



PASTORAL BOARD GUIDELINE

Approved/revised date: 2025
Document Reference: A7041744

Pastoral Board Guideline – Amending a Defined Pastoral Lease Stocking Maximum

1. Purpose and Scope

- 1.1 To provide a guide for the Pastoral Board's (the Board) decision making when considering applications from pastoral lessees for a change to a defined lease stocking level above the current approved stocking maximum (specified on the lease title). Changes may result from pastoral lease development (such as approved water point expansion) and/or a change to management practices (such as wether only flock), with the aim to improve the long-term sustainability of the pastoral enterprise and environment.
- 1.2 Under section 22(1)(b)(ii) of the *Pastoral Land Management and Conservation Act 1989 (PLMC Act)*, it is a condition of all pastoral leases that lessees must ensure that numbers of stock on the land, or a particular part of the land, do not exceed the maximum levels specified in the lease, except with prior approval of the Board. Any approval must be in writing and may be subject to conditions.
- 1.3 Section 22(6)(b) of the PLMC Act allows the Board to approve a level of stock on the land, or on a particular part of the land, in excess of the maximum levels specified in the lease (i.e. for a period of time as a temporary stocking maximum increase).
- 1.4 Section 22(4) of the Act provides a power to vary lease conditions, whereby the lessee and the Board may enter into an agreement to vary a condition of the lease. This section of the Act is used to administer requests to vary defined stock maximums and is applicable to this guideline.
- 1.5 In making any decision under the PLMC Act, the Board must comply with the statutory duty in section 5 of the PLMC Act to:
 - Act consistently with, and seek to further the objects of the PLMC Act;
 - Have regard to plans or guidelines established by Government agencies, regional landscape boards and planning authorities that are applicable to pastoral land; and
 - Have regard to the relevant terms of any Indigenous Land Use Agreement (ILUA)

The Objects of the PLMC Act are outlined in Appendix 1.

- 1.6 The intent of the application is for the lessee to provide applicable information in a single process that can be used for the determination of a amendment to a defined lease stock maximum.
 - 1.6.1 The information supplied by an applicant may also be used in approval processes required under other legislation.
- 1.7 The Board will consider all written applications in accordance with this Guideline and the PLMC Act, and advise the applicant in writing whether the amendment to the defined lease stocking maximum is approved, not approved, or whether further information is needed.
- 1.8 Applications must be received using the application form. Where a property comprises multiple leases, the application form must detail the request for each individual lease.
- 1.9 If stock maximum applications are greater than 25% of the existing maximum listed on the lease title, the Board may seek additional supporting information or management strategies to help inform understanding of any potential impacts on the lease.
- 1.10 In considering an application, the Board will apply a staged approach of temporary approvals before approving a variation to a leases defined stock maximum. The staged approach assists to provide confidence that the lease/s can carry the proposed stocking variation. Should the Board choose to consider the application to vary the stocking maximum, applicants will be provided several temporary approvals that combine to a total of 5 years before considering a final variation to the defined stock maximum. Temporary approvals during this 5-year period will typically consist of an initial 12-month temporary approval, followed by two 24-month temporary approvals. The

Board can vary conditions, including the period of an approval, and revoke approvals should the approval not support sustainable management of pastoral lands.

- 1.11 The temporary approval period will be no shorter than 5 years and at the completion the Board may choose to enter into agreement with the lessee to vary the lease conditions and amend the defined lease stock maximum.
 - 1.12 The Board acknowledges that lessees require confidence in the decision-making process to enable implementation of infrastructure developments and/or changes to management practices.
 - 1.13 An application fee is payable on a per lease upon receipt of application in accordance with the PLMC Act – Schedule 1 – Fees (part 5). The fee is single payment for the term of the application (a single fee per lease applied for the entire approval process over the 5-year period).
 - 1.14 Depending on the nature of an application, approvals for infrastructure and waterpoint developments also may be required under other legislation including, but not limited to, the *Native Vegetation Act 1991*, *Landscape South Australia Act 2019* and *Aboriginal Heritage Act 1988*. All applications will be assessed on a case-by-case basis.
 - 1.15 Other fees may be required for approvals by other regulatory bodies.
-

2. Disclaimer

- 2.1 This Guideline provides a framework for Board decision making but it is not a legally enforceable or a binding policy instrument. The Board reserves the right to amend or remove this Guideline at any time.
 - 2.2 This Guideline identifies a lessee's obligations under the PLMC Act and informs lessees and other applicants about the information that should be provided in an application for the Board to consider an application to amend a defined lease stocking maximum.
 - 2.3 At the completion of the temporary approval period (5 years or earlier at Board's discretion), the Board may choose to reject the application and not grant a change to the stock maximum or vary the requested stocking maximum.
 - 2.4 At any time, the applicant may, in writing, withdraw their application for an amendment to a defined lease stocking maximum with no obligation on the Department to refund any paid application fees.
 - 2.5 Any person using the information contained in this document does so at their sole risk and is responsible for assessing the accuracy, currency, completeness and relevance of the information for their own purposes. The State of South Australia does not warrant or make any representation, express or implied, regarding the accuracy, reliability, suitability, currency or completeness of the information in this Guideline and accepts no liability arising for any consequences resulting from any use or reliance on the information in this document.
-

3. Definitions used in this Guideline

- 3.1 **The Board:** Has the same meaning as in the PLMC Act and means the Pastoral Board established under the PLMC Act. References to the Board in this Guideline include a delegate of the Board.
- 3.2 **Monitoring program:** The monitoring component of the approval process uses existing and/or new photopoint sites for vegetation and land condition monitoring, and includes reporting stock numbers in accordance with the Monitoring guide (Refer to separate Monitoring Guide document).
- 3.3 **Monitoring Site:** A monitoring site is a pastoral photopoint site or a site installed by the lessee in accordance with the photopoint installation instructions in the Monitoring Guide, and is the area at which land condition monitoring is undertaken.
- 3.4 **Pastoral lease:** Means a lease granted under the PLMC Act over Crown land for pastoral or other purposes (such as carbon farming or conservation purposes) with the approval of the Board under the PLMC Act.
- 3.5 **Stock:** Has the same meaning as in the PLMC Act and means any species of animal permitted by the terms of a pastoral lease to be pastured by the lessee on the land as part of the commercial



enterprise of the lease (section 3, PLMC Act). This currently includes only sheep and/or cattle.

- 3.6 **Stock maximum:** A stocking level specified on the pastoral lease title that represents the maximum number of stock that can be held on the lease under favourable conditions at any one point in time. Stock level numbers are expressed as the number of head of sheep or cattle. A conversion of 5 sheep to 1 cow is used for leases that can carry both stock types.
- 3.7 **Time staged process:** A 3-staged process starting when an initial 12-month temporary stock maximum increase approval is granted and then 2 24-month extensions of the temporary approval.

4. Stock Maximum Amendments and the PLMC Act

- 4.1 In managing pastoral leases, the Board encourages all lessees to manage stock at sustainable levels and be mindful that the stock maximum is intended to reflect a maximum stocking rate in generally favourable conditions rather than at all times.
- 4.1.1 Approving an amendment to increase a lease's stocking maximum poses potential risk to land condition that may be irreversible if not managed appropriately. To manage this risk, the Board will consider a series of temporary increases, using an appropriate monitoring program, to provide confidence that increased stock numbers can be managed sustainably over time and through different seasonal conditions (a time staged process).
- 4.1.2 The applicant is not required to carry the approved temporary stock maximum during the time staged process at all times. The intent of the process is to monitor land condition with increased stocking rates over a set period and provide evidence of sustainable land management practices. The 5-year period acknowledges seasonal variability in pastoral production systems and the need to reduce stocking rates during unfavorable conditions to ensure sustainable land management.
- 4.2 Pursuant to section 22(1)(b)(ii) of the PLMC Act, it is a condition of all pastoral leases that lessees must ensure that numbers of stock on the land, or a particular part of the land, do not exceed the maximum levels specified in the lease, except with prior approval of the Board. Any approval must be in writing and may be subject to conditions.
- 4.2.1 Maximum stocking rates were originally determined at the first assessment of land under section 25 of the PLMC Act. They were set by using the average numbers of stock as reported on annual stock returns over the previous 10 years, with adjustments based on district comparisons, and adding 20%. The additional 20% was intended to account for those years of favorable (i.e. above average rainfall) conditions where additional stock numbers could be run over and above the level run in average years.
- 4.3 Section 22(6)(b) of the PLMC Act provides that *the Board may approve the level of stock on the land, or on a particular part of the land, in excess of the maximum levels specified in the lease.*
- 4.3.1 Applications will be assessed on a case-by-case basis and applications greater than 25% of the existing stock maximum may require additional supporting information to be supplied.
- 4.3.2 If approved and during the Time Staged Process, temporary increases to the stock maximum will be facilitated pursuant to section 22(6)(b) of the Act for the set period.
- 4.3.2.1 Amending the defined pastoral lease stocking maximum may be implemented at the conclusion of the time staged temporary approval process (or earlier at the Board's discretion).
- 4.3.3 After the 5-year temporary approval period, if insufficient evidence was available to assess the sustainability of the increase – such as if significantly lower stock numbers were run for a significant period due to poor seasonal conditions – the Board may provide further temporary extensions if required.

- 4.3.4 The Board may, at any time during the time staged process, determine to reject the application at which time the original stock maximum would apply.
 - 4.3.5 As part of the application process the lessee must provide a Water and Stock Management Strategy (detailed in the application form). This strategy provides a pathway to increase stock numbers, implementing a monitoring program over a period of up to 5 years with final approval of a change of defined stock maximum at or before the end of the 5-year term.
 - 4.3.6 Throughout the temporary approval process, applicants will be required to undertake a monitoring program. This will include monitoring a number of photopoints, and reporting stock figures per paddock or waterpoint, to inform the Board of the land condition based on changed grazing practices.
 - 4.3.7 The lessee is required to submit data from the monitoring program to the Pastoral Unit on an annual basis. The first data set will be required within 12 months of acceptance of application and selection of monitoring sites. This data will be collated at the end of each temporary approval stage (1, 3 and 5 years) to produce a monitoring report. This report will be compiled by the Pastoral Unit and will inform the Board's decision making for further temporary approvals. A final approval for a stock maximum increase may be granted on review and acceptance of the third monitoring report by the Board.
- 4.4 Section 22(4) of the Act provides a power to vary lease conditions where the lessee and the Board may enter into an agreement to vary a condition of the lease. This section of the Act is used to administer amendments to vary stock maximums on a lease.
- 4.4.1 At the completion of the 5-year temporary approval process, or earlier at the Board's discretion, the Board may enter into agreement with the lessee to vary the lease conditions and amend the defined stock maximum on a lease(s). The Board may determine not to approve an amendment to the defined stock maximum of the lease(s).
-

5. Roles and responsibilities

5.1 Pastoral Board

- 5.1.1 To act consistently with, and to further the Objects of the PLMC Act.
- 5.1.2 Consider temporary stock maximum applications pursuant to section 22(6)(b) of the PLMC Act.
- 5.1.3 Consider amendments to defined pastoral lease stock maximum pursuant to section 22(4) of the PLMC Act.

5.2 Pastoral Unit

- 5.2.1 Support the Board in the decision-making process.
- 5.2.2 Provide lessees any required information where able regarding applications for varying stock maximums.
- 5.2.3 Coordinate application process, refer application to other relevant bodies for approval as required and link applicants with applicable contacts for assessments undertaken separate to the PLMC Act.
- 5.2.4 Collate annual monitoring program data submitted by lessees and prepare reports for the Board to consider and determine further temporary or permanent increase approvals.
- 5.2.5 Communicate with lessees and the Board on the progress of applications.
- 5.2.6 May, under delegation, make decisions under the PLMC Act.
- 5.2.7 Facilitate required lease administrative changes.

5.3 Pastoral Lessee

- 5.3.1 Must seek and obtain approval from the Board to exceed the maximum stocking figure specified on the lease.

- 5.3.2 Provide the Board with a written application, providing all required information as requested in line with this guideline. An application form will be available on the Board's website.
- 5.3.3 Pay applicable fees for an application to amend a pastoral lease stocking maximum, payable on an as per lease basis. A fee invoice will be issued upon receipt of application.
- 5.3.4 Pay other fees for approvals under corresponding legislation that are required to be obtained to support the application to amend a defined pastoral lease stock maximum.
- 5.3.5 Provide data to the Pastoral Unit at 12-monthly intervals as required in the Monitoring Program component of the approval process.
- 5.3.6 Is required to implement effective management of their lease(s) to always ensure sustainable land management practices.

6. Minimum information required for application

6.1 This information will be required as a minimum:

- The requested new stocking maximum figure (per individual lease).
- Justification for an increase in the stocking maximum and how increased numbers can be sustained on the lease.
- Current management strategies and future planned stock management actions.
- Evidence of previous stock levels and compliance history.
- Rainfall data from the previous 10 years at monthly intervals (station records or nearest BOM site).
- Information on how seasonal conditions will be monitored and how this will inform management decisions for stock numbers, spelling of paddocks and areas within a lease, and destocking.
- A Water and Stock Management Strategy (as detailed in the application form)
- Refer to Appendix 2 (in this document) and the application form for more detailed information.

7. Assessment procedure

7.1 The lessee must submit the written application for an increase in stocking maximum, with all supporting documentation, to the Pastoral Board via email to DEW.Pastoral@sa.gov.au

7.1.1 An application form is available on the Board's website.

7.1.2 The Board will consider all written applications in accordance with this guideline and the PLMC Act, and advise the applicant in writing whether the application is approved, not approved, or whether further information is needed.

7.2 Applications will be assessed on a case by-case basis.

7.3 Should the Board support an applicants request, a temporary approval process will be granted initially and requires monitoring and reporting to the Pastoral Unit on an annual basis. Upon the review and acceptance of the final monitoring report, the Board may approve an amendment to a defined pastoral lease stock maximum (or earlier at the Board's discretion).

8. Conditions of approval

8.1 Any approvals and their conditions are at the discretion of the Board.

8.2 If the Board proposes to apply conditions, it will consult with the applicant about any proposed conditions before any final approval.

8.3 The Board may request an update from the lessee at any time during the temporary approval period.

8.4 The lessee will need to enter into agreement with the Board to vary the stock maximum lease condition (amendment on lease title).

Appendix 1

1. Selected extracts of provisions from the Pastoral Land Management and Conservation Act 1989

Section 4 – Objects

The objects of this Act are as follows:

- (a) to ensure that all pastoral land in the State is well managed and utilised prudently so that its renewable resources are maintained and its yield sustained; and
- (b) to provide for—
 - i. the effective monitoring of the condition of pastoral land; and
 - ii. the prevention of degradation of the land and its indigenous plant and animal life; and
 - iii. the rehabilitation of the land in cases of damage; and
- (c) to provide a form of tenure of Crown land for pastoral purposes that is conducive to the economic viability of the pastoral industry; and
- (d) to recognise the right of Aboriginal persons to follow traditional pursuits on pastoral land; and
- (e) to provide the community with a system of access to and through pastoral land that finds a proper balance between the interests of the pastoral industry and the interests of the community in enjoying the unique environment of the land; and
- (f) to provide for the operation of renewable energy infrastructure and the undertaking of associated infrastructure activities on pastoral land, concurrently with the land being used for pastoral purposes; and
- (g) to allow pastoral land to be used for conservation purposes; and
- (h) to allow pastoral land that is being used for pastoral or conservation purposes to also be used for other appropriate purposes (such as carbon farming).

Section 5 – Duty of the Minister and the Board

The Minister and the Board, in administering this Act and in exercising any other power or discharging any other function in relation to pastoral leases—

- (a) must act consistently with and seek to further the objects of this Act; and
- (b) must have regard to plans or guidelines established by Government agencies, regional landscape boards and planning authorities that are applicable to pastoral land; and
- (c) must have regard to the relevant terms of any ILUA

Section 7 – General duty of pastoral lessees

It is the duty of a lessee throughout the term of a pastoral lease—

- (a) to carry out the enterprises under the lease in accordance with good land management practices; and
- (b) to prevent degradation of the land; and
- (c) to endeavour, within the limits of financial resources, to improve the condition of the land.



Section 22(1)(a) - Conditions of pastoral leases

(v) the lessee's obligation to comply with the following Acts and any regulations under those Acts to the extent that they apply in relation to the land:

- (a) the [Landscape South Australia Act 2019](#); and
- (b) the [Dog Fence Act 1946](#); and
- (c) the [Mining Act 1971](#); and
- (d) the [Petroleum and Geothermal Energy Act 2000](#); and
- (e) the [Hydrogen and Renewable Energy Act 2023](#); and
- (f) any other prescribed Act;

Section 22(1)(b) - Conditions of pastoral leases

(ii) the lessee's obligation to ensure that numbers of stock on the land or a particular part of the land do not exceed the maximum levels specified in the lease, except with prior approval of the Board.

Section 22(4) - Conditions of pastoral leases

(4) Nothing in this Act prevents a lessee and the Board from entering into an agreement for the variation of a condition of the lease.

Section 22(6)(b) - Conditions of pastoral leases

(6) The Board may, at the request or with the consent of the lessee—

- (b) approve a level of stock on the land, or on a particular part of the land, in excess of the maximum levels specified in the lease;



Appendix 2 – Guideline for application requirements

Requirement		Rationale & Measure	Source
1	Supporting information <ul style="list-style-type: none">Lease and lessee detailsCurrent and requested stock maximumStatement supporting the request for an increase of the stock maximum	<ul style="list-style-type: none">Details of each individual lease are required.Current stock maximum and requested stock maximum for each lease, including stock type.Stock numbers to be supplied with supporting evidence of existing numbers (stock return).The lessee is responsible for decisions about the placement, numbers and duration of stock on a waterpoint or within a paddock relative to the supply of feed. Lessee to provide reason for requesting an increase to the defined stock maximum for each lease (improved land condition, improved/changed infrastructure).	<ul style="list-style-type: none">Lessee/Pastoral Unit
2	Compliance <ul style="list-style-type: none">Stocking historyDeclaration of complianceLease assessment	<ul style="list-style-type: none">Evidence of past 10 years stock levels and compliance history.General compliance with the PLMC Act demonstrates previous efforts to comply with statutory requirements.General compliance with other relevant Acts, as referred to in PLMC Act, demonstrates previous efforts to comply with corresponding legislation statutory requirements.A current section 25 assessment of land conducted in the past 14 years and adequate submission of baseline monitoring data as per monitoring guide.	<ul style="list-style-type: none">Pastoral UnitPastoral Unit (compliance register or notice, lease file, assessment reports)Lessee/Pastoral Unit
3	Land condition <ul style="list-style-type: none">RainfallMonitoring Sites (Photopoints)Satellite imagery	<ul style="list-style-type: none">Rainfall data from the previous 10 years and where possible long-term averages (20-year average). Photographic/satellite imagery showing seasonal condition over the past 5 years.Photographic evidence of current land condition.Pastoral Unit may undertake a rapid review using appropriate satellite imagery and long-term pasture response products.	<ul style="list-style-type: none">Lessee/Pastoral UnitLesseePastoral Unit



4	Water and Stock Management Strategy Essential requirements	(see application form) <ul style="list-style-type: none">Existing paddock plan with infrastructure and active waterpoints.Existing land system paddock plan with infrastructure and active waterpoints.Vegetation descriptions for paddocks where stocking levels are to increase.Description of current management strategy and paddock stocking levels.Description of proposed management strategy and paddock stocking levels.Description of management strategy for extended dry conditions and stocking levels.	<ul style="list-style-type: none">Pastoral UnitLessee (provide map updates and proposed future changes)
5	Monitoring and Reporting <ul style="list-style-type: none">Monitoring Sites (Photopoints)ReportingStockingAdditional Information	(Refer to Monitoring Guide) <ul style="list-style-type: none">Monitoring program to be undertaken in accordance with the Monitoring Guide.<ul style="list-style-type: none">Monitoring sites (Photopoints) to be visited annually.The addition of new waterpoints will require the addition and installation of new monitoring sites and monitored in accordance with guidelines.When there are no changes to infrastructure or installation of new water points, a sample of photopoints will be selected from the property as monitoring sites and monitored in accordance with the guidelines.Annual monitoring reports (see Monitoring Guide templates) to be provided to Pastoral Unit.Stock numbers to be provided on annual basis.The use of remote sensing data to monitor land condition may provide additional information to support the application.	<ul style="list-style-type: none">LesseeLesseeLessee/Pastoral UnitLessee

Application
Pastoral Unit accepts application
OR
Pastoral Unit requests more information

Pastoral Board Approval

Applicant

Site & Data Requirements
Stock and Rainfall data
Photographs:
6 – 12 sites

Applicant Report
Stock and Rainfall data
Photographs:
6 – 12 sites

Applicant Report
Stock and Rainfall data
Photographs:
6 – 12 sites

Applicant Report
Stock and Rainfall data
Photographs:
6 – 12 sites

Establish Monitoring Program
Baseline Data

Stage 1 – Temporary Stock
Maximum

DATA

Year 1 Report

**Pastoral Board
Review**

Stage 2 – Temporary Stock
Maximum Extension

DATA

Year 2

DATA

Year 3 Report

**Pastoral Board
Review**

Stage 3 – Temporary Stock
Maximum Extension

DATA

Year 4

DATA

Year 5 Report

Pastoral Board Decision