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Pastoral Land Act 1992 Compliance Framework submission

The Arid Lands Environment Centre (ALEC) is Central Australia's peak environmental organisation. ALEC advocates for the sustainable management of the pastoral estate in the Northern Territory through written submissions, regulatory reform and community engagement. Pastoral land is a key public asset that is vital in protecting biodiversity, the conservation estate and cultural values.

ALEC welcomes the opportunity to comment on the Pastoral Land Act 1992 Compliance Framework (Framework). While ALEC welcomes the minor improvements that are made in the development of the Framework, ALEC holds serious concerns around the interpretation of the *Pastoral Land Act* 1992 (Act) in the development of the Framework, in addition to issues around implementation.

First, ALEC will provide key background information around the pastoral estate as a public asset and the state of the environment of our region. Then we comment on positive progress that has been made in the development of the Compliance Framework (Section 2). Following, we provide comments on areas where we think the Compliance Framework could be improved (Section 3). Then we comment on barriers regarding implementation of the framework (Section 4).

1. Background

1.1 The pastoral estate as a public asset

The pastoral estate accounts for 45% of the Northern Territory and lies on crown land, often in accordance with non-exclusive native title holders. As a public asset, the Act enshrines that the public have standing and that the PLB are “to provide reasonable access for the public across pastoral land to waters and places of public interest”.¹ As a result of the public's interest and rights in the pastoral estate, issues around compliance ought to be transparent, accountable and comprehensive.

ALEC also notes that the interests of Aboriginal people and native title holders are explicit in the objects of the Act in s 4(c) and s 4(e).² Matters of compliance impact these rights and accordingly their interests should be recognised.

¹ *Pastoral Land Act* 1992. p.5

² Ibid. p.5.

1.2 State of the environment

The health of the arid land environments continues to be in decline. It is understood that land-use changes, livestock and feral animals are contributing to arid ecosystems to be undergoing environmental collapse (as are tropical savanna ecosystems).³ Collapse is understood as an ecosystem which has undergone as “a change from a baseline state beyond the point where an ecosystem has lost key defining features and functions and is characterised by declining spatial extent, increased environmental degradation, decreases in, or loss of, key species, disruption of biotic processes, and ultimately loss of ecosystem services and functions”.⁴

The collapse of the arid land environment should cause significant concern for the PLB. The Act is clear in s 4(b) that the PLB has a duty to minimise degradation of the land, rehabilitate land in cases of degradation and to monitor so as to detect changes.⁵ The Act defines degradation as:

“in relation to land, means a decline in the condition of the natural resources of the land, including the capacity of the land to sustain pastoral productivity, resulting directly or indirectly from human activities on or affecting the land”.⁶

The collapse of the arid land ecosystem is clearly a decline in the natural resources of the land.

A key area of disagreement between ALEC and the PLB is around the role of buffel grass (*Cenchrus ciliaris*) in the arid and semi-arid zone. Buffel grass has been identified as one of the key threatening processes in the arid and semi-arid zone.⁷⁸⁹ New research has emphasised that buffel grass presents the greatest threat to arid-zone ecology, posing a greater risk than feral cats, foxes, rabbits, domestic and feral megafauna, other weeds and fire.¹⁰ Fortunately, it has also been shown that native grasses can quickly recover once buffel grass is removed.¹¹

The continued proliferation of buffel grass by pastoralists goes against the objects of the Act to uphold the natural resources of the pastoral estate. The pastoral estate is public land, and the continued destruction and degradation of the environment is unacceptable. The PLB has a key role to play in protecting and conserving our diverse ecosystems, while at the same

³ Bergstrom, D.M., Wienecke, B.C., van den Hoff, J., Hughes, L., Lindenmayer, D.B., Ainsworth, T.D., Baker, C.M., Bland, L., Bowman, D.M., Brooks, S.T. and Canadell, J.G., 2021. Combating ecosystem collapse from the tropics to the Antarctic. *Global change biology*, 27(9), pp.1692-1703.

⁴ Ibid. p.1693.

⁵ *Pastoral Land Act* 1992. P.5.

⁶ Ibid. p.2.

⁷ Ibid

⁸ Department of Environment, 2015. THREAT ABATEMENT ADVICE FOR ECOSYSTEM DEGRADATION, HABITAT LOSS AND SPECIES DECLINE IN ARID AND SEMI-ARID AUSTRALIA DUE TO THE INVASION OF BUFFEL GRASS (*Cenchrus ciliaris* AND *C. pennisetiformis*).

⁹ Godfree, R., Firn, J., Johnson, S., Knerr, N., Stol, J. and Doerr, V., 2017. Why non-native grasses pose a critical emerging threat to biodiversity conservation, habitat connectivity and agricultural production in multifunctional rural landscapes. *Landscape Ecology*, 32(6), pp.1219-1242.

¹⁰ Read, J.L., Firn, J., Grice, A.C., Murphy, R., Ryan-Colton, E. and Schlesinger, C.A., 2020. Ranking buffel: Comparative risk and mitigation costs of key environmental and socio-cultural threats in central Australia. *Ecology and Evolution*, 10(23), pp.12745-12763.

¹¹

time supporting pastoralism across the Northern Territory. ALEC seeks to work collaboratively with the PLB around buffel grass.

Similarly ALEC holds concerns around wild dog management in the Northern Territory. It has been found that 90-99% of wild dogs in the Northern Territory are purebred dingoes.¹²¹³ Thus it should be assumed that all wild dogs are in fact dingoes. In addition, there is new research by the CSIRO in conjunction with the Department of Environment, Parks and Water Security that *lethal control reduces the relative abundance of dingoes but not cattle production impacts*.¹⁴ Despite the management approach to wild dogs/ dingoes resulting in widespread baiting and culling across the pastoral estate, there is no perceived benefit for pastoralists. The use of 1080 remains highly deregulated in the Northern Territory.

The culling of dingoes across the pastoral estate also has severe environmental implications. The dingo is a key apex predator across the arid and semi-arid zone and its presence has direct and indirect impacts on foxes, cats, rabbits, kangaroos and goats, as well as a cascading impact on plants.¹⁵¹⁶¹⁷ This has substantial impacts upon land condition. The presence of dingoes has some pastoralists proclaiming that dingoes are key to pastoralism in the arid zone being viable due to their role in regulating feral animals and improving land condition - they are key to sustainable pastoralism.¹⁸ S 4(a) of the Act emphasises that the PLB has duty “to provide a form of tenure of Crown land that facilitates the sustainable use of land for pastoral purposes and the economic viability of the pastoral industry”.¹⁹ The sustained culling of dingoes may be going against the objects of the Act.

When considering compliance, ALEC considers it vital that the underlying management approaches that shape land condition in the Northern Territory are illuminated. This makes conversations around buffel grass and dingo management key.

2. Progress

The development of the Compliance Framework is a positive stepforward in acknowledging formally and publicly what the roles and responsibilities of the PLB are around compliance. It is useful that key priorities around the Framework process have been outlined. ALEC would

¹² Cairns, Kylie & Crowther, Mathew & Nesbitt, Bradley & Letnic, Mike. (2021). THE MYTH OF WILD DOGS IN AUSTRALIA: ARE THERE ANY OUT THERE?. AUSTRALIAN MAMMALOGY. 10.1071/AM20055. <https://www.publish.csiro.au/AM/AM20055>

¹³ Northern Territory Government. Wild dogs. 23rd September 2021, available [here](#).

¹⁴ Edwards, G.P., Eldridge, S.R., Shakeshaft, B.J. and Nano, T., 2021. Lethal control reduces the relative abundance of dingoes but not cattle production impacts. *Wildlife Research*.

¹⁵ T. Schroeder, M. M. Lewis, A. D. Kilpatrick, and K. E. Moseby (2015) DINGO INTERACTIONS WITH EXOTIC MESOPREDATORS: SPATIOTEMPORAL DYNAMICS IN AN AUSTRALIAN ARID-ZONE STUDY, *Wildlife Research* 42(6), 529-539, (9 November 2015). <https://doi.org/10.1071/WR15104>

¹⁶ Newsome, T. Greenville, A. Ćirović, D. et al. (2017) TOP PREDATORS CONSTRAIN MESOPREDATOR DISTRIBUTIONS. *Nature Communications* 8, 15469. <https://doi.org/10.1038/ncomms15469>

¹⁷ Fisher, Adrian. Mills, Charlotte. Lyons, Mitchell. Cornwell, William. Letnic, Mike (2021) REMOTE SENSING OF TROPHIC CASCADES: MULTI-TEMPORAL LANDSAT IMAGERY REVEALS VEGETATION CHANGE DRIVEN BY THE REMOVAL OF AN APEX PREDATOR. *Landscape Ecol* 36, 1341–1358. <https://doi.org/10.1007/s10980-021-01206-w>

¹⁸ Pollock, D., 2021. Managing the unmanageable: reinstating the dingo for pastoral sustainability in Australian rangelands. *Proceedings of the Royal Society of Victoria*, 133(1), pp.27-31.

¹⁹ *Pastoral Land Act* 1992. p.5.

like to acknowledge all the work that has been done to generate the Compliance Charter (Charter), Compliance Strategy (Strategy), Compliance Policy (Policy) and the Compliance Plan (Plan).

ALEC welcomes the development of a compliance sub-committee, as it is clear that compliance warrants its own space for scrutiny within the PLB. It is important that the processes in which the PLB will enforce compliance are publicly available. ALEC acknowledges that there are improvements around accountability, but notes that it is far from best-practice (see section 3.1)

ALEC notes that the introduction of an annual stock rate register is a positive contribution. This will (hopefully) inform the development of a much needed stocking rate policy in the future.

ALEC welcomes the statutory and non-statutory commitments, particularly around recovery plans and their requirement for the lessee to commit to achieving a target/ outcome within a specified timeframe and to a specified standard. ALEC considers the Plan to be accessible and clear in its intentions.

ALEC supports celebrating and shining a spotlight on lessees that have an excellent record of compliance. This approach will be more effective if the pastoral estate is more transparent and accessible in its reporting, so that the most compliant can be celebrated in their context. If there is limited reporting on land condition and non-compliance, celebrating quality practice is less likely to receive the praise it deserves.

3. Improving the compliance framework

3.1 Strengthen transparency and accountability

Section 9 of the Policy outlines the Frameworks approach to 'Accountability', which commits the board to a "high-level of public transparency and accountability".²⁰ What is outlined is far from best-practice. While ALEC acknowledges improvements, the improvements remain only modest. The PLB has a history of secrecy, so it is a mis-step to characterise these minor improvements as a high-level approach to accountability and transparency.

The outlined commitments are the bare minimum of what is required under our common law duties around good administrative law e.g natural justice, right of appeal, registers, reporting, and public exhibition. The functioning of the PLB largely remains shrouded in secrecy.

The details provided in the 'Meetings of the Board' section of the annual report are entirely inadequate. The public still has no idea how the board conducts itself, how decisions are made, by whom and no detail is provided around what business is discussed. Providing minutes from PLB meetings will be a positive step forward in improving the PLB's social licence to regulate.

²⁰ Compliance Policy. p.10.

In addition, the Charter states that “the Board commits to undertaking an internal evaluation of its performance in relation to meeting its land resource compliance responsibilities under the Act on an annual basis” and then proceeds to say that “the evaluation results and subsequent outcomes will be reported on / published at the Board’s discretion”.²¹ It is unacceptable for the PLB to protect their own interests, rather than promote transparent processes and be accountable for decision making. It is essential that the evaluation report is made publicly available and is not left to the Board’s discretion at whether it is published. Similarly, it is vital that the evaluation is completed by an independent authority. The pastoral estate is a public asset and the public deserves robust scrutiny to ensure this asset is managed as prescribed under the Act. The PLB should be accountable to their decisions and welcome independent evaluations. There is no reason why this information should not be made public.

Similarly, if the PLB has a genuine interest in accountability, then the compliance register should be public. Other sectors which fail to comply with their legal responsibilities are not protected by the Department or Board responsible for regulating that industry. It would be entirely inappropriate for the Department of Environment, Parks and Water Security to not publish details about mining or horticultural developments that had breached their legal conditions. The public has a right to be informed around the state of the pastoral estate, and whether lessees are operating in a compliant manner. The pastoral estate is public land, and protecting the interests of non-compliant lessees for degrading a public asset does not provide confidence that the PLB will uphold the objects of the Act.

Furthermore, these factors fuel the perception that the PLB is more interested in protecting the interests of the lessee than ensuring land condition is maintained/ improved. The PLB should be supporting pastoralists (where appropriate) to improve around matters of compliance, not simply deferring to the lessee to improve land condition. Without greater participation from the PLB around compliance, this kind of approach primarily promoting voluntary compliance and self-reporting is “akin to a landlord asking their tenant to do the house inspection and give them a report”.²² While the PLB is right in recognising that the lessee is a key stakeholder around compliance, greater support, research and baseline monitoring is necessary to shape and foster that culture around compliance.

ALEC notes that there is no reporting on potential conflicts of interest around the functioning of the PLB. The declaration of conflict of interests is a standard governance procedure and should be embedded into the PLB’s functioning and annual reporting. This is an important and standard process to improve transparency and accountability.

Recommendation 1: Publicly publish the minutes of the PLB.

Recommendation 2: The evaluation report of the PLB must be publicly available and independently conducted.

Recommendation 3: The compliance register should be publicly available.

Recommendation 4: Make information public around compliance such as the number of compliance directives issued, the type of compliance orders issued, the severity of the issue,

²¹ Compliance Charter. p.12

²² Western Australian Auditor General Report: Management of Pastoral Lands in Western Australia. P.16.

the timeline the issue is being resolved, whether the compliance directive has been enforced and regional and spatial commentary around compliance.

Recommendation 5: PLB members declare (potential) conflicts of interests in reporting.

3.2 Adopt a bioregional approach and consider cumulative impacts

ALEC is highly concerned that nowhere across the Framework are cumulative impacts referenced.

By adopting a bioregional approach, the PLB can establish its priorities across each bioregion to ensure land condition is maintained/ improved and compliance is upheld. The pastoral estate represents a mosaic of pastoral properties that intersect across different regions and ecologies. Together they account for nearly half of the Territory's land mass. It is critical that the pastoral estate is considered more holistically, rather than adopting only a fragmented, lessee scale approach. A bioregional approach is appropriate for monitoring compliance at a regional scale, as well as for monitoring specific areas of compliance such as land clearing.²³ This approach would assist the PLB to limit land degradation and preserve the natural resources of the land as required under the Act.

A bioregional approach strengthens baseline understanding of the capacity of the land. This has direct implications for pastoralism, where a bioregional approach fosters the parameters that are required to operate sustainably and then support economies to function within these limits. A bioregional approach will assist lessees to operate sustainably, while similarly it will enable the PLB to better characterise the state of land condition across the Northern Territory's pastoral estate.

Recommendation 6: Develop a framework for bioregional assessments and compliance

Recommendation 7: Embed cumulative impact considerations into the Framework.

3.3 The need to do more than simply 'support a culture of compliance'

The PLB ought to take a more proactive approach around compliance than simply supporting a culture of compliance. It is evident that non-compliance is a widespread issue, particularly around Central Australia where stations have a high rate of "poor" land condition.²⁴²⁵ The statement: "the Board's intent is to facilitate a culture of compliance and encourage best practice, voluntary compliance, self-reporting and lessees seeking appropriate advice"²⁶ is weak and provides little confidence that the condition of the pastoral state will improve. It places almost all of the responsibility upon the lessee, which is presumably how the PLB has been functioning already. This framework fails to acknowledge that there are issues with compliance and then demonstrate how this framework will genuinely achieve its goals and outcomes.

There appears to be very limited risks for non-compliant pastoralists to change their behaviour as a result of this compliance framework. Additionally, there does not appear to be

²³ Environmental Defenders Office: A Biodiversity Conservation and Land Management Act for the Northern Territory.

²⁴ Pastoral Land Board Northern Territory: Annual Report 2018-19.

²⁵ Pastoral Land Board Northern Territory: Annual Report 2017-18.

²⁶ Compliance Plan. P.29.

any further resourcing to monitor and enforce compliance (see recommendation in section 4.3).

Recommendation 8: Ask pastoralists how they can be supported around compliance

3.4 Re-consider the framing

There is a significant disconnect between the Act, compared to the Charter, Strategy, Policy and the Plan.

While the Framework has been developed to address the management of the physical land and “assist the Board with carrying out its responsibilities under the Act”.²⁷ ALEC is of the view that the Framework does not meet the objects of the Act.

S 4(a) and s 4(b) emphasise that the Acts implementation is intended to foster the “sustainable use of the land for pastoral purposes”, as well as provide for the requirement to monitor land condition, prevent and minimise degradation and rehabilitate the land in cases of degradation or other damage.²⁸ The Minister and the Pastoral Land Board (PLB) have a duty to “act consistently with, and seek to further, the objects of this Act”.²⁹ The lessee also has a duty to “carry out pastoral enterprise under the lease so as to prevent degradation of the land”, and to “to participate to a reasonable extent in the monitoring of the environmental and sustained productive health of the land”.³⁰

There is a significant imbalance in the Framework around the consideration of the lessee, rather than focusing on outcomes to do with the management of the ‘physical land’.

This is captured clearly in the Policy where its objectives which considers the need for enforcement pathways to be appropriate and proportionate, to support the viability of the pastoral industry in a manner equitable for all stakeholders”.³¹ When looking at the maximum penalty units in the Plan, it is clear that the stick is rather small where the maximum penalty for unlawful land clearing is \$13,430 (85 PU). In Queensland, a pastoralist was fined \$450,000 for illegally clearing native vegetation.³² ALEC has concerns that due to the variability in the economic viability of pastoralism in the NT, ‘appropriate’ and ‘proportionate’ measures may be used to support pastoralists to stay afloat regardless of whether they are compliant or not.

Furthermore, the values of the Compliance Policy which are compliance, ethical practice, accountability and innovation, raises red flags. ALEC holds concerns for what the PLB consider to be meant by ‘accountability’ and ‘engagement’ (see section 3.1 and 3.5). ALEC fears that these values aren’t aligned with improving land condition, the sustainable use of land and demonstrating transparency to improve the social licence surrounding pastoralism.

²⁷ Ross, Julie, Pastoral Land Board email, 2021.

²⁸ *Pastoral Land Act* 1992. p.5

²⁹ *Ibid.* p.5

³⁰ *Ibid.* p.6.

³¹ Compliance Policy: Pastoral Land Act 1992. p.4

³² Robertson, Josh. *Queensland grazier fined \$450k for illegal land clearing*. ABC. 21st September, available [here](#).

The Strategy and its vision is entirely focused on pastoralists and not the pastoral estate. It states: “the Northern Territory pastoral estate boasts a resilient land resource managed by a robust pastoral industry and championed by a proactive Pastoral Land Board”.³³ It sidelines the need for the pastoral estate to operate sustainably and protect land condition. It is a vision which is completely removed from the current reality, that the pastoral estate in the Northern Territory is impacted by degraded land as a result of non-compliance.

3.5 Engagement

Despite engagement being one of the key values of the Strategy, its scope is very narrow. ALEC notes that the Framework barely recognised native title holders or the public as having a role around compliance. That is beyond dobbing on a pastoralist for a potential non-compliant activity.³⁴ The framework should better recognise the role of Aboriginal people in participating around compliance, particularly where there is overlapping connection to the land.

4. Issues regarding the implementation of the Compliance Framework

Compliance frameworks are only as good as the reporting, assumptions around land condition and baseline research, monitoring and the resourcing that is in place. This section considers each of these factors in turn.

4.1 Reporting on land condition

A key priority of the Act is to maintain land condition and rehabilitate it when it is degraded. Unsurprisingly then, it is captured as one of the key priorities of the Plan. The Plan prioritises “Compliance with lease conditions” as one of five key areas, to address “matters relating to land degradation within the pastoral estate in a consistent and transparent manner”.³⁵

However, reporting on land condition by the PLB is fragmented, vague, isolated and almost entirely descriptive. The annual report appears to be the only public report that is produced by the PLB. As a mechanism to communicate the PLB’s duties to uphold the objects of the Act, it does not do this successfully. It does not provide clear reporting on the health of the pastoral estate in the Northern Territory. The approach presents data in isolation, with limited to no analysis of land condition and its longer term trends and risks.

The annual report is very brief and follows a repetitive format capturing each Pastoral Land District (PLD). Across each district it acknowledges issues to do with seasonal quality, fire, ground cover, fire and site-base monitoring. Season quality is entirely descriptive, provides commentary on rainfall in the region as well as pasture growth. The fire section provides a few sentences on whether there was much fire activity in the region. The ground-cover section contains crucial information around the state of ground cover in each district. However, it is communicated in confusing manner, primarily captured by the percentage of bare ground cover in the worst one-quarter of a district, e.g. 70% bare ground cover in Southern Alice Springs District or 57% bare ground cover in the Tennant Creek District in the

³³ Compliance Strategy, p.1

³⁴ Compliance Plan. p.16

³⁵ Compliance Plan. p.5

2018-19.³⁶ While this is an interesting fact, there is no analysis to outline what this means locally and regionally. The site based monitoring provides really useful commentary at the station level and provides detail on weed issues, stocking and responses from the lessees in response to the climatic conditions.

However, research in the annual reports at each station is considered in silo and an overall perspective of land condition at the PLD level or regional scale is not considered. Without consideration of these temporal and spatial changes, it is difficult to monitor the health of the land. In addition, without a good understanding of what is driving these trends, it remains unclear whether the pastoral estate can be effectively managed. A failure to embed these processes into the compliance frameworks, means that it is entirely up to the lessee to manage their land as they see fit, contributing to substantial variability in data (which is likely never captured to generate a regional perspective).

Further issues emerge around a lack of detail and research around erosion, soil stability, feral animals (see section 4.2 on Monitoring Feral Animals) and stocking rates. Erosion is mentioned primarily as presence/ absence, soil stability and type is not considered, feral animals there is no monitoring system in place and stocking rate policies are yet to be developed.

While the goal, aim and objectives of the 'About Rangelands Monitoring' section on the Department website is great, it does not translate to what is publicly available or reported on by the PLB.³⁷ It remains unclear what the PLB is proactively doing to improve land condition and foster better compliance.

Recommendation 9: Reporting around compliance should capture the number of compliance matters occurring, the type, severity and result of non-compliant activities.

Recommendation 10: Due to the significant knowledge gaps around compliance and land condition, conduct a high-level audit of land condition across the pastoral estate.

Recommendation 11: Develop an analytic annual report around the health of the pastoral estate e.g. an annual rangeland condition report. This should be linked to compliance reporting.

Recommendation 12: Ensure that reporting occurs on soil stability, soil type, feral animals and erosion that is measurable and replicable.

Recommendation 13: Address existing and emerging threats to land condition through the development and implementation of relevant and targeted policies.

Recommendation 14: Develop a stocking rate policy

Recommendation 15: Compliance reporting is detailed (number of compliance issues, locations, type and severity of the non-compliance) and fits into regional land condition assessments.

4.2 Monitoring feral animals/ unmanaged animals

Feral animals play a key role in increasing grazing pressure and subsequently, degrading land condition. It has been stated that "throughout the history of pastoralism in the southern

³⁶ Pastoral Land Board Northern Territory: Annual Report 2018-19.

³⁷ About Rangelands Monitoring, Department of Environment, parks and Water Security. 22nd September 2021, available [here](#).

rangelands [of Western Australia], the combined grazing pressure of these unmanaged animals has nearly always been greater than that of domestic stock”.³⁸ Unmanaged animals (e.g. kangaroos, goats, rabbits) are a key threat to the pastoral estate. However, the reporting on feral species in the PLB’s annual reports is more or less non-existent. There is generally 2-4 pages of very general information around water buffalo, rabbits, feral pigs, feral cats, red foxes, camels and horses. It appears that the PLB considers itself to have no active role around feral animal management despite it having a duty to uphold the objects of the Act. The Western Australian PLB may have been in a similar position. As a result, the Western Australia Auditor General in 2017 conducted a review of the WA Pastoral Land Board, it stated:

“The current monitoring system does not include a range of factors that impact on land condition throughout the year despite a requirement in the LA Act for the PLB to monitor these factors. For example, the abundance and impact of foxes, wild dogs and dingos, particularly in the Southern Rangelands, is not measured. Total grazing pressure from livestock and native and introduced herbivores such as kangaroos, feral goats and donkeys is also not considered by the PLB. Assessing these factors is important to understand how land condition changes and what can be done to improve it. Comprehensive monitoring is possible but is resource-intensive.”³⁹

It is the duty of the PLB in the NT to “provide for the monitoring of the pastoral land so as to detect and assess any change in its condition”, in addition to preventing and minimising land degradation.

As a result, it appears that the PLB has no process for monitoring feral animals. This is despite the fact that lessees are not required to manage feral animals if the PLB does not make a feral animal declaration in their district. The only feral animal declaration made by the board was regarding donkeys and horses in the Victoria River District in 1999. Without any declarations, feral animals do not have to be managed, without any monitoring, it is unlikely that the PLB will make a declaration. It is essential that the PLB develop a framework, plan and program for monitoring feral animals across the pastoral estate.

Recommendation 16: Develop a monitoring program and plan for feral animals/ unmanaged animals (including quantifying total grazing pressure), so that the PLB can uphold their compliance responsibilities around feral animal management and monitoring land condition.

4.3 Resourcing

ALEC recognises that monitoring and enforcement of compliance is entirely dependent on resourcing. It is essential that the capacity of the Department is increased if matters around compliance are to change.

Recommendation 17: The Government increases the resourcing of the Pastoral Lease Administration Branch and relevant agencies that conduct monitoring and enforcement.

³⁸ Pollock, D., 2021, p.27. Managing the unmanageable: reinstating the dingo for pastoral sustainability in Australian rangelands. *Proceedings of the Royal Society of Victoria*, 133(1), pp.27-31.

³⁹ Western Australian Auditor General’s Report: Management of Pastoral Lands in Western Australia. p.16-17

5. Conclusion

ALEC thanks the PLB and the Department for advancing the Framework. Our submission has noted areas that are required to improve the rigour of the Framework, as well as other areas critical to compliance which remain weak. ALEC welcomes the opportunity to actively engage and collaborate with the PLB and the Department around the state of the pastoral estate.

Kind Regards,

Alexander Vaughan - Policy Officer

A handwritten signature in black ink, appearing to read 'A. Vaughan'.

6. Recommendations

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Recommendation 2: The evaluation report of the PLB must be publicly available and independently conducted.

Recommendation 3: The compliance register should be publicly available.

Recommendation 4: Make information public around compliance such as the number of compliance directives issued, the type of compliance orders issued, the severity of the issue, the timeline the issue is being resolved, whether the compliance directive has been enforced and regional and spatial commentary around compliance.

Recommendation 5: PLB members declare (potential) conflicts of interests in reporting.

Recommendation 6: Develop a framework for bioregional assessments and compliance

Recommendation 7: Embed cumulative impact considerations into the Framework.

Recommendation 8: Ask pastoralists how they can be supported around compliance

Recommendation 9: Reporting around compliance should capture the number of compliance matters occurring, the type, severity and result of non-compliant activities.

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