
Policy Framework

Pastoral Board of South Australia

JUNE 2018



Policy Framework 2018 - Pastoral Board of South Australia

Adopted by the Pastoral Board on 21 June 2018

www.naturalresources.sa.gov.au/aridlands/about-us/pastoral-board

Abbreviations

Board	Pastoral Board of South Australia
Department	Department for Environment and Water
Minister	Minister for Environment and Water
PLMC Act	<i>Pastoral Land Management and Conservation Act 1989</i>

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1 INTRODUCTION

1.1 Background

The Pastoral Board (the Board) of South Australia is currently established under section 12(1) of the *Pastoral Land Management and Conservation Act 1989* (PLMC Act) but has been in operation since 1895.

The Board administers pastoral leasehold tenure over approximately 505,000 km² stretching across the north of the State. The pastoral region is made up of cattle and sheep properties, separated by the Dog Fence (cattle north and sheep south of the fence). There are currently 324 pastoral leases in South Australia administered through the PLMC Act by the Board and the Minister.

The Board is responsible to the Minister in administering the PLMC Act, and is subject to the control and direction of the Minister (section 17). The Board must also advise the Minister on the policies that should govern the administration of pastoral land. A primary duty of the Board is to act consistently and to seek to further the objects of the PLMC Act (section 5).

To provide consistency to the interpretation and application of the PLMC Act, the Board has the ability to develop required policies. This Policy Framework has been designed to guide the development of policy by the Board for the administration of the PLMC Act.

1.2 Purpose and Scope of the Policy Framework

The purpose of the Board's Policy Framework is to:

- Guide the operation, review and development of Board policies and other policy products.
- Clarify the relationships between different legislative and policy instruments in administering the PLMC Act.
- Describe the principles that underpin policy development to ensure consistency in the ongoing

management of policy products.

- Provide a transparent approach to policy management and development for Board stakeholders.

The scope of the Policy Framework applies to all areas of the Board's responsibilities in administering the PLMC Act.

The application of this Policy Framework applies to all Board members, deputies and departmental staff supporting the operations of the Board.

The Policy Framework should be read in the context of the PLMC Act, and other Board strategic and governance documents including the:

- *Strategic Plan 2017-2019* - directions and priorities for the Board to meet its legislative responsibilities, and community and industry expectations.
- *Governance Charter 2017* - policies and procedures to guide the Board and the Department in achieving 'good governance'.
- *Compliance Framework 2018* (in development) - sets the objectives, legislative parameters and approach for compliance and enforcement activities undertaken by the Board and the Pastoral Unit to ensure compliance with the PLMC Act.

1.3 Policy Framework term, updates and availability

- The term of the Policy Framework will be ongoing from the date of adoption by the Board.
- The Framework will be subject to updates and reviews as required and approved by the Board.
- The Charter will be made publicly available.

1.4 Definitions

Act

An Act of Parliament or Act is a Bill that has been enacted by Parliament and assented to by the Governor. An Act is a public document and is not confidential. An Act is a sequence of legal provisions containing statements and rules. What is achieved by the Act can depend on the interpretation of the provisions.

Regulation

A regulation is a form of subordinate legislation which provides detail within the statutory structure or framework that has been created by its Act. Regulations dictate how certain provisions of the Act are applied. Regulations must be consistent with the purpose and intent of the principal Act.

Policy

A formal statement or directive that gives effect to regulatory requirements. A policy guides decision-making for a particular context or a section of legislation. Policies provide transparency and consistency for decision-making and should reflect best-practice.

Policies must be consistent with the purpose and intent of the principal Act or Regulations, and as policy they have no statutory force they cannot require anything over and above the principal legislation. Policy documents should generally be expressed in non-mandatory language except where content references legislative requirements.

Procedure

Procedures are internal operational documents that describe the processes and actions that are

required to enable the implementation of a policy or a legislative requirement. Procedures may specify roles and responsibilities for personnel implementing the procedure.

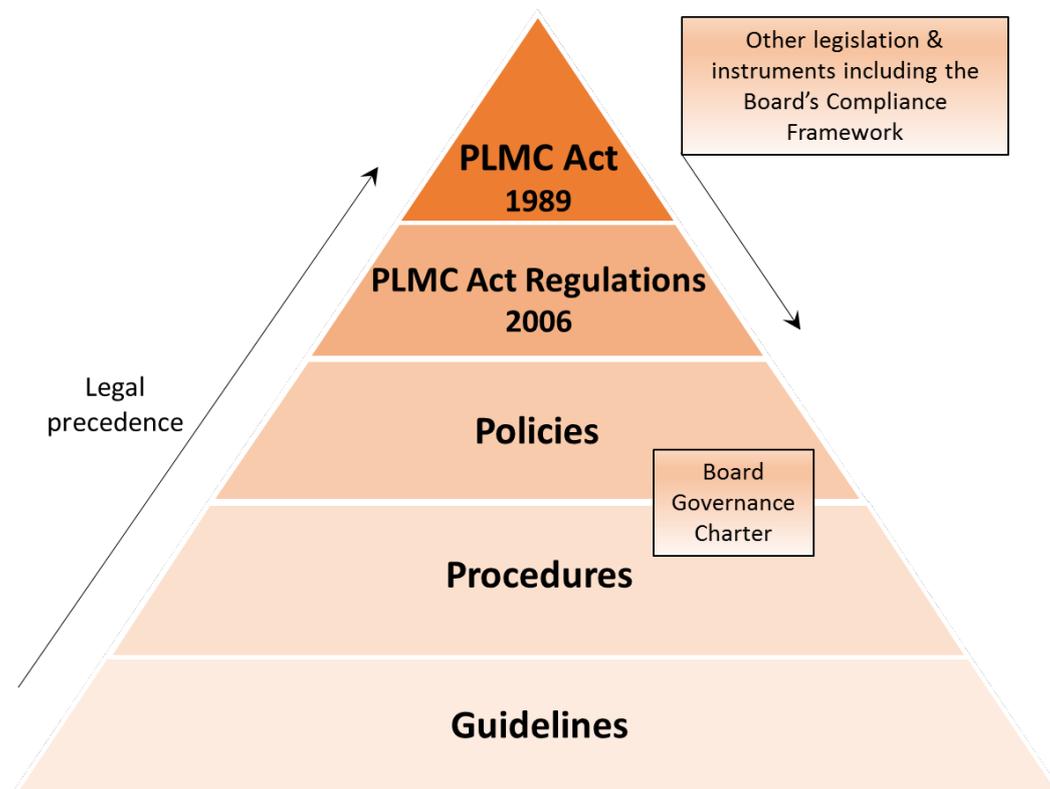
As with policies, procedures should reflect best-practice to provide transparency and consistency in the processes used to support decision-making, but are not legally enforceable. Procedures may be used to enable the monitoring of policy implementation.

Guideline

Guidelines provide standards and guidance in implementing a policy, procedure or a legislative provision. A guideline may be used as an external communication mechanism to assist stakeholders to meet specific statutory requirements or policy.

2 POLICY HEIRARCHY

The policy hierarchy diagram below outlines the relationships between the PLMC Act and other Board policy-related documents. It should be noted that there are other Acts that also interact with the PLMC Act that must be considered in its implementation. These include those listed in section 22 of the PLMC Act and the Regulations 2006, including: the *Natural Resources Management Act 2004*; the *Native Vegetation Act 1991*; the *Dog Fence Act 1946*; the *Mining Act 1971*; the *Petroleum Act 2000*; and any other prescribed Act.



3 POLICY PRINCIPLES

The Pastoral Board will consider the following principles as foundational in its approach in developing and reviewing policies, procedures and other policy-related products.

Quality outcomes

3.1 Policies will support the achievement of quality outcomes and reduce risk by establishing standards, consistency and internal controls.

Policy needs

3.2 The need for policy product development (policy, procedure or guidelines) will be based on the key compliance and regulatory requirements of the PLMC Act, risk to the Board and Minister, and the need to communicate to and educate stakeholders the decision-making process and criteria considered for Board decisions.

Policy intent

3.3 A policy is a statement of principles or position that is intended to guide or direct decision-making and operations that supports the achievement of the Board's responsibilities under the PLMC Act, the Board's vision for good governance and the Board's strategic objectives.

3.4 Policies should be relevant, transparent in their intent and meaning, and developed in consultation with key stakeholders where appropriate.

3.5 Policies should support and embody the Board's values and strategic objectives.

3.6 Policies cannot require anything over and above legislation.

3.7 Policies should clearly articulate their relationship to other legislative or policy documents.

Approval

3.8 Only the Board can approve the development, review and revoking of policies pertaining to Board responsibilities under the Act.

3.9 The Board will also be the approver for procedures and guidelines, on advice from the Manager Pastoral Unit.

Policy library management, structure and accessibility

3.10 The latest approved version of Board policies and associated procedures and guidelines will be stored and managed as a Policy Library, held on the Departmental network.

3.11 The Policy Library will generally be structured in alignment with sections of the PLMC Act, with names of policies closely reflecting the PLMC Act section and requirements.

3.12 Approved and current Board policies and guidelines will be publicly available on the Board's website.

3.13 Procedures will not be made publically available unless by decision of the Board.

Term and review of policies

3.14 Policies will have a fixed term of three years, but may be subject to review at any time.

3.15 Prior to the three year term expiring, the Board will approve whether to review and/or extend the term of expiring policies.

3.16 Policy reviews may be initiated by the Minister, Board or Departmental staff and occur where there is a need to align policy with legislative requirements, a Ministerial/Government directive or

policy, Board resolution or changes to related pastoral best practice or industry standards. The Board may also consider a review of policies if requested by stakeholders.

Policy advice

3.17 The Board will seek Crown Solicitor Office advice where appropriate to ensure the validity of policies and reduce risk from inappropriate policy content.

Policy style

3.18 Board policies should be concise, and written in consistent and clear language.

3.19 Policies and procedures should generally be no more than 2 pages and will conform to the approved templates.

3.20 Policies should be written in a way that the Board's position is clear and logically connects to both the legislative context, and the underlying procedure or guideline (where appropriate).