

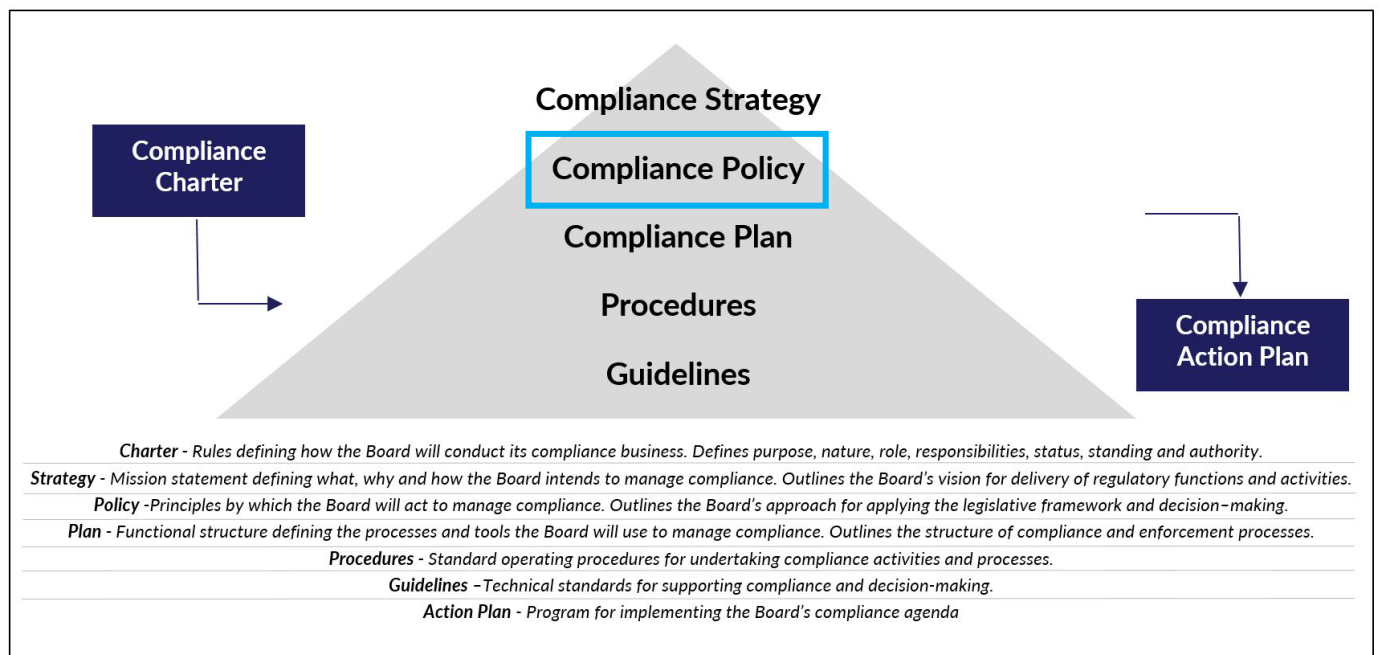
# Compliance Policy

*Pastoral Land Act 1992*



<b>Document title</b>	Compliance Policy
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<b>Approved by</b>	Pastoral Land Board
<b>Date approved</b>	14 March 2023
<b>Document review</b>	Reviewed and updated at the Pastoral Land Board's discretion, including at a minimum of every three years.
<b>TRM number</b>	LRM2021/0080-0009~0002

Version	Date	Author	Changes made
1.0	14 March 2023	Pastoral Land Board	Release



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# 1. Purpose

The purpose of the Compliance Policy is to provide clear and transparent information on how the Pastoral Land Board (Board) views and administers its land management responsibilities under the *Pastoral Land Act 1992*.

# 2. Objective

Pastoral enterprises operating in the Northern Territory have lawful requirements to comply with pastoral legislation, regulations and other guidelines. While the *Pastoral Land Act 1992* is the governing statute for the pastoral industry in the Northern Territory, there are other biosecurity, environmental, native title and land access laws that operate in unison. There is a need for the Board to communicate clearly the strategic application of the *Pastoral Land Act 1992* legislative framework and decision-making to allow pastoral enterprises to understand the framework that needs to be complied with and, for permits or approvals that have been granted, the conditions of that approval need to be met.

The Compliance Policy is an adaptive document, which outlines the compliance principles that underpin the Territory's pastoral industry, and raises the key immediate priorities of the Board and how those priorities will be exercised in line with the Board's values on land management.

# 3. Compliance principles

The *Pastoral Land Act 1992* provides a form of tenure over Crown land to facilitate the sustainable use of pastoral leasehold land for pastoral purposes and the economic viability of the pastoral industry. The Board recognises that all pastoral leases are Crown land and that the lessees of pastoral land have a duty to prevent land degradation, monitor the environmental and productive health of the land, and improve the condition of the land, on behalf of the Crown.

The Territory's pastoral estate is a public asset and sustainable management of its natural capital is critical. Stakeholders with an interest in the effective and appropriate management of the pastoral estate and its land resource include but are not limited to: the Territory, the Minister, the Board, the pastoral community, native title holders and the public.

All stakeholders expect that the Board upholds and executes its duty and responsibilities under the *Pastoral Land Act 1992* and equally that non-lessees respect and comply with the Act as it relates to them.

The Board values fostering a proactive and positive culture of compliance that:

- recognises and advocates good management practices and efforts to enhance land condition
- actively works with lessees and industry to achieve compliance through appropriate non-statutory avenues in the first instance
- recognises there is sometimes a need to take appropriate and proportionate statutory compliance and enforcement actions and prosecute, when required
- acts in a consistent, transparent and accountable manner.

The Board observes confidentiality, as appropriate, and aims to undertake appropriate stakeholder engagement whilst maintaining mutually respectful relationships and communicating promptly.

## 4. Compliance priorities

From 2023 onwards, the Board has identified three priority focus areas:

- Early identification and response to poor or deteriorating land condition
  - pastoral land in D (poor) condition will require lessees to develop and implement a non-statutory recovery plan, statutory remedial plan or as otherwise directed by the Board
  - pastoral land in C (fair) condition will be visited more frequently and the pastoral lessee will receive a caution on the identified land condition matter and may be instructed to undertake remedial action
  - serious land degradation and erosion issues will be referred to the Commissioner for Soil Conservation for action under the *Soil Conservation and Land Utilisation Act 1969*
  - serious weed issues will be referred to the Weeds Management Branch for action under the *Weeds Management Act 2001*.
- Stringent compliance with clearing of native vegetation rules
  - consent for clearing of native vegetation will unlikely be granted retrospectively, without reasonable cause
  - the Board considers it an offence and will take reasonable actions, where:
    - a clearing permit application has been made;
    - the Board has not approved the application and granted a valid permit; and
    - clearing occurs in the footprint proposed in the application.
- Strategic data collection on the monitoring and control of feral and non-native pest animals and meaningful monitoring and reporting on the effect of stock and feral and other animals on pastoral land
  - lessees will be required to submit an annual stock return to inform land condition assessment and reporting
  - measures to control feral animals will align with the direction of the Board and be appropriately recorded.

## 5. Ethical practice

The Board will ensure that land condition matters are managed following ethical practice:

- The Board will act under its Compliance Framework.
- The Board will use and make appropriate guidelines to make decisions (e.g. Pastoral Land Clearing Guidelines, Non-Pastoral Use Guidelines, etc.).
- Advice will be sought from relevant experts, as required and appropriate.
- The Rangelands Monitoring Program is scheduled on a rotational basis (e.g. every five years) and prioritises more frequent visits for lessees with management plans or directions to remedy land condition matters.
- The Board will act fairly and responsively whereby no station, lease or lessee will be individually targeted unless there is reasonable cause (e.g. history of outstanding compliance issues).



- A permit auditing program will be developed and equitably rolled out for: identifying compliance matters, holding responsible parties to account, ensuring land degradation is remediated, findings are appropriately evaluated and policies and processes are improved, as required.
- Matters will be appropriately reported (e.g. to the Minister) and published for public transparency whilst ensuring confidentiality is maintained by the *Information Act 2002* and commercial-in-confidence sensitivities will be observed.

## 6. Accountability

The Board is committed to providing a high level of public transparency and accountability:

- Natural justice will be provided in all compliance processes (e.g. lessees will be notified of compliance concerns and provided a right of reply within a timely manner).
- All compliance decisions are subject to an appeals process by the lessee (e.g. a decision by the Board may be reviewed by the Minister, decisions may be appealed through the Northern Territory Civil and Administrative Tribunal, etc.).
- The Board will register statutory compliance instruments (e.g. Remedial Plan, Rehabilitation Direction, Rehabilitation Plan) on the land title.
- The Board will report to the Minister, including timely notification of compliance matters (as required) and publication of an annual report.
- Pastoral applications will be subject to a public exhibition period and all permits will be published online.
- The Board will promote good land management practices and effective management of land condition by showcasing and publishing pastoralists and case studies in its publications.

## 7. Innovation

The Board is committed to supporting new innovative techniques and technologies that will enhance management of the land resource, improve land condition, and facilitate compliance within the pastoral estate.

- Use of remote sensing and drone technology to inform monitoring of land condition, land use and clearing of native vegetation.
- Streamlining of approvals processes, auditing programs and compliance investigations.
- Collaboration with industry and natural resource experts.
- Engagement with interstate counterparts to share learning.
- Application of adaptive management, where appropriate.
- Development of tools to improve pasture monitoring and stock management.
- Receiving feedback from pastoralists regarding land resource compliance concerns or suggestions.
- Actively seeking information and advice from industry regarding innovation.

## 8. Engagement

The Board is committed to meaningful engagement with all stakeholders:

- Develop a stakeholder engagement strategy, including the periodic release of discussion papers on compliance issues that may affect lessees.