

Pastoral Lands Board

Policy Statement No. 7

Policy Title

Pastoral Lease Stocking Policy

Policy Statement

Stock numbers on a pastoral lease may, except where the Pastoral Lands Board (PLB) sees fit to exercise its powers under section 111 of the *Land Administration Act 1997 (LAA)*, be determined by the Lessee. Stock numbers should be determined with a view to reflecting the sustainable carrying capacity of the pastoral lease whilst ensuring that the lease is managed to its best advantage as a pastoral property.

Purpose / Objective

To promote and enable the effective management and ecologically sustainable use of the land and natural resources of a pastoral lease, through the management of stock numbers.

Background / Policy Details

Under sections 95 and 108 of the LAA the PLB has a **statutory responsibility to ensure that pastoral leases are managed on an ecologically sustainable basis** whilst being worked to their **best advantage as pastoral properties**. The PLB supports pastoral lease management that is focused on economic and ecological sustainability.

In line with this principle, stock numbers on pastoral leases may be determined by the Lessee and should reflect the long-term sustainable carrying capacity of the lease, taking into consideration the present range condition and seasonal conditions.

A Lessee may destock a pastoral lease for a period of up to 5 consecutive years without notifying the PLB except through the reporting required in the Annual Return of Livestock and Improvement.

If a pastoral lease is destocked for a period longer than 5 consecutive years, the lessee is required to notify the PLB, in writing, of the reason for destocking the lease and the proposed date for restocking.

Long term destocking of a pastoral lease is of interest to the PLB as it is mindful that large-scale destocking (e.g. across a number of leases in a region) may impact on the associated regional economy (e.g. service industries such as trucking, abattoirs, saleyards, etc) and the wider community.

Authority and Delegations

The PLB reserves its right to, from time to time, determine the minimum and maximum numbers and distribution of stock to be carried on land under a pastoral lease (section 111 of the *LAA*).

**Policy
Implementation
Guidelines**

Pastoral leases are to be stocked in accordance with the provisions of Part 7 of the LAA.

Stock numbers should be determined with a view to reflecting the sustainable carrying capacity of the pastoral lease while ensuring that the lease is worked to its best advantage as a pastoral property and using best practice for pastoral and environmental management.

If a pastoral lease is destocked for a period of 5 consecutive years (as indicated in the Lessee's Annual Return of Livestock and Improvements required under section 113 of the LAA) the Lessee will be required to provide in writing to the PLB the reason for destocking the lease and the proposed date for its restocking. The Lessee must also demonstrate that during the period of destocking the lease is being used for pastoral purposes.

To protect the rangelands threats posed by declared animals and plants need to be minimised. This includes on leases that are not actively being worked for a period of time.

The PLB expects destocked leases to continue to be administered as pastoral leases and maintains that all obligations under the LAA remain.

**Policy /
Legislative Basis**

Land Administration Act 1997 (LAA)

Specifically sections 95(c) and (h), 106(1), 108(1) and (2) and 111(1), (3) and (4):

S.95 Functions of the PLB

The functions of the PLB are –

- (c) to ensure that pastoral leases are managed on an ecologically sustainable basis;*
- (h) to monitor the numbers and effect of stock and feral animals on pastoral land;*

S.106 Pastoral land not to be used other than for pastoral purposes without a permit

- (1) A pastoral lessee must not use land under the pastoral lease for purposes other than pastoral purposes except in accordance with a permit issued under Division 5.*

S.108 Management of land under a pastoral lease

- (1) A pastoral lessee must, to the satisfaction of the PLB, at all times manage and work the land under the lease to its best advantage as a pastoral property.*
- (2) The lessee must use methods of best pastoral and environmental management practice, appropriate to the area where the land is situated, for the management of stock and for the management, conservation and regeneration of pasture for grazing.*

S.111 Stocking of a pastoral lease

- (1) *The PLB may from time to time determine the minimum and maximum numbers and the distribution of stock to be carried on land under a pastoral lease, based on its assessment of the sustainable carrying capacity of the land and having regard to seasonal factors, and the pastoral lessee must comply with such a determination.*
- (3) *A pastoral lessee must control declared animals and declared plants on the land under the lease in compliance with the Agriculture and Related Resources Protection Act and to the satisfaction of the PLB.*
- (4) *A pastoral lessee must not –*
 - (a) *keep prohibited stock on land under a pastoral lease.*

Definitions

“Minister” means the Minister for Lands, a body corporate continued under the *Land Administration Act 1997*.

“Sustainable Carrying Capacity” relates to the number of stock units that can be supported by the lease given various factors such as:

- range condition;
- climatic trends;
- grazing distribution.

Date of Approval of Policy

6 December 2010

Further Information

Department of Planning, Lands and Heritage
Rangelands and Board Support Unit
08 6552 4574 or pastoralapprovals@dplh.wa.gov.au

A copy of the *Land Administration Act 1997* can be found on the State Law Publishers website at <https://www.slp.wa.gov.au/Index.html> or via the Western Australian Legislation website: www.legislation.wa.gov.au.

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