

South Australia

# Pastoral Land Management and Conservation (Use of Pastoral Land) Amendment Act 2024

An Act to amend the *Pastoral Land Management and Conservation Act 1989*.

---

## Contents

### Part 1—Preliminary

- 1 Short title
- 2 Commencement

### Part 2—Amendment of *Pastoral Land Management and Conservation Act 1989*

- 3 Amendment of section 3—Interpretation
- 4 Amendment of section 4—Objects
- 5 Amendment of section 7—General duty of pastoral lessees
- 6 Amendment of section 8—Pastoral land not to be freeholded
- 7 Amendment of section 12—Establishment of Pastoral Board
- 8 Amendment of section 19—Grant of leases
- 9 Amendment of section 20—Assessment of land prior to grant of lease
- 10 Amendment of section 22—Conditions of pastoral leases
- 11 Amendment of section 23—Rent
- 12 Amendment of section 25—Assessment of land
- 13 Amendment of section 42—Verification of stock levels

### Schedule 1—Transitional provisions

- 1 Interpretation
  - 2 Approvals
- 

**The Parliament of South Australia enacts as follows:**

## Part 1—Preliminary

### 1—Short title

This Act may be cited as the *Pastoral Land Management and Conservation (Use of Pastoral Land) Amendment Act 2024*.

### 2—Commencement

This Act comes into operation on a day to be fixed by proclamation.

## Part 2—Amendment of *Pastoral Land Management and Conservation Act 1989*

### 3—Amendment of section 3—Interpretation

- (1) Section 3(1)—after the definition of *the Board* insert:

*carbon farming* means land management activities that avoid or reduce carbon in the atmosphere or sequester carbon in the landscape, as defined in the regulations;

Note—

See subsection (3).

*conservation purposes* means conservation of biodiversity, ecosystems or native vegetation (including by way of heritage agreements or environmental benefits under the *Native Vegetation Act 1991*) or other ancillary conservation uses;

- (2) Section 3(1), definition of *pastoral lease*—after "for pastoral purposes" insert:  
or other purposes (such as carbon farming or conservation purposes) with the approval of the Board under this Act
- (3) Section 3—after subsection (2) insert:
- (3) The Minister must consult with the following bodies on any regulations proposed to be made for the purposes of the definition of *carbon farming* in subsection (1) before those regulations are made:
- (a) the Board;
  - (b) the Conservation Council of South Australia Inc;
  - (c) First Nations of South Australia Aboriginal Corporation;
  - (d) Primary Producers SA Incorporated;
  - (e) Livestock SA Incorporated.

### 4—Amendment of section 4—Objects

Section 4—after paragraph (f) insert:

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).

### 5—Amendment of section 7—General duty of pastoral lessees

Section 7(a)—delete "the enterprise" and substitute:

enterprises

## **6—Amendment of section 8—Pastoral land not to be freeholded**

Section 8—at the end of section 8 insert:

**Note—**

Nothing prevents land that is to be used for conservation purposes, or for a combination of pastoral or conservation purposes and other purposes, (with the approval of the Board in accordance with this Act) from remaining subject to a pastoral lease.

## **7—Amendment of section 12—Establishment of Pastoral Board**

- (1) Section 12(2)(b)—delete "for Environment and Heritage" and substitute:  
responsible for the administration of the *Native Vegetation Act 1991*
- (2) Section 12(2)(c)—delete "for Primary Industries, Natural Resources and Regional Development" and substitute:  
responsible for the administration of the *Livestock Act 1997*
- (3) Section 12(2)(e)—delete "South Australian Farmers Federation" and substitute:  
Primary Producers SA Incorporated
- (4) Section 12(2)(f)—after "Inc" insert:  
(the *Conservation Council*), being persons who, in the opinion of the Conservation Council, have knowledge of, and experience in, the conservation of the rangelands environment

## **8—Amendment of section 19—Grant of leases**

Section 19(2)—delete "for pastoral purposes" and substitute:  
under this Act

## **9—Amendment of section 20—Assessment of land prior to grant of lease**

Section 20(1)(b)(i)—delete "pastoral purposes" and substitute:  
the purposes for which the pastoral lease would be granted

## **10—Amendment of section 22—Conditions of pastoral leases**

Section 22(6)(c)—after "pastoral purposes" insert:  
(including, without limitation, conservation purposes or, if the land is being used for pastoral or conservation purposes, carbon farming)

## **11—Amendment of section 23—Rent**

Section 23(6)(a)—delete " enterprise" and substitute:  
an enterprise

## **12—Amendment of section 25—Assessment of land**

Section 25(2)(b)—after "stock" insert:  
(taking into account the purposes for which the land is being used)

### **13—Amendment of section 42—Verification of stock levels**

- (1) Section 42(1)—delete "The" and substitute:

Subject to subsection (1a), the
- (2) Section 42—after subsection (1) insert:
  - (1a) If pastoral land is being used for a purpose other than pastoral purposes (with the approval of the Board in accordance with this Act), the Board may exempt the lessee from the requirement to provide a statutory declaration under this section.

## **Schedule 1—Transitional provisions**

### **1—Interpretation**

In this Schedule—

*principal Act* means the *Pastoral Land Management and Conservation Act 1989*.

### **2—Approvals**

A purported approval by the Pastoral Board under the principal Act as in force before the commencement of this Act to use land subject to a pastoral lease for a purpose other than pastoral purposes (being an approval purportedly in force immediately before the commencement of this Act) continues as a valid approval under section 22(6) of the principal Act as in force after the commencement of this Act.