minister. The board need strong, unbiased data from the pastoral unit. These staff need to be adequately trained and have experience in the pastoral areas of SA and recognise its unique position and production system. They need to be experienced or trained in pastoral production, as well as environmental management, specific to the pastoral areas of SA.
30. The Pastoral Board cannot micro manage each lease from a board room in Adelaide. Lease holders deserve support and encouragement.
31. The Pastoral Board should comprise the following members with the requisite knowledge in these field of expertise:
 - One rangeland beef producer from outside the dog fence
 - One rangeland sheep producer from inside the dog fence
 - One PIRSA appointed representative with wide experience of pastoral land and soil conservation
 - One person representing Aboriginal pastoral lease holders
 - One person with a wide experience in the administration of pastoral leases
 - One person with a wide experience in the accounting / financial industry, and
 - One person with a wide experience in the legal industry.
32. The present system appears to require extensive duplication and difference of opinion between government departments. This needs to be addressed. It might be that removing the Board from the governance or PIRSA back to the department with overarching responsibility for the environment would minimise this duplication and enable decisions that take into account the important issues of conservation and future management. An alternative is that the Board not be the final determiner of decisions around change of use, but act in an advisory role to an authority or minister required to consider multiple interests. We propose that a framework for decision making that includes consideration of Aboriginal, environmental, ecological, future resilience, and international compliance considerations be built into all decision-making processes concerning use and change of use of Pastoral Lands. The interests of graziers must be represented in any decision-making process, but as part of a wider range of considerations.
33. Recommend that the singular control over all decisions in relation to Pastoral Land be removed from the Board because the nature of evidence-based decisions spans complex scientific ecological and other interests. It is not clear whether a member of the Board with a conflict actual or perceived must provide the other members of the Board with a statement to that effect. We are of the view that this should be implemented if it is not already in place. Pastoral Board proceedings are not public, except by invitation of the Board. The agenda for Board Meetings is also confidential. There are no guidelines about rights of appearance (other than that there is no right) and no guidelines for content, timing, and presentation of submissions. Our experience is that all information must be filtered through PIRSA which determines what information will go to the board and in what form. There are no timelines for the making of decisions, or any transparency concerning



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matters considered, the weight given to different issues, and detailed reasons for decisions. Whilst there is an avenue of appeal against Pastoral Board decisions to the South Australian Civil and Administrative Tribunal, there are no process requirements (such as evidence to be considered, evaluation of submissions, argument in support) at all, and the timing of decisions is completely at the discretion of the Board. This results in a lack of transparency and accountability, difficulty in understanding what the Board/PIRSA is seeking in terms of reasons for applications and limited feedback on the rationale for information sought.

34. We shouldn't have the same Board for the whole area - different regions have different issues and rates are paid for different reasons.

Q23.

How should governance decisions be made?

Should all decisions be made in the same way?

Survey analysis: keyword (>1 response)	# comments
based on reliable information and advice from all stakeholders	19
consistent decision-making process, consistent decisions	17
independent, diverse, skilled, experienced board	15
allow for unique circumstances	7
decisions based on consultation with stakeholders	6
public vote/input into decisions	5
board with oversight by government/minister	4
all decisions should be made public	3
support by departmental/agency staff	3
governance framework (nationally informed)	2
include process for appeals/civic court system	2
minimise partisan/government interference	2

Comments (survey and submissions):

"A concern about governance is the lack of any expectations about timing of decisions. Most bodies making decisions that affect diverse interests are required to comply with time frames, but the Pastoral Board is not. As we move into an era where diverse uses including extraction, carbon credit investment into regeneration and conservation, eco-tourism etc. are more common, streamlined and effective policies to facilitate such initiatives are essential."

"A Pastoral Board should provide oversight with the Government Department responsible providing the expertise and assessments."

"Does the Pastoral Board have policies in place for their use when issues are raised that are different from pastoralism? If not, these should be developed so as to bring about greater consistency in its dealings. Has the Pastoral Board developed templates for use in its decision making that refer to relevant laws etc? If not, this should be implemented. If the Pastoral Board lacks experience in an area it should refer to external resources. Pastoral Board should make greater use of its powers under Section 15(5a) of the Act -



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this will bring greater responsiveness. The skill bases of appointed members should include a State Government representative; a person with financial skills and experience; a legal practitioner; one pastoralist who operates outside the dog fence; one pastoralist who operates inside the dog fence; a person who has a wide knowledge of ecology including soil conservation and experience in management of the rangelands; and a person who conducts or is affiliated with an organisation that operates a non- pastoral activity in the rangelands. Each decision should be decided on its own merits and follow previous decisions on the same topic. “

“Either government or an independent regulator should be involved, providing the assessment and decision is based upon rigorous, unbiased, peer-reviewed and transparent scientific advice. There should be a list of suitable land uses and their compatibility with other uses.”

“Not just by the Government (Department, Ministerial discretion, etc.). Strategic decisions made at a board level which guides decision making principles allowing delegation to Government staff to administer. The only exception to that would be the Unit Manager/Director, that position should be selected by the board on a rolling timeframe and answerable to the Board to ensure independence of the Board from Government.”

“The established model of an appointed skills based Board to oversee administration of the tenure system is supported. The current assignment of this Board to PIRSA is strongly supported. The role of the Board should become more strategically focussed under a simplified and enabling style of legislation.”

“The legislated structure of the Pastoral Board could be reviewed to include options for pastoralists to vote on members, should administration of such a ballot be financially viable. The Pastoral Board could take on a legislative responsibility to advocate for and on behalf of pastoralists, similar to the role of the Outback Communities Authority as legislated by the Outback Communities (Administration and Management) Act 2009.”

“You cannot have different process for decision making for different uses of the lease. This would become an administrative nightmare for the lessee and open up issues of inconsistency across different land uses. Decisions need to be made by a single body, based on clearly articulated policies for each land use deemed appropriate to the given lease.”

Q24. Do you think the Pastoral Board and the Dog Fence Board should be combined into a single Board? If so, why?

	Y	N	No answer	Total
Pastoralists	36%	33%	31%	100%
Public	37%	13%	50%	100%

	People who answered 'yes' as a percentage of those who answered the question
Pastoralist	52%
Member of the public	74%



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Survey responses supporting a merger as per the Discussion Paper question (keyword: >1 comment)

cost saving/efficiencies/simplicity	23
supports integrated and streamlined decision making	12
all pastoralists are affected by the fence condition	9
better management of interdependencies/knowledge	4
existing DFB can report to new combined board (subcommittee)	4
broaden focus of combined board to all pests/environmental impacts	2
changes in landuse may have implications for both	2
need appropriate resourcing	2

Submission comments (for merger)

“Yes, because there is value in combining resources on common issues.”

Submission comments (against merger)

“**Dog Fence Board** rejects merging of the two Boards: Unanimously supported the continued separation and independence of the two Boards. The duties and responsibilities of the two Boards could not be efficiently or responsibly achieved under one Board. The dog fence extends beyond the Rangelands, and non-pastoral rate-payers outnumber pastoral rate payers and substantial numbers of stakeholders with vested interests in the dog fence are found beyond the rateable area.”

“I disagree that these Boards should become one. The Pastoral Board should remain to only administer the Pastoral Act as it is evidenced that they can only just achieve this role now. The dog fence has nothing to do with the Pastoral Act. A Dog Fence Board in its current form has a role to service an industry not the Pastoral Areas. In time I believe the Dog Fence Board could expand its role into dog control so it can look at things from a state perspective and not be fragmented by regionalisation and not just focussed on the dog fence.”

“No, the dog fence has its own unique set of circumstances and stakeholders that do not represent the feeling of the entire pastoral industry of SA.”

“Not to be merged, different outcomes and different levels of governance.”

“The Dog Fence Board may be appropriately managed under an environmentally focussed authority, not the Pastoral Board.”

“The Dog Fence to be a separate board with all its focus on the Dog Fence, especially given the considerable amount of time that will be needed regarding the imminent re-build of the Fence. Both boards are relatively low cost boards but have quite a diverse range of responsibilities. The effectiveness would be greatly reduced by merging these two boards.”

“The function of the Board with regard to its functions and duties to the pastoral estate, with regard to management of the leases, is considered to be so important that the



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functions of the board should not be distracted by external functions such as the management of the dog fence in South Australia.”

“The role of the Dog Fence Board should not be merged with the Pastoral Board but expanded to cover expanded wild dog control within the Dog Fence, becoming the SA Wild Dog Control Board.”

“We do not believe the merging of the Pastoral Board and the Dog Fence Board would be in the best interests of either entity. Issues arising from management of the dog fence and wild dog control are not purely pastoral issues; rather these are issues relevant to the broader farming community of South Australia and must be managed as such.”

Q25.

What assessment and compliance should be in place to manage risk?

What obligations should be on different parties?

Question 25 asked two separate questions, therefore survey responses are presented according to which part of Question 25 they relate to. Responses that did not answer the question were not included.

Number of comments re assessment/compliance	42
Number of comments re obligations	30

Comments re ‘assessment and compliance to manage risk’

Monitoring/inspections	29
Standards/code of conduct/protocols	13

Comments re obligations

Government	15
Shared obligations	7
Bushwalkers	3
Lessees	3
Pastoral Board	2

Submission comments:

Simplify reporting

“A simpler stock return that can be done online and doesn’t require a JPs signature as they are like hens teeth up this way.”

“In its current form for sheep leases, the Lease Assessment Program is underfunded, needless complex, grossly behind schedule and only the photopoints should be retained as a Lease Assessment tool.”

“The paper work concerning the annual account of stock numbers should not need to be signed by a Justice Of The Peace.”

“The requirement for stock returns to be submitted via Statutory Declaration, thus having to be witnessed by a Justice of the Peace, Proclaimed Bank Manager or Proclaimed Police Officer, present difficulties to the lease holder and in most cases is impractical. The removal of this requirement and modernisation of the reporting system



is necessary and an option to make this declaration via electronic means should be available.”

“We believe the current system of submitting a stock return at year’s end is inefficient and outdated. We would like to see experienced pastoralists and officers from the Pastoral Unit work together to explore best-practice methods for lessee record keeping and reporting, prior to development of a new Act.”

Independent monitoring

“Assessment should be an objective process that is able to be adapted over time. Persons trained, either Government or private providers, could undertake the assessment. Ultimately assessment needs to be able to pick up change. Those who are indentured to this require the skill set to do this routinely and objectively. This does not necessarily have to be undertaken by the Government but it could be with the correct training. Section 25(2)(a) to (e) provides for the scope and standards that are required for these inspections. As statement of policy we support the provisions of the section and would not support their dilution in any way. This includes inspections that are completed remotely or inspections conducted by outsourced inspectors (i.e. inspectors which were sourced from outside of the SA Government or Pastoral Unit specifically). We would stridently resist the outsourcing of inspections were it ever to be pursued by Government.”

“The introduction of scientific monitoring with the 1989 Act was buried by pastoral interests. If sustainability is required, field scientists must be recruited to carry out the 28 year inspections. Failure to penalise unruly leaseholders vs praiseworthy lessees. The cardinal aim of the Act is to guard and rehabilitate pastoral lands leased from the public estate.”

“There is inadequate publicly available environmental monitoring data. The last publicly available data from the 2015/16 Pastoral Lands Board Annual Report states that cumulatively 23% of ‘priority paddocks’ improved on the 2005-2006 baseline based on inspection data. It is unclear what this means or what the current performance is as this measurement seems to have been discontinued. If the environmental monitoring and data collection that is expected of the mining and mineral exploration sector were implemented for pastoral leaseholders, there would be greater understanding of what the ecological conditions of the rangelands are. The same environmental outcomes, and associated approvals process, should be expected for all leaseholders of Crown land whether mining or pastoral.”

“We advocate an independent or separate evidence-based process for determining good condition and usage of land to maintain good condition, including adaptive management strategies to ensure environmental health. Benchmarks or measurement criteria should reflect the different meanings of land condition dependent upon the different values attached to the land (i.e. grazing, conservation, water-management, salinity etc.).”

Technical monitoring solutions

“Assessments are critical to identify poor land management practices early and intervene. They are also important for providing positive feedback to landholders who



are managing their land effectively. I support the use of satellite imagery and cross fence comparisons for assessments accompanied with on ground monitoring and the establishment of smaller exclusion plots to monitor total grazing pressure. Assessment officers need to be trained in satellite imagery monitoring and on ground monitoring. Satellite imagery allows monitors to provide objective, quantitative feedback to pastoralists and makes them less likely to be pressured into providing positive assessments during on ground visits.”

“Moves to modernise assessments are good and the work of the Pastoral Board with the Machine Learning Centre has great potential to advance assessments. However, all methods for assessment should be calibrated to the objectives for land management, both public and private.”

“The process of involving lessees in assessment and viewing photographs is the most cost effective way of maintaining our pastoral lands in good order for the future. Self regulation as shown in the Western Division of NSW is a disaster.”

“Using the current method of on-ground, comparative evaluation and monitoring is the best way forward. Adding technologies such as GIS mapping using satellite imagery etc can also add another layer to see seasonal anomalies on a larger scale. Still having stock returns and regular assessments and inspections will mitigate the concern of over-grazing. New entities purchasing and running pastoral leases can look at the history of stock numbers to get a more accurate idea of the capacity of a property.”

Timeliness/delays

“14-year assessments have often blown out to 20 years for a variety of reasons. Unless the monitoring can support a change in lease duration it would be better to stay with the status quo.”

“Assessments are presently meant to be carried out every 14 years, but often the time lapse can be as long as 20 years. Closer and more frequent monitoring of land use and conditions is needed if it is to be effective particularly in monitoring change and unforeseen threats to land condition.”

“Delays in assessing land condition, stocking rates and lease arrangements are affected by the commitment of the government to provide the personnel and support to administer it. It is essential that adequate resources be provided for this administrative work.”

“Ensure adequate measurement and monitoring regimes are in place to identify unsustainable land use practices, supported by sufficient and proportional compliance measures. Monitoring of land condition has been inconsistently applied across the pastoral lands since the inception of the current Pastoral Act in 1989. The assessment process south of the dog fence (sheep country) being more rigorous than that used to the north (cattle country). The 14 year cycle of assessments is also problematic in that resourcing has not enabled timely completion of all assessments during each cycle. A range of remote sensing tools are available that would enable more regular monitoring of land condition and identifying problem areas, but these will require associated standardised empirical ground assessment process to overcome the limitations of remotely sensed data.”



“The Pastoral Board Annual Reports describe an annual struggle to meet assessment targets due to a lack of resources. In 2018/19 there were 14 statutory lease assessments to monitor the condition of pastoral land (pursuant to section 25 of the Act). This represents only 4.3% of the total number of the 326 pastoral leases. At this rate it would take 23 years to assess all of the pastoral leases. The Government should take as active a role in the monitoring performance on pastoral leases as occurs in mining and mineral exploration.”

“We support the policy of pastoral lease inspection. An inspection by the Pastoral Land Board’s inspectors currently has the effect of restarting the lease clock. If the Government chooses to continue to link the inspection to the lease period then the effect of a successful inspection should automatically generate a restart of the lease period.”

Systems improvements

“Effective monitoring and compliance under revised legislation, policy and management is of critical importance. For consideration is that there be: • At least annual assessment of vegetation condition on each pastoral lease (Carbon farming assessments are undertaken four times per year). • Powers to compel lessees to reduce grazing pressure immediately • Powers to direct cessation of a land use or management practice where it will or is resulting in a decline of native vegetation condition or harm to soils below defined standards. • Enabling remote-sensing information and other technologies to be admissible evidence for management directions and compliance actions. • Significant penalties for those landholders who fail to manage their native vegetation and land cover to at least the specified standards.”

“Encourage an integrated and more self-regulated industry, including land condition monitoring.”

“The current inspection system for pastoral leases does not work. This method is too reliant on individual officers presenting subjective reports which do not always reflect actual land condition. A modernised approach could reduce administrative burden but needs to reflect actual stock management as set out in the terms of the lease, not external influences outside the control of lessees (e.g. overabundant native species, or inspection points being poorly placed).”

“The issue of land access can also be an issue which needs to be resolved. Access for the specific purpose of monitoring or managing threatened species should not be at the discretion of the landholder. “

“The issue that will arise when there is a change in the managed livestock is that the lease assessment will have to recognise that different animal species will have differing grazing effects or preferences on the vegetation and therefore the assessment can’t be based on what is there today which is a sheep or cattle impact. A complete review of the annual return must occur. The use of the fiscal year is good as the manager only has to work on one set of figures and do not have to do a complete calculation just for this return as we used to when the year ended 31st March. A due date of 31st July is too short after the end of the financial year as there are so many government departments requiring reporting in July. Essentially by the time the manager gets all the figures together it is the middle of July at the earliest. The form should no longer be a statutory



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document as getting witnessed signatures is difficult. Then it is likely to take a week once in the post. The form should be electronic and have electronic lodging with an electronic signature. For our business, much of the information in the return is either a calculated guess or not able to be calculated at all. The Pastoral Lease is only a portion of our total land mass and stock numbers. We often move stock between the Freehold paddocks adjoining and don't get a count. There is no way I can calculate a wool cut and for what reason is this production figure required by a government department? As we don't live on the Lease, rainfall is not always measured. We only have rams on the Pastoral Lease at mating time for a very short period. We also generally remove all the lambs prior to being six months of age, but in recent times those in the department calculating the average stocking rates are including those lambs from birth in the total count which is not right. The new Pastoral returns should have actual numbers and reflect the use of DSE calculations so those that run dry sheep such as a wether or dry ewe compared to a dorper with lamb at foot or a goat herd are treated fairly or equitably. Cattle are a little less complicated but it also distinguishes between mobs of breeding cows and dry cows or heifers and steers."

"The model of management needs to allow for greater flexibility for leaseholders to enable adaption for future conditions and technologies and to preserve the land condition."

Q26.

Do you agree that assessment and compliance action should be commensurate to the risk the activity poses to land condition?

	Y	N	No answer	Total
Pastoralists	29%	5%	67%	100%
Public	38%	2%	60%	100%

Comments (survey and submissions):

"Activities which pose substantial risks to land condition should have substantially increased assessment and compliance requirements. However, there should be a minimum level of assessment and compliance regardless of the likely risks associated with the activity. Personally I believe this level should be higher than it currently is, but as a bare minimum it should not be any less."

"Assessment and compliance should not be based on risk, it should be fundamental to all and any activity on pastoral lands."

"Different approach for tourism/conservation activities where the risk is clearly low."

"If new breeds with different grazing habits are introduced or new activities with different potential impacts are allowed, different monitoring, assessment and compliance are required."

"If the risk of damage to the land condition requires higher level of action - maybe that activity should not be permitted."

"Lower risk activities could very quickly become high risk if environmental conditions change, thus a low threshold for assessment and compliance must be in place."



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“Not at the expense of interacting with all lessees on a regular basis, even conservation managers need to account for unmanaged herbivore impacts.”

“The accurate reporting of stock numbers, along with monitoring of land condition as it stands now are the best way to manage risk. For new entities to the pastoral industry, this process should be conveyed to them and they should understand the process. If lessees had to record photo points in between inspections, could help both parties be responsible for land condition. If a lessee is deemed to have not maintained good land condition, a time period for rectifying it should be given, with a re-assessment after a certain time frame, if they are still found to be in breach, then compliance activities should be enforced.”

“The principle that assessment and compliance ‘should be commensurate to the risk the activity poses to land condition’ is generally supported. However, in the first instance, the legislation should give the lessee the opportunity to provide the risk assessment and alignment with an accreditation system.”

“The risk posed by many forms of land management is insidious rather than immediate. As a result, both short-term and long-term assessments are required. Rigorous compliance is unlikely without high quality monitoring (combined with on-ground education).”

“There should be a standard set of tools that are applicable to compliance assessments for the entire rangelands so that this is transparent and repeatable process.”

Q28.

Do you agree land value is the most appropriate way to determine lease costs?

	Y	N	No answer	Total
Pastoralists	48%	19%	33%	100%
Public	27%	26%	47%	100%

NO survey keywords (that answered the question)

Difficulty of valuing/variability	8
Income/profit based	8
Lessee improvements should be considered	3
Impact	2
Should be a competitive tendering process	1

YES survey keywords (that answered the question)

Land value options	19
Biodiversity/land condition	6
Capital value/profitability	4



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Q30.

Are there any other topics not identified in this discussion paper on which you would like to provide feedback?

Survey responses to this question were grouped according to topic and the number of comments for each topic are shown:

Management and diversification of the Rangelands	29
Access	25
Pests, weeds and fencing	11
Leases and rent	7
Climate change	5
Comments about the survey/consultation process	5
Long term sustainability	5
Water	5
Native flora/fauna production	3
Regeneration	3
Tourism	3
Indigenous culture/land management	2
Preserve native flora fauna	2
Mental health	1

Submission topics not specifically covered by the survey questions are shown here, together with example comments:

Stock management (25 comments):

“A key concern is the matter of total grazing pressure and the impact it has on this fragile ecosystem, Total Grazing pressure being the combined pressure of grazing by native and feral herbivores as well as livestock on vegetation and ecosystem condition.”

“A legislative compulsion is needed on the board to execute its duties with regard to stocking rates in a timely fashion so that changes in the environment can be attended to when opportunities arise.”

“A move away from over reliance on central or historic water points to spread the grazing load over the widest areas has given me the best result in terms of herd health and profitability. Animals which graze within 4km of a water point gain weight much quicker and can be sold earlier (utilising less pasture) than those walking longer distances. With shorter walks to water females maintain better condition and nutrition for their offspring and can be more protective of their young offspring thus minimising calf loss. This notion has for some time been at odds with departmental thinking.”

“Any continued use of pastoral lands for stock production must rely on native pastures. Introduced species such as buffel grass have the potential to severely disrupt native vegetation communities.”

“Land management, including livestock production, will be carried out more commonly in compliance with accredited and formally audited production systems in future.”

“On the Granting of a Pastoral Lease, under the revised act, all species of animals and use of the land for purposes other than pastoral purposes should be available to the Lessee, without the need for prior approval by the minister and or the Board. Other species (i.e.



goats) or uses (i.e. tourism and conservation) would still be subject to conditions in the Act. This would open more opportunities to the Pastoralist giving the region more flexibility to respond to the ever changing environmental and market forces. This in turn would help to increase the economic viability of the pastoral zones. We see no need to impose further licencing or fees for these other activities under the Act.”

“Removal of grazing pressure can lead to increased competition to native vegetation by invasive species and allows succession to another plant or animal species to dominate the region resulting in potential diversity loss. This legacy needs to be addressed in future management plans. Livestock can continue to be a feature of rangelands management, but management needs to be adapted to the current and future conditions. Our prediction is that the rangelands will never again support the numbers of stock previously experienced. The steady decline of soil quality over 150 years; rising temperatures; salinity; nutrient decline, changed rainfall patterns leading to long drought, and degradation of native vegetation as a consequence, will never sustain past levels of grazing activity.”

“Stocking must be at such a rate that allows the native palatable vegetation to grow, seed and recruit juveniles of that species in an average rainfall year. The holder of a pastoral lease should be able to run any species of stock on that land. Provided that the land condition is maintained in good order and not adversely degraded.”

“The 10 year rule shouldn't apply in drought, and it doesn't work for boom/bust seasons when the land may need to rest for more than 10 years.”

“The shrub called Lobed-Leaf Hopbush or Wild Hopbush is taking hold over a lot of productive grazing areas within this property and others around. I need to take into consideration my stock rates when placing sheep or cattle with in paddocks that have got the Hopbush growing in them. The placements have dropped 20% to 30% in some paddocks within my 10 years of management. I am concerned at where this will end up within years to come for carrying stock numbers on these pastoral stations.”

“The strong economic market for goats is overriding the effectiveness of goat management in the landscape and adding to the grazing pressure impacts.”

“There needs to be measures that account for increased climate variability where the traditional stock maximum approach is likely to be insufficient. The Pastoral Board has limited itself to regulating pastoral use where degradation has or is occurring to livestock related issues, primarily due to limitations of the assessment and inspection processes focused on dominant pasture types in areas most commonly accessed by livestock. This approach has resulted in the impacts of feral animals such as goats and camels being unrecognised, except where their numbers are high enough to have impacts, obvious beyond those of livestock in the limited areas being assessed (e.g. along watered area station tracks).”

“To graze species other than merino sheep or cattle, which is what the stocking maximum was based on, should have the stocking equivalents stipulated in the regulations based on the true Dry Sheep Equivalents (DSE) chart. Work has already been completed through the DSE Pastoral taskforce in 2011. Allowing the shedding breeds such as dorpers to be run at the same numbers as a merino as is currently happening is going to cause degradation in the long term as these animals have a higher feed requirement than merinos. The issue that will arise when there is a change in the



managed livestock is that the lease assessment will have to recognise that different animal species will have differing grazing effects or preferences on the vegetation and therefore the assessment can't be based on what is there today which is a sheep or cattle impact."

"Waterpoint spreading has been occurring in the areas north of the dingo fence for the last few decades with the result being that most properties are now fully watered. This has created many issues for native plants and animals as there are now few areas remote from water where land is not subjected to high grazing pressure, trampling etc. These water-remote areas are very important as seed banks and drought refuges for native species, and reference areas for stock grazing. They also mean that when it does rain after drought, stock can move away from permanent waters into lightly grazed areas to find feed. If the entire property is within 8-10km of a waterpoint then there are no areas protected from grazing during a drought when the vegetation is already under high water stress."

"We believe stocking rates should be abolished. They are no longer relevant as the knowledge of the production system has grown since the implementation of the Act. They are also unfairly prescribed south and north of the dog fence. Places south have rates twice as high as north with no good reasoning. The pastoralist, many of whom are generational, know how to manage their country to the best of its ability. The graziers are well equipped to identify land condition and indicator plant species that correlate with ecosystem health therefore allowing them to accurately determine what stocking rates are suitable (Waudby, Petit and Robinson. 2013)."

"The current stocking limits on our Pastoral Lease are correct. We insist that the current practise of using Grown Sheep to report and determine livestock numbers on leases be retained. The grazing impact of exotic sheep species should be reconsidered with respect to the maximum stocking limits, due to their ability to graze the rangelands far harder than Merino sheep or British breed cattle. We are opposed to any use of Total Grazing Pressure methodology being used when considering grazing pressure on leases for management purposes, for example a lessee's number of Kangaroos can fluctuate widely with localised thunderstorms or prevailing drought conditions. Lessees are powerless to control these plague numbers, you only have to witness the complete debacle with the Kangaroo industry and the regulatory body recently."

Dingo/wild dog control (8 comments):

"North of the dingo fence dingoes are a legitimate wildlife species and play a role in the ecosystem as a top order predator. They suppress kangaroos and emus, goats and other introduced herbivores as well as pigs and rabbits. Over the last few decades the rules around controlling dingoes north of the dog fence have been relaxed with the result that landholders can now poison bait dingoes every year without demonstrating any impacts to calves. Many studies show that calf predation rates are overstated (or in many cases undocumented) and occur mainly in dry years when stock are in poor condition. Little attention has been given to the use of non lethal methods of control or using brahman or other breeds that are better at protecting their calves from predation. Under high dingo control, kangaroo and goat numbers increase significantly causing extensive vegetation damage and reducing herbage for stock. Previously, control of dingoes north of the fence was in response to the onset of dry conditions after a run of wet years when dingoes



were in high abundance and extremely hungry and so most likely to target calves. I urge the Minister to reinstate this policy for the protection of the dingo but also to conserve vegetation condition and reduce the impacts from feral pigs, goats and other native kangaroos. Dingoes are also known to reduce the effects of cat and fox predation which has a benefit to threatened mammal species.”

“The capital funding to replace a large part of the SA Dog fence is essential and very welcome, but only addresses part of the problem. The second and equally important issue is how to remove the established populations of wild dogs inside the fence that have established over more than a decade, mainly due to the ongoing lack of capital replacement of an aging fence. This issue is highly relevant to the aims of this review because it will not be possible to boost the sheep productivity of the region whilst the current level of wild dog predation continues inside the fence and gradually extends southwards. Pastoral lessees inside the fence are front line victims of this situation, not of their making, and are doubly disadvantaged in that they also automatically inherit the responsibility to control these dogs under the NRM Act. The responsibility to control the wild dog problem (induced mainly by dog fence failure) should be spread more equitably amongst sheep producers further south, who are also primary stakeholders. The current situation limits the amount of resources that can be directed at the problem, making it highly unlikely that control can approach eradication any time soon.”

“We need to be having a rational discussion about how we can get Dingoes back into the landscape to control ferals and excess herbivores, reduce erosion and restore an apex predator for the health of the ecosystem. There are now numerous scientific studies that show this is how we need to manage things and advocate for this. Bring down the dingo fence! Either completely or rebuilt further south if the farmers cry too much.”

“Wild dogs are a threat to all sheep owners and the responsibility to fund control or eradication of wild dog populations inside the Dog Fence should be shared more equitably amongst all stakeholders. A 'whole of state' addition to the Sheep Transaction Levy will support a marked increase in the effort of managing wild dogs in the sheep production zone.”

“Wild dogs have always been a problem here, but as the dog fence has deteriorated, the dogs have moved inside and bred. The loss of stock has risen greatly. The fence has to be replaced and maintained and an effort made by all landholders to deal with the dogs.”

Legislation, regulation and implementation (10 comments):

“Currently the Minister for Primary Industries and Regional Development has oversight of 21 separate Acts. Many of these instruments impact on the operation of the pastoral estate. Moreover, there are many other instruments, which are part not within the orbit of the portfolio responsibilities of the Minister for Primary Industries and Regional Development. Examples are the Native Title (South Australia) Act 1994 which is the preserve of the Attorney General and the Natural Resources Management Act 2004 which is the portfolio responsibility of the Minister for Environment and Water. These acts substantially intrude onto the work of pastoralists. Reviewing the Pastoral Land Management and Conservation Act 1989 in isolation will not profoundly impact on the operation of the pastoral estate in South Australia. Essentially, the Pastoral Land Management and Conservation Act does little more than govern the leases held by



pastoralists. As a vehicle to manage or change the operation of the pastoral industry this review's utility is limited unless Government is prepared to make substantial changes to other instruments in South Australia."

"Ensure that the review includes cross over legislation issues including Woomera."

"It is recommended that as a result of the Review, the legislation governing the Rangelands be enabling legislation, and current and that potential new economies be enabled as a permitted Pastoral Land use on the condition that they do not cause the overall condition of the vegetation to decline below sustainable levels. Significant regional investment and jobs growth is currently constricted as a result of legal interpretation, resulting in an impasse between the Pastoral Act and the Native Vegetation Act relating to significant environmental benefits (SEB) offsets. For the petroleum, gas, minerals and renewable energy sector, this is resulting in a very heavy, slow and expensive administrative burden. A number of companies do not want to pay into the Native Vegetation Fund (NVF). They wish to partner with regional communities and non-government organisations such as Nature Foundation. They also realise that offsets in the Rangelands funded by the NVF may generally also not be permitted by the Pastoral Board because of the legal interpretation, denying pastoralists potential diversified income streams."

"Opportunities for the Pastoral Act Review and the Outback Communities Authority Outback Governance Review to overlap."

"Other land uses are appropriate in the Pastoral Zone and reaffirm that the Pastoral Unit is best placed to undertake or coordinate the necessary assessments including native title, environmental considerations and development considerations associated with land tenure. The Minister for Primary Industries and Regional Development may then consider, authorise and monitor those land uses and the associated tenure requirements for those uses. The Minister for Environment and Water responsible for the CLMA is not the appropriate authority to consider land uses and related land tenure administrative matters in the Pastoral Zone, other than what he/she is legislatively required to consider (e.g. pursuant to the Native Vegetation Act, 1991) The provisions of the Far North Water Allocation Plan should relate to the requirement water resource works approvals to nominate the works from which water can be taken be replicated in the Pastoral Act. The draft Far North Prescribed Wells Area (FNPWA) Water Allocation Plan also has some provisions relating to protecting GAB springs from cattle impact. While the taking of water from springs is a minor issue, the degradation to the physical structure of the springs by cattle (and feral herbivores) has had real and lasting impact. Provisions supporting active management of stock around these structures (which are listed as threatened ecological communities under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999) would support the protection afforded the GAB springs through other legislation. Any provisions in the new legislation or associated regulations that provide for cross authorisation of officers administering the NRM Act and the new pastoral legislation relating to compliance would allow for maximisation of government resources and seamless access by end users/pastoral lessees. Any reporting of water use required by the new FNPWA Water Allocation Plan could be required to be coupled with reporting requirements under the new pastoral legislation."

"Pastoral Lessees are affected by a number of Acts in addition to the Pastoral Act The streamlining of the various conflicting clauses in the numerous overlapping Acts that



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make governance of the Rangelands a convoluted mess in some areas of the Pastoral Act need review and simplifying with a hierarchy of Acts so that the Lessee can understand which Act is relevant for a given issue.”

“Some control over mining companies, we have had an extremely stressful last twelve months not knowing if we were going to have a home and livelihood thanks to [companies mentioned] on top of the drought it proved quite debilitating and expensive having to hire lawyers to try and protect ourselves.”

“The compliance regime in the current act is ineffective and there are no remedies for communities effected by wandering stock. Not all landowners are responsible and in the Out of Areas where there is no council to assist with the removal of wandering stock in townships. This needs rectifying in the new act.”

“The pastoral areas include many sites of high environmental significance, including geological formations, waterholes and natural springs. Currently there is no clear mechanism under the Pastoral Act to protect these areas from stock grazing impacts. There must be scope for other legislation to apply - e.g. Heritage Agreements under the Native Vegetation Act - but current legal advice is that there are difficulties in the interrelationship between the Pastoral Act and the Native Vegetation Act.”

“Using true DSE calculations and having the figures in the regulations stops real estate agents exploiting and confusing clients of what can be carried on the property which in turn gives a more consistent value of the land across the state when sold.”

Kangaroos (9 comments):

“A pastoralist may not cull Red or Western Grey Kangaroos even when they are present in such numbers that they degrade the land. This means that often a pastoralist’s only option is to reduce stock numbers in times of drought or land stress and is counter to the management expectations of the Pastoral Land Management and Conservation Act. While authorised commercial kangaroo hunters can take kangaroos from properties this approach is limited by the market for kangaroos as well as the size and saleability of the kangaroo being harvested. Lower quality kangaroos will be passed over by commercial harvesters. Because of this kangaroo numbers continue to place substantial pressure on the pastoral estate in South Australia.”

“At present the limitations and restrictions of the various legislations in relation to kangaroo management in particular, have led to an exacerbation of the current drought despite the best efforts of pastoralists to manage their land condition.”

“Droughts show up problems when water on neighbouring properties is not maintained. Kangaroos move to where the water is maintained and now exceed the sheep population and have decimated the feed. A lot of roos are in poor condition and die in the dams and we have to drag them out. In the early days we didn't have to get permits to destroy them and could control the dams better.”

“Grossly over-abundant kangaroo populations have persisted leading up to and during the current severe drought, over most of the SA Pastoral region inside the Dog Fence. Final responsibility for kangaroo management rests with the State Government, through a commercial harvest program. However, principally due to weakness in the kangaroo meat market and lack of commercial incentive for harvesting, this program till now has



totally failed as an effective population control measure. As a result, the ability of most pastoralists to have any adequate level of control over Total Grazing Pressure (TGP), has been effectively removed at a time when it has been needed most. Measures to maintain land condition in the new legislation are therefore potentially rendered ineffective, to the extent that necessary ability to control TGP, continues to be removed by factors such as kangaroos, outside the scope of the legislation.”

“I don't think the pastoral industry can totally control grazing pressure, we are down to 30% stock capacity but are overgrazed due to kangaroos. You can't just shoot them and let them die; and culling male roos only isn't an option.”

“If human inspectors are to continue under the new Act, they must be given advocacy powers to assist a lessee as required, such as in obtaining assistance with kangaroo management.”

“The rangelands’ environmental capital has been preserved with appropriate stocking rates and historically we have suffered drought conditions months after other States. For example : the north eastern rangelands suffered greatly from the migration of kangaroos from NSW and QLD (owing to lack of feed in those States) during the current drought and caused drought conditions south of the Dog Fence much earlier than would have occurred with tighter management. The migration was caused by a lack of feed available for kangaroos in Queensland & NSW pastoral areas. “

“The review is ignoring significant diversification options for most pastoralists. Some leases are barely sustainable now and short term increases in stock numbers will likely exacerbate their precariousness. In some cases carbon, tourism and/or nature conservation offer better long term outcomes. The major omission however is the potential for a revamp of the kangaroo industry to:

- a) Reduce total grazing pressure - enabling pastures to be more productive and sustained longer into droughts, this reducing expenses and stresses associated with early sales or seeking agistment for livestock
- b) Be a viable, low cost, low carbon, free range, ethical meat source and income for pastoralists to supplement livestock production or other land uses. Government policies promoting kangaroos as a resource rather than a pest will legacy major benefits for producers, land condition and the State.”

“The stocking rate allows large numbers of kangaroos to move in during a good season. They not only consume the feed, but drink large amounts of water.”

Biosecurity (4 comments):

“Biosecurity is of utmost importance. Allowing third party access, of any kind, to a pastoral lease poses a risk to a lessees’ income and environment. We strongly believe all persons wishing to access a pastoral lease must first seek permission of the lessee, and the new Act must give lessees a right of veto over access to their lease.”

“Buffel grass is a significant threat in our arid rangelands and is being planted or spread by some pastoralists. This grass is a declared weed in SA and creates monocultures that exclude native grasses and other native plants. Buffel grass also carries very hot fires that then burn shrubs and creates more monocultures of buffel. Research suggests that the nutritional value of buffel reduces over time compared with native grasses that not only



maintain their nutritional value but are also a valuable food and shelter source for other native species including birds and mammals. Our rangelands are a precious resource that should support grazing and biodiversity equally. The impacts and spread of buffel threatens both of these land uses. I urge the Minister to support the removal of buffel grass in SA through the use of biocontrol agents and to ban any new introductions of pasture grasses.”

“In the modern age of farming issues such as biosecurity, weed management and the protection of the pastoral estate as a whole, pastoralists must be properly empowered to do what their leases demand of them and have a capacity to reject propositions pertaining to the land that may threaten their capacity to meet their duties under their leases. With regard to biosecurity in particular as South Australia endeavours to enter international markets by promoting programs like One Biosecurity as well as increased standards of accountability and traceability South Australia is going to become increasingly focussed on food management across the whole supply chain. This is important because our international markets will demand security and traceability as time passes. Pastoralists must be able to demonstrate the highest standards of property protection and maintenance if they are to maintain and improve upon the trust of the international marketplace when it comes to food and biosecurity. Diminishing control by increasing access to other interests in the land threatens to undermine the integrity of that message and threatens South Australia’s access to international food markets.”

“Recognise biodiversity and threatened species. Consider how demonstrated commitment to the Environment Protection and Biodiversity Conservation Act 1999 can be factored into negotiating the term and conditions of a lease extension where the retention of ecosystems and native flora and fauna are considered as a broader reflection of land/systems condition. Weave biosecurity compliance and evidence into capital value for negotiation of favourable/varied lease conditions.”

Water resources (3 comments):

“I do not support the provision of artificial feed or irrigation. The high proportion of permanent waters now in place means landholders do not need to remove stock when dams run dry. This has the negative effect of allowing them to leave stock on permanent waters until irreparable damage is conducted. They can then cut mulga down to feed cattle and provide hay to feed sheep. The soils and vegetation of our rangelands can withstand droughts but they are fragile and susceptible to long term damage from trampling and overgrazing. During drought, grazing pressure must be reduced and by not allowing provision of feed this ensures they are removed before long term damage is conducted. Leaving animals on waters for long periods with artificial food creates wide biosphere effects that result in long term often irreversible vegetation cover loss. Protecting perennial vegetation is key to the long term sustainability of our pastoral lands. The short lived annual plants that appear after rainfall events in degraded areas are often pointed to by pastoralists as evidence that the land has recovered. However, these species do little to sustain the country during long droughts when perennial vegetation is the only vegetation present.”

“Arid and semi-arid lands have a far more complex ecosystem structure and function than can be encapsulated by the traditional idea of ‘land condition’. There are many factors which affect whether a system operates effectively at localised or landscape wide



scales. The primary driver of biodiversity in arid and semi-arid lands is water availability. Differences in water availability are dependent on patterns of surviving vegetation and the ability of the soil to uptake water. Water run offs from unvegetated areas pool in areas with adequate penetrability and soil structure to hold water and allow vegetation growth year- round. Productivity in these conditions is patterned by the redistribution of water and nutrients across the landscape, resulting in a high level of variance in vegetation type and function.”

“No holder of a pastoral lease should pay for water sourced on their own property. The construction of new dams should only be impeded if exceptional circumstances apply. The capacity should be determined by the size of the catchment area and or the depth of clay. Lease holders should be able to extend and establish watering points into previously ungrazed areas provided they are far enough apart to allow grazing pressure to reduce to a minimum.”

Infrastructure (3 comments):

“Fencing and containing livestock to a lease between neighbours remains an ambiguous issue. It would be helpful if a future act governing the pastoral industry made provisions for fencing and stock containment. Suggested provisions are: • Where a boundary fence requires building, repair or replacement, the principle of 50:50 cost share between neighbours applies • Where one neighbour wishes to change livestock, and a higher standard of fence is required the neighbour making the change must pay for the fence upgrade. • If the neighbour making the change to livestock fails to make the fence stock-proof, and the other neighbour experiences livestock incursions, then the Authority (currently Pastoral Board) has the power to deem this an offence and initiate compliance action. • The act contains enforceable compliance actions if stock does not remain on a lessee’s land.”

“Improved remote area communications are intrinsic to every aspect of the rangelands’ future. Improvement should occur upon government implementation of websites, increased telecommunications coverage and improvement of road infrastructure in the rangelands.”

“No clear definition of a stock proof boundary fence construction to contain sheep species. No clear recommendations for cost sharing / apportionment for the erection of boundary fencing to contain exotic sheep species. Any new Act will need to have clearly defined fence construction and cost apportionment.”

Recommendations made in submissions:

-
1. Fixed term 45 year leases or perpetual leases with no rolling 14 year terms.
 2. Allow eligible ERF projects on pastoral land.
 3. Support land use diversification including hydrogen production.
-

Any change to a pastoral lease risk triggering the “future act” provisions of the Native Title Act 1993 (Cth). If triggered, the proponents will have to re-enter Native Title discussions, this could be costly or lead to time delays that must be considered by the Government.

The Act does not currently mention the environment, despite pastoral lease covering



nearly 40% of the State of South Australia and having the potential to substantially impact the environment. The term “good condition” for pastoral rangeland should explicitly include the same environmental expectations and conditioning placed upon mining and mineral exploration companies by the Government. These expectations should be delineated in the Act.

The current provisions of the Act do not allow for the appeal of decisions by the Pastoral Tribunal. AMEC considers that appeal provisions should be broadened to include those other statutory lease holders affected by actions taken on a pastoral lease. Allowing other leaseholders to challenge a decision for an activity that may be deleterious to their rights via a merits-based or a judicial review would accord with the principle of natural justice.

Climate change effects are going to impact severely on pastoral lands in the not too distant future. In terms of decision making, we suggest that there be recognition in the Act, maybe in the objects clause, that future climate issues are equally important in making decisions for the future of the rangelands. See for example clause 7(1)e of the Landscape South Australia Bill.

Incorporate into the act a regular time frame for it to become open to review. If it came up every 20 years for instance, then changes could be made on an ongoing basis rather than having a major re-write every once in a while.

It is recommended that any revision of the Pastoral Act should seek to include an effective mechanism for protection of significant environmental sites, or should at least clarify the legal situation to facilitate application of other protective mechanisms, such as the Native Vegetation Act.

Recommendation 1: Consistent with the Pastoral Board’s statutory power to set aside land from the pastoral purpose for conservation (s.22), publish clear and supportive policy guidance on the use of pastoral lands for conservation under existing legislation, including any requirements in relation to the duration and renewal of conservation agreements.

Recommendation 2: Ensure that the proposed Pastoral Land Bill (a) highlights the importance of conserving and restoring the natural values of the pastoral estate, and (b) clearly empowers leaseholders to manage their land for conservation, including entering into offset and conservation agreements.

Recommendation 3: To support rehabilitation of pastoral lands, income diversification for pastoral leaseholders and land management opportunities for native title holders, it is recommended that the pastoral review actively consider legislative, policy and administrative opportunities for facilitating carbon management on pastoral land, in consultation with pastoralists and the carbon industry.

Recommendation 1: That the legislation governing the biophysical resources of the Rangelands enable the establishment of new economies and land uses, on the condition that they do not cause the condition of the vegetation to decline in extent, or decline below defined standards in condition and ecological function.

Recommendation 2: That a primary objective of the legislation be that vegetation across the Rangelands be managed to improve in condition and extent, and that condition and extent not be allowed to fall below agreed standards by any landholder, within districts and across the Rangelands.



Recommendation 3: That as a result of the Review, the biophysical and cultural values of the Rangelands is legislatively enabled and managed as one system.

Recommendation 4: That as a result of the review, a body be established with the powers and sufficient resources to at least annually monitor vegetation condition on each landholding, to direct landholders to destock, and cause there to be compliance action (with remote sensing information admissible evidence) for relevant breaches.

Recommendation 5: That the Review provide for vegetation condition be the trigger for fast action to require a landholder to immediately reduce grazing pressure until the condition of the vegetation has improved above the required standards.

Recommendation 6: That the legislative result of the Review specifically provide for environmental offsets as an eligible land use, without change of tenure, with no limit to scale, and that the approvals process be significantly simplified. That any such approval requires conditions of improving vegetation condition and ecological function.

Recommendation 7: That the legislative approach taken as a result of the Review retains Crown tenure across the Rangelands.

Recommendation 8: That the Review result in a clarifying and strengthening of the powers of the Authority (currently the pastoral Board) relating to neighbours' responsibilities for costs of building, repairing and maintaining boundary fences, and containing stock, particularly where there is a change of livestock by one neighbour.

Recommendation 9: That PIRSA convenes a stakeholder group to guide the development of shared vision and measures and to also guide the thrust of the legislative approach to the long-term sustainable management of the Rangelands.

Regulations and policies should reflect the key relationships and co-dependencies between the Pastoral Board/Unit/Act and other statutory boards, legislation and departments so policy and administration are complementary and not at odds. (NRM/Landscape Boards, National Parks and Wildlife Act/Service, DEW, PIRSA, DPI, OCA, RDA).

Significant areas of land that are subject to the Pastoral Act that are currently being managed for conservation purposes. This includes 1,285,024 ha that are covered by a Heritage Agreement or require a Heritage Agreement (this requirement is in relation to an approved SEB obligation or conditions of State and/or Federal funding for the purchase of the property) and approximately 1,421,708 ha that are currently managed for conservation on a voluntary basis. This is a total area of 2,706,732 ha currently being managed for conservation. DEW requests that the amended or new Act accommodate these areas as a legitimate land use. DEW requests that the amended or new Act accommodate these areas as a legitimate land use. The Act should seek to ensure the appropriate management of the landscape, and facilitate the most appropriate and compatible land use, including but not exclusively, pastoralism. The new Act should be a Rangeland Management and Conservation Act that accommodates and facilitates a range of land uses that are compatible with the ecological and community needs of that region. Amendment of the Act to allow longer lease terms would provide some confidence in licencing longer term (e.g. 100 year) carbon farming projects. It would enable the lessees to derive greater profit while ensuring any liabilities or responsibilities associated with a carbon farming project can be carried by the same lessee through a single lease term. A further requirement under the Pastoral Act relating to maintaining paddock condition by lessees being required to turn off water points when paddocks are destocked would: Contribute to achieving principle 5 of the Great Artesian Basin (GAB) Strategic



Management Plan (Judicious Use); Contribute to achieving the objectives of the Far North Prescribed Wells Area Water Allocation Plan, particularly 'Ensuring that the taking of water for licences consumptive purposes is undertaken in a manner that ensures the long term viability of the resource: and Assist in minimising the contribution of feral herbivores to the total grazing pressure by shutting down water points when they are not required for stock.

Some consideration could be given to a rent collection system that combines all State Government rates and levies applicable to an individual lease, thereby reducing administrative burden across multiple agencies and giving pastoralists an itemised total cost of lease administration.

That the Pastoral Review supports new legislation written from a progressive and contemporary perspective, wherever possible providing leadership not restriction, recognising land manager skills and knowledge, rewarding initiative in achieving sustainability and providing a pathway to maximize opportunities for self regulation. Whilst the pastoral legislation should recognize and protect the rights of the current dominant use (livestock production), it need not make assumptions about future majority land use, allowing the quest for sustainability, highest value use and community needs to determine this. Reflecting an enabling approach to land use, the new tenure model might best be described in a more contemporary way by the term "Rangeland" and leases as "SA Rangeland Leasehold". New legislation needs to enable and encourage lease holders/managers to be fully engaged in the process of measuring, monitoring and maintaining land condition, and directly responsible for this, provided the process used is science based, under a government approved accredited system, independently audited and reported on at required intervals. For livestock enterprises, maximum stocking rates should be retained, but normally developed within the framework of the accredited (land) management system. That under new legislation, current Pastoral Leases become Rangeland Continuous Leases, which are secure, non-terminating and uncomplicated by unnecessary regulation. That the Pastoral Act amendments require that adequate resources are available to address the impacts of vehicular access to pastoral land, if necessary, with a plan to manage those resources before a right of vehicular access to pastoral lease is declared under the PAR model. A pastoral lessee acting in good faith should receive maximum possible protection from the Act in relation to liability arising from legislated public access rights. Consider any measures within the new legislation that can give lessees more control of Total Grazing Pressure through kangaroo management, also simplifying necessary regulation. Provide a recommendation to the SA State Government that it should seek support for a national initiative to identify and develop totally new product concepts and premium markets for kangaroo meat. The wild dog problem inside the Dog Fence is a critical barrier to maintaining and improving sheep productivity in the Pastoral region and potentially more widely in the State. It is an industry issue, of equal importance to renewing the Dog Fence and best managed under the auspices of PIRSA. The Dog Fence Board should be retained as a separate entity but re-constituted as the SA Wild Dog Control Board, charged with the dual responsibility of replacing and maintaining the Dog Fence and managing an ongoing campaign for "control ... towards eradication" of wild dogs inside the fence. A greatly increased order of funds to manage this campaign should be raised from a more broadly based cost sharing mechanism. (eg ... a mere 20 cents additionally collected on each sheep



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transaction levy for the 5 to 6 million transactions in the State each year would raise over \$1m).

The Dog Fence Board considers that the Dog Fence's value, influence and benefits transcend the Pastoral Rangelands and as such believe that the Dog Fence Board should operate autonomously from the Pastoral Board and its responsibilities.

The new Act require the protection, management and conservation of native vegetation and fauna habitat. In particular there should be a focus on maintaining and enhancing the ecological function and resilience of this fragile landscape.

Mandate measurement and monitoring regimes to identify unsustainable land use practices, supported by sufficient and proportional compliance measures.

Measures that account for climate variability where the traditional stock maxim approach is unlikely to be sufficient.

Retaining areas with low or no stock grazing is essential to maintain ecological function, species diversity and long-term resilience.

Allowing for diversified land use, whether it be grazing, tourism carbon farming, conservation, aboriginal cultural activities or combinations thereof, provides for a more appropriate, productive and viable land use.

NVC supports areas of Significant Environmental Benefit (SEB) and Heritage Agreements (voluntary conservation covenants under the Native Vegetation Act), the NVC requests that the amended or new Act accommodate SEB areas as a legitimate land use

Land formally protected for conservation, as well as areas voluntarily managed by pastoralists and areas that have historically been absent of grazing due to paddock and water point arrangement must be retained as such.

The Pastoral Land Management and Conservation Act 1989 (the Act) is generally sufficiently flexible and with a few modifications could be improved to cater for future generations who choose to invest and conduct economic and environmentally sustainable businesses in the rangelands. Consideration to increasing the rangelands' population needs to be addressed - how can people be attracted to live in the Outback?

The Pastoral Land Management and Conservation Act must reflect the primacy of the pastoralist on a pastoral lease wherever possible and should be amended accordingly. Recommend an amendment to enable pastoralists to take such steps as reasonably necessary to manage kangaroo numbers in accordance with the expectations of the Pastoral Land Management and Conservation Act notwithstanding the operation of any other act. Specifically, it is recommended that the pastoral lease holder or their agent can take such steps as necessary to manage kangaroo numbers without the requirement to obtain permits. That there be an obligation upon any person or entity including a statutory authority or government instrumentality (including a department) that where there is an intention to use the land for a purpose other than pastoralism by the pastoralist named in the lease that the pastoralist should be consulted, and that the pastoralist named in the lease has the right to reject such a proposal. Where a third-party use of the land is permitted that the act be amended which would inoculate the pastoralist from any action arising out of the law of tort arising out of the approved activity. If an approved third-party tourism operator is operating on a pastoral property there should be no liability carried by the pastoralist for an injury or loss which arises out of such an operation on the property unless the pastoralist themselves is the operator. There needs to be definitional amendment to enable access to the land by the class of



people described in the ILUA in question or by actual ties to the area by way of tradition. The current definition of Aboriginal person is too broad and should be tightened up to include the class of people who have a right of access based in cultural ties and ties through an ILUA rather than the broader notion of Aboriginality alone. We recommend against the consolidation of the two boards into a single board. Each board has a specific duty and function and those functions should not be compromised for the sake of mere administrative convenience.

The Pastoral lands in South Australia have been kept in very good condition over a very long period of time mainly due to the conservative nature of the Pastoral Act which has instilled a conservative nature in those managing the land. This needs to remain as a key factor and underlying principle whatever changes are to be made in the future. Whilst the term is correct to describe the pastoral lease country, it should not be adopted to replace pastoral land as there is a large area of rangeland country that is either Freehold or Perpetual lease that will never be under the derestriction of the Pastoral Act.

The principle of 'greatest possible flexibility' of land use is strongly supported. The review process should consider including rights for other industries to access pastoral land with the important caveat that relevant laws governing those industries be adhered to.

The review process should also be informed by a 'broad statement of values' [the concept 'beneficial use for the state'] that advances the objective of viable regional economies through best land value, rather than just a narrow focus on agricultural use of pastoral lands.

Better defined and faster dispute resolution processes, especially for land access (e.g. ERD court); and streamlined permitting system for approval of non-pastoral activity. Legislative alignment: Mining Act 1971; Native Vegetation Act 1991; Natural Resources Management Act 2004; Development Act 1993; Crown Lands Act 1929; Environment Protection and Biodiversity Conservation Act 1999 (cwth); Pastoral Land Management and Conservation Act 1989.

To avoid any uncertainty, including in relation to heritage agreements, the legislation should be amended to; clearly and unequivocally allow conservation and carbon management; expressly provide for heritage agreements and management agreements on pastoral leasehold land.

With the increase in droughts predicted under climate change it is essential that we update the Pastoral Act to specifically address protection of native vegetation and include clear guidelines for minimum waterpoint spacing, percentage of areas remote from water, no provision of supplementary feed, no introduction of pasture grasses and protection of dingoes. Only by doing this will we ensure the long term sustainability of pastoralism in our rangelands whilst ensuring our native plants and animals are also protected. Unless this occurs then the future will be dichotomous, with conservation organisations buying up pastoral land to adequately protect threatened species, and large foreign-owned pastoral conglomerates creating high density herds with eroded soils and degraded vegetation. My preference is to see pastoral leases that can be managed concurrently for grazing and conservation as sustainable grazing practices should not be incompatible with conservation.

