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Dear Heather

### **Guideline for Expansion or Intensification of Grazing under Regulation 5(1) (zh) for land held under Pastoral Lease**

Thank you for the opportunity to comment on the proposed Guideline.

It is disappointing that the date on the Guideline is April 2014, and yet it has only been provided to Livestock SA on 20 January 2015 with a closing date for comment of 17 February 2015. This timing must also be questioned given that all the regulations under the *Native Vegetation Act 1991* are currently under review.

As Livestock SA represents South Australian sheep, beef cattle and goat producers, it represents pastoralists. Livestock SA is also one of the six members of Primary Producers SA (PPSA) and has been involved with the various discussions with the Native Vegetation Board and the Native Vegetation Management Unit. At no time were these Guidelines mentioned at any of these consultations, so we are pleased that the Pastoral Board requested that Livestock SA be specifically asked for comment.

#### Pastoral Board role

You will be aware that the State Government is proposing to abolish the Pastoral Board. At this point of time there is uncertainty whether this will happen as it needs changes to legislation and the Liberal Party have indicated they want the Board retained.

Livestock SA has met with the Sustainability, Environment and Conservation Minister to discuss forming a representative group (including members of Livestock SA) that could carry on some of the Pastoral Board's tasks if it is abolished.

Currently it is understood that the Pastoral Board has delegated powers and functions in relation to native vegetation.

**“STATUTORY AUTHORITY**

The Native Vegetation Council has delegated certain powers and functions of the Council to the Pastoral Board in relation to clearance of native vegetation by grazing of domestic stock.

Specifically:

- Section 25 of the *Native Vegetation Act 1991* in relation to the development of guidelines for the management of native vegetation with respect to clearance of native vegetation by grazing on lands held under a pastoral lease, and
- Division 1 of Part 5 of the *Native Vegetation Act 1991* in relation to application to clear native vegetation by grazing on land held under a pastoral lease.

The Pastoral Board applies the delegated powers in relation to the extension of stock water supplies into areas of pastoral country not previously provided with a permanent water supply and any proposals to change the species of grazing animal. In carrying out this responsibility the Board actively consults with the Native Vegetation Council and the SA Arid Lands NRM Board.”

*Pastoral Board Annual Report 2012-2013, page 7.*

Regardless of whether the Pastoral Board remains or is replaced, this statutory authority needs to remain with the Board (or its replacement).

Andrew Clarke is an elected Board member of Livestock SA, and he has provided the following comments:

“We had a third of Allandale that we had culled feral horses and donkeys from in the mid 90’s and we gave the country a good spell afterwards to respond. Some areas were vacant of substantial stock numbers for in excess of 10 years by the time we got it developed hence we had to go through the process outlined in the Guideline. However the Pastoral Land Management Unit did the approval not the Native Vegetation Council.

We were told, in fact people were all but promised (in a meeting at Maree) that the best way to deal with the 10 year rule under the Native Vegetation Act and the conflicting graziers right to graze under the Pastoral Land Management and Conservation Act,

- was to submit plans through the Pastoral Board
- and they would monitor and approve on behalf of the pastoral lessee, and
- this would appease the Native Vegetation Council.

At no time was I told that I would have to seek approval from the Native Vegetation Council. Our application was a trial and we had no troubles through the Pastoral Land Management Unit obtaining approval.”

The Guideline itself indicates that “The Pastoral Board has a central role in defining industry standards for good land management practice on pastoral leases, and where appropriate, in facilitating the sustainable development of pastoral leasehold lands.” Given this, why does this Guideline propose that pastoralists will now have to be answerable to the Native Vegetation Council?

#### Assessment of “Grazing”

Livestock SA would argue that most of the pastoral leases in South Australia are “grazed” and that some opening and closing of various areas of a property is good management to periodically spell country.

And ten years is too short a timeframe for saying the land is “ungrazed.” With climate change and more prolonged droughts, pastoralists should not have to consider grazing an area within a ten-year period just to ensure they will not be restricted but have flexibility in how they use that country without going through a “red tape” process.

We would also refer you to the submission from S Kidman & Co on the “Guidelines for Waterpoint Distribution on land held under South Australian Pastoral Lease.” This definitive submission was prepared by Greg Campbell and contains considerable detail.

#### Summary

There has been a strong response by pastoralists to the Guideline which has been proposed in response to a problem that has not been shown to exist. Why now when there are already procedures in place that are working? It has not taken into consideration the impact on pastoralists, and it does not recognise pastoralists’ rights given to them through the Pastoral Land Management and Conservation Act and their lease contracts.

It is incredible that after suffering from two long-standing drought periods over the last ten years, and through all of this, under the joint stewardship with the Pastoral Land Management Unit, pastoralists have managed to improve the management of the pastoral areas. Pastoralists need to be given credit for their generally successful stewardship of this part of the State, and if they are to continue to do so, this needs to be further encouraged instead of placing further restrictions, such as through this Guideline, on how they operate and run their properties.

Yours sincerely

A handwritten signature in black ink, appearing to be 'G Power', with a long horizontal flourish extending to the right.

Geoff Power  
**President Livestock SA**