

**NORTHERN TERRITORY OF AUSTRALIA**  
**Section 38(1)(h) – *Pastoral Land Act***

**CONSENT TO CLEAR PASTORAL LAND**

**PERMIT NUMBER: PLC13/2-B**

I, PAUL ZLOTKOWSKI, Chairman, Pastoral Land Board

**GRANT TO** Booloomani Corporation Pty Ltd (ACN 609 223 805) and Branir Pty Ltd (ACN 061 718 876) and each Pastoral Lessee from time to time (“the **Permit Holders**”) in respect of Perpetual Pastoral Lease No. 1222 (“**PPL**”) which relates to NT Portion 7348,

**A PERMIT TO CLEAR PASTORAL LAND** (“the **Permit**”), for the area within NT Portion 7348 (being part of the PPL) which is more particularly depicted in the Endorsed Clearing Plan contained at Schedule 1 of this Permit,

**COMMENCING** on 16 October 2013 and expiring on 16 October 2018 (“the **Term**”),

**SUBJECT TO** the Schedule of Conditions contained at Schedule 2 of this Permit, and I

**CONSENT TO THE PERMIT HOLDERS** undertaking the clearing of approximately 18,126 hectares of native vegetation for the purposes of planting improved pasture (“the **Clearing Activities**”).

**PROVIDED THAT** the Permit Holders must Substantially Commence the Clearing Activities within the Commencement Period and (subject to the Pastoral Land Board granting an extension of the Expiry Date) complete the Clearing Activities by the Expiry Date, otherwise this Permit will expire upon the expiry of the Commencement Period or upon the Expiry Date (as the case may be).

**EXTENSION OF TERM OF PERMIT:**

The Permit Holders may apply to the Pastoral Land Board for an extension of the Term of this Permit, provided that:

- i. the Permit Holders have Substantially Commenced the Clearing Activities within the Commencement Period; and
- ii. the application for extension is submitted to the Pastoral Land Board in the approved form at least one (1) year before the Expiry Date.

The Pastoral Land Board may, in its absolute discretion, grant or reject the request, or grant the request subject to conditions.

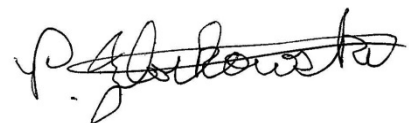
## **REASONS FOR DECISION:**

- A. On 7 December 2016, the Permit Holders wrote to the Pastoral Land Board advising that Ministerial consent had been given to subdivide Perpetual Pastoral Lease 1004.
- B. The subdivision of a Perpetual Pastoral Lease requires the surrender of the current lease and new leases issued. As is required by the conditions on Land Clearing Permits the surrender of a Pastoral Lease automatically revokes a permit.
- C. The Permit Holders requested the Pastoral Land Board consent to re-issuing the Land Clearing Permit under the new NT Portion number and Perpetual Pastoral Lease number.
- D. The Pastoral Land Board determined that the Amended Permit will be revoked and that a Reissued Permit be granted for the area that is within NT Portion 7348 and Perpetual Pastoral Lease 1222, being an area of 18,126 hectares.
- E. The Reissued Permit will commence on the date of the registration of the subdivision, NT Portion 7348 and Perpetual Pastoral Lease 1222 with the Land Titles Office.
- F. The Original Decision and all conditions from the Original Permit remain.
- G. The Reissued Permit is granted for the period remaining of 5 years from the date of the Original Permit.

## **ORIGINAL DECISION – PLC13/2-A**

- A. On 16 October 2013, the Chairman of the Board Mr Richard Galton, granted the “Original Permit” PLC13/2 to PPL 1004 (NT Portions 2682, 3434 and 7053) Tipperary Station.
- B. On 6 April 2016, PPL 1004 was transferred from Tovehead Pty Ltd and Branir Pty Ltd to Booloomani Corporation Pty Ltd and Branir Pty Ltd.
- C. On 18 April 2016 the General Manager of the Tipperary Group, on behalf of Booloomani Corporation Pty Ltd and Branir Pty Ltd applied to the Board for approval to transfer PLC13/2 to the new lessee (“Amending Document”) and register the permit on the title.
- D. On the basis of the information contained in the Original Permit and the Amending Document, the Pastoral Land Board is satisfied that it is appropriate to reissue this Permit.

DATED 4 May 2017



Pastoral Land Board

## **DEFINITIONS:**

In this Permit:

“Amended Permit” means Land Clearing Permit PLC13/2-A signed by R Galton dated 26 April 2016.

“Amending Document” means the letter submitted via email 18 April 2016.

“Commencement Period” means the period of two (2) years of the date of the Original Permit being 16 October 2013.

“Expiry Date” means the period of five (5) years from the date of the Original Permit.

“Original Permit” means the document entitled “Consent to Clear Pastoral Land PLC13/2” signed by R Galton dated 16 October 2013.

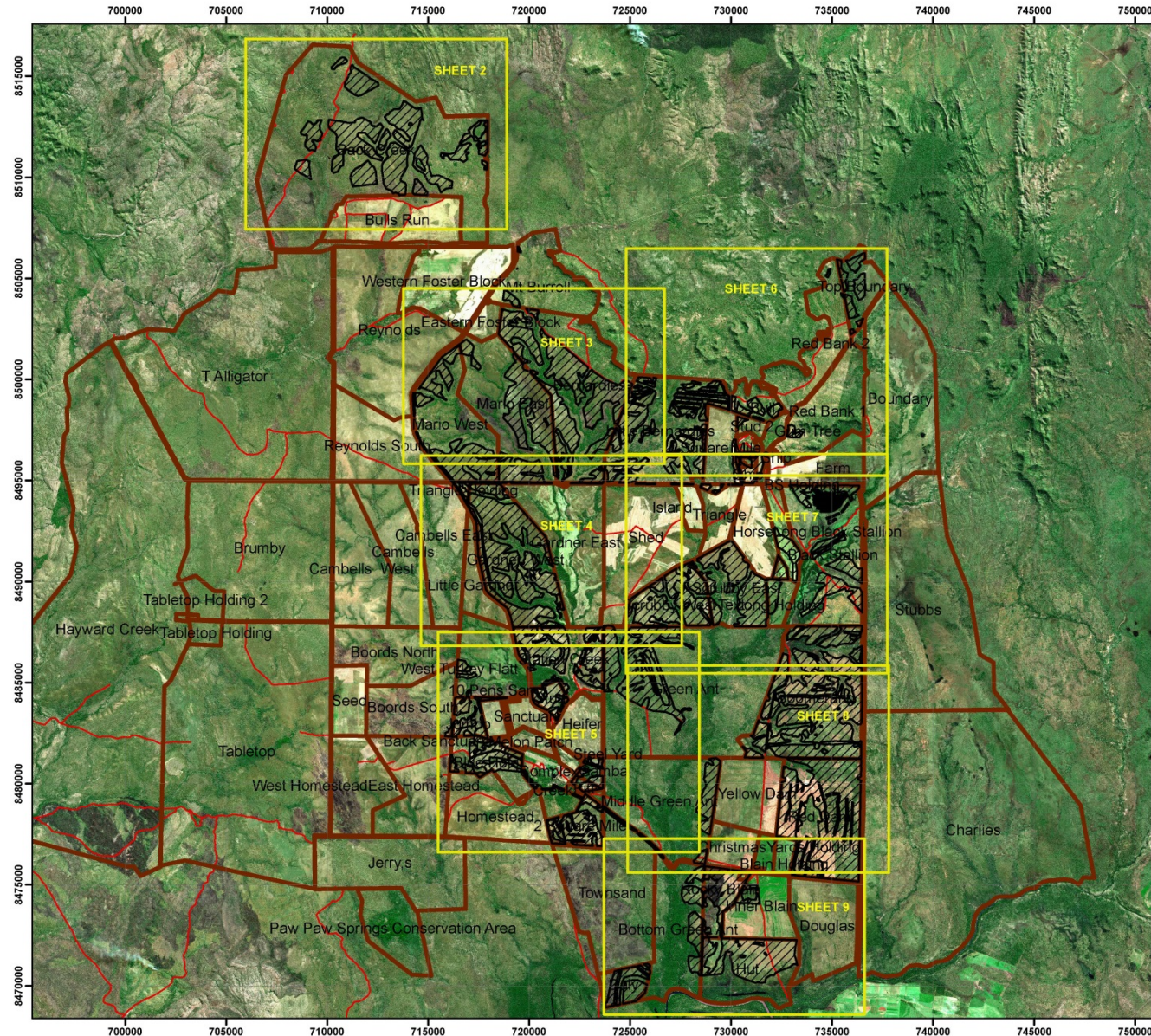
“Pastoral Lessee” has the same meaning as in the *Pastoral Land Act*.

“Reissued Permit” means the Land Clearing Permit with permit number PLC13/2-B dated 4 May 2017.

“Substantially Commenced” and “Substantially Commence” means not less than 10% of the total area proposed for clearing under this Permit has been cleared.



# SCHEDULE 1 AREA OF LAND



**Drawing No.13/1004/1  
TIPPERARY EAST STATION  
CLEARING PLAN  
NT Portion 7348 PPL 1222**

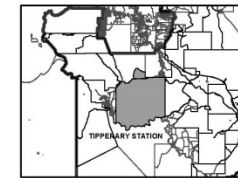
Total area approved for clearing = 18126 ha

## Legend

-  Area to be cleared
-  Fences
-  Tracks

Map Grid or Australia (MGA) Zone 52  
Universal Transverse Mercator Projection  
Horizontal datum:  
Geocentric Datum of Australia (GDA) 1994

Location within the Darwin Pastoral District



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Data source:  
Property Infrastructure: Rangeland Monitoring Branch, DLRM  
Clearing Area: Crown by Rangeland Monitoring Branch,  
Palmerston, N.T.  
Cattle: Land Information, Land Division, DLPE, Darwin, N.T.

For further information contact:  
Pastoral Lease Administration Branch  
Department of Land Resource Management  
3rd Floor, Glyde Centre, Palmerston, Northern Territory  
Phone: (08) 8999 4474, Fax: (08) 8999 4403

Map details:  
Map prepared by: Rangeland Monitoring, DLRM, Palmerston  
Date: 9 October 2013  
Plot File Reference: CLR\_TPV\_2013\_MAP01

This is the drawing referred to in Pastoral Land Clearing

Permit No: PLC13/2-B

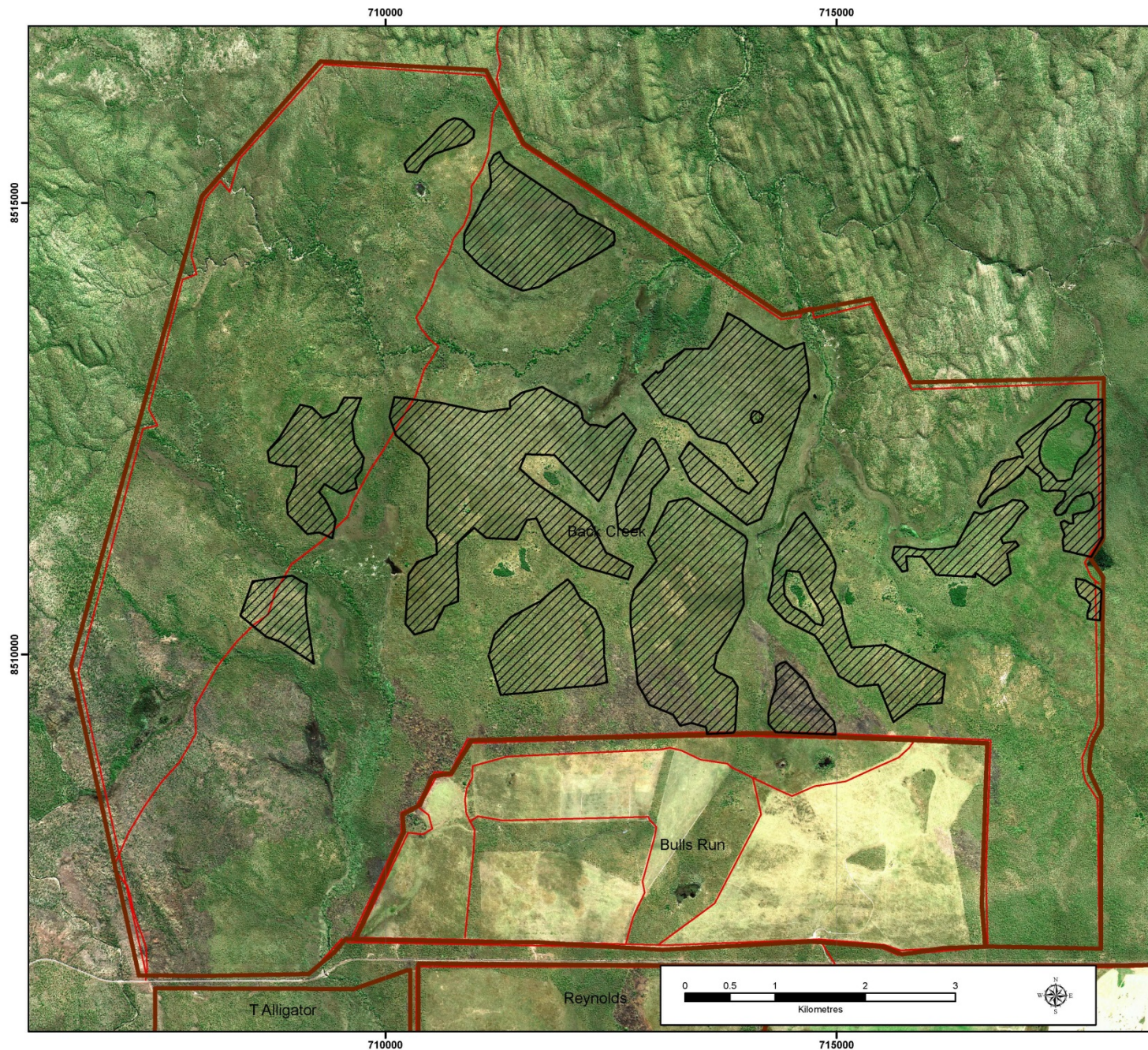
Issued on: 04/05/2017

CHAIRMAN, PASTORAL LAND BOARD



SHEET 1 OF 9





**Drawing No.13/1004/1  
TIPPERARY EAST STATION  
CLEARING PLAN  
NT Portion 7348 PPL 1222**

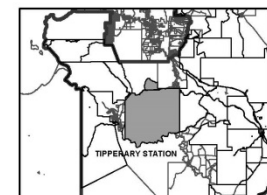
Total area approved for clearing = 18126 ha

**Legend**

-  Area to be cleared
-  Fences
-  Tracks

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Universal Transverse Mercator Projection  
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**Data source**  
Property Infrastructure: Rangeland Monitoring Branch, DIRM  
Clearing Area: Drawn by Rangeland Monitoring Branch, Palmerston, N.T.  
Cadastre: Land Information, Land Division, DLPE, Darwin, N.T.

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**Map details:**  
Map prepared by: Rangeland Monitoring, DIRM, Palmerston  
Date: 8 October 2013  
Plot File Reference: CLR\_TPY\_2013\_MAP02

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Permit No: PLC13/2-B

Issued on: 04/05/2017



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**Drawing No.13/1004/1  
TIPPERARY EAST STATION  
CLEARING PLAN  
NT Portion 7348 PPL 1222**

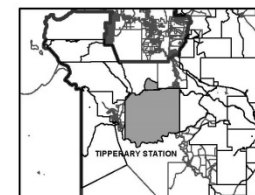
Total area approved for clearing = 18126 ha

**Legend**

-  Area to be cleared
-  Fences
-  Tracks

Map Grid or Australia (MGA) Zone 52  
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**Map details:**  
Map prepared by: Rangeland Monitoring, DIRM, Palmerston  
Date: 8 October 2013  
Plot File Reference: CLR\_TPV\_2013\_MAP03

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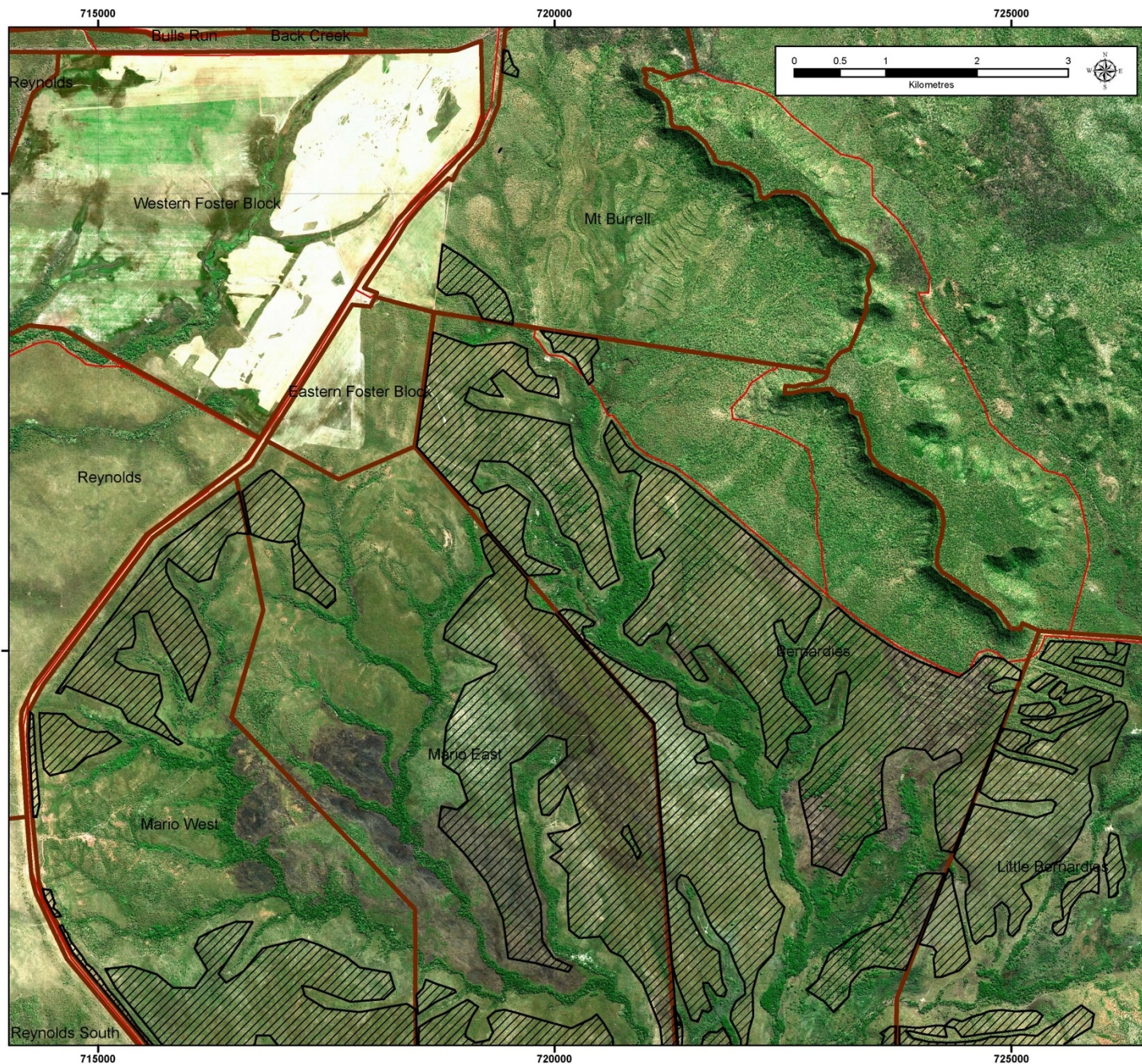
Permit No: PLC13/2-B

Issued on: 04/05/2017

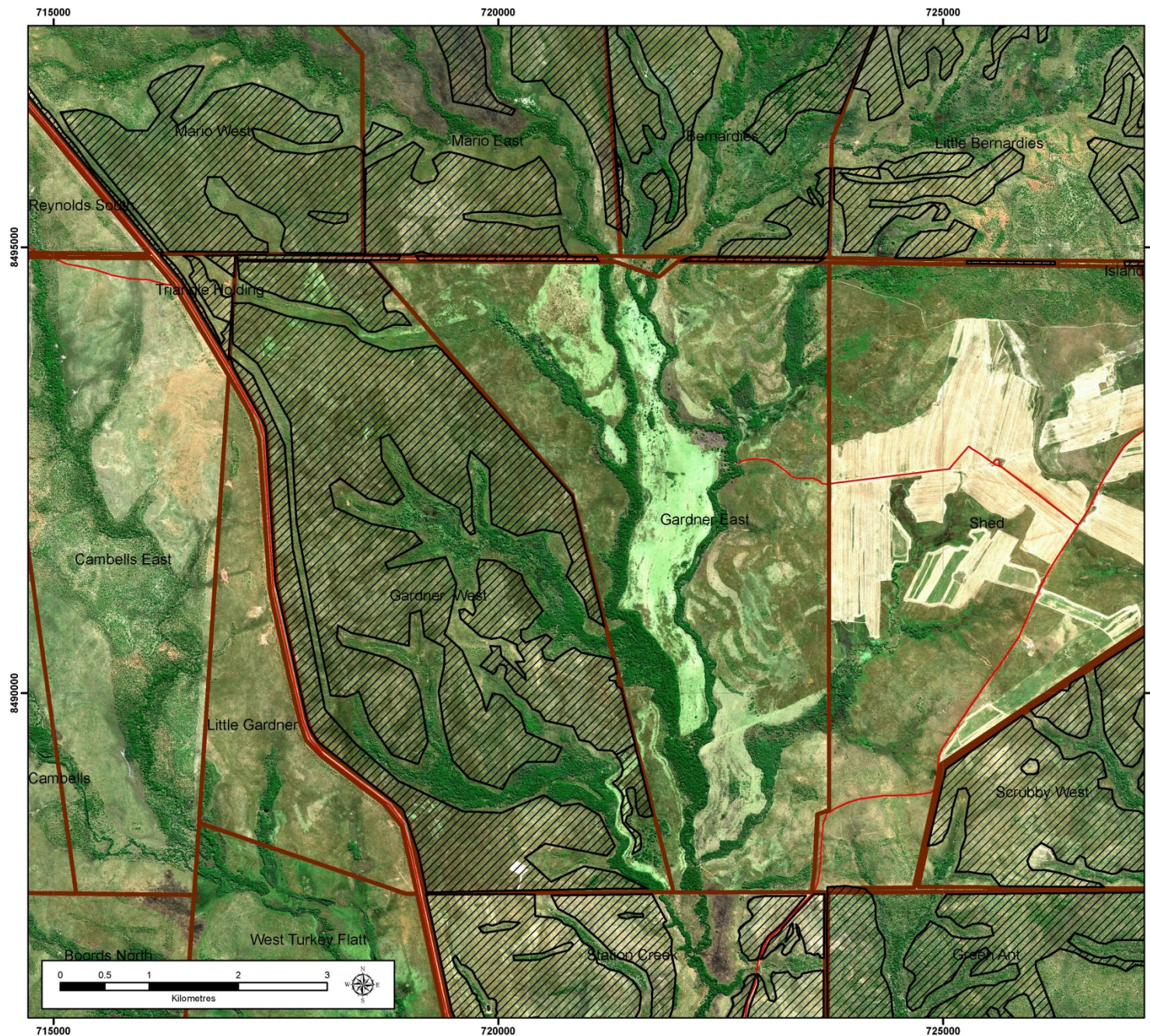
CHAIRMAN, PASTORAL LAND BOARD



SHEET 3 OF 9







**Drawing No.13/1004/1  
TIPPERARY EAST STATION  
CLEARING PLAN  
NT Portion 7348 PPL 1222**

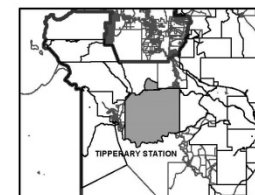
Total area approved for clearing = 18126 ha

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**Map details:**  
Map prepared by Rangeland Monitoring, DIRM, Palmerston  
Date: 8 October 2013  
Plot File Reference: CLR\_TIP\_2013\_MAP04

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Permit No: PLC13/2-B

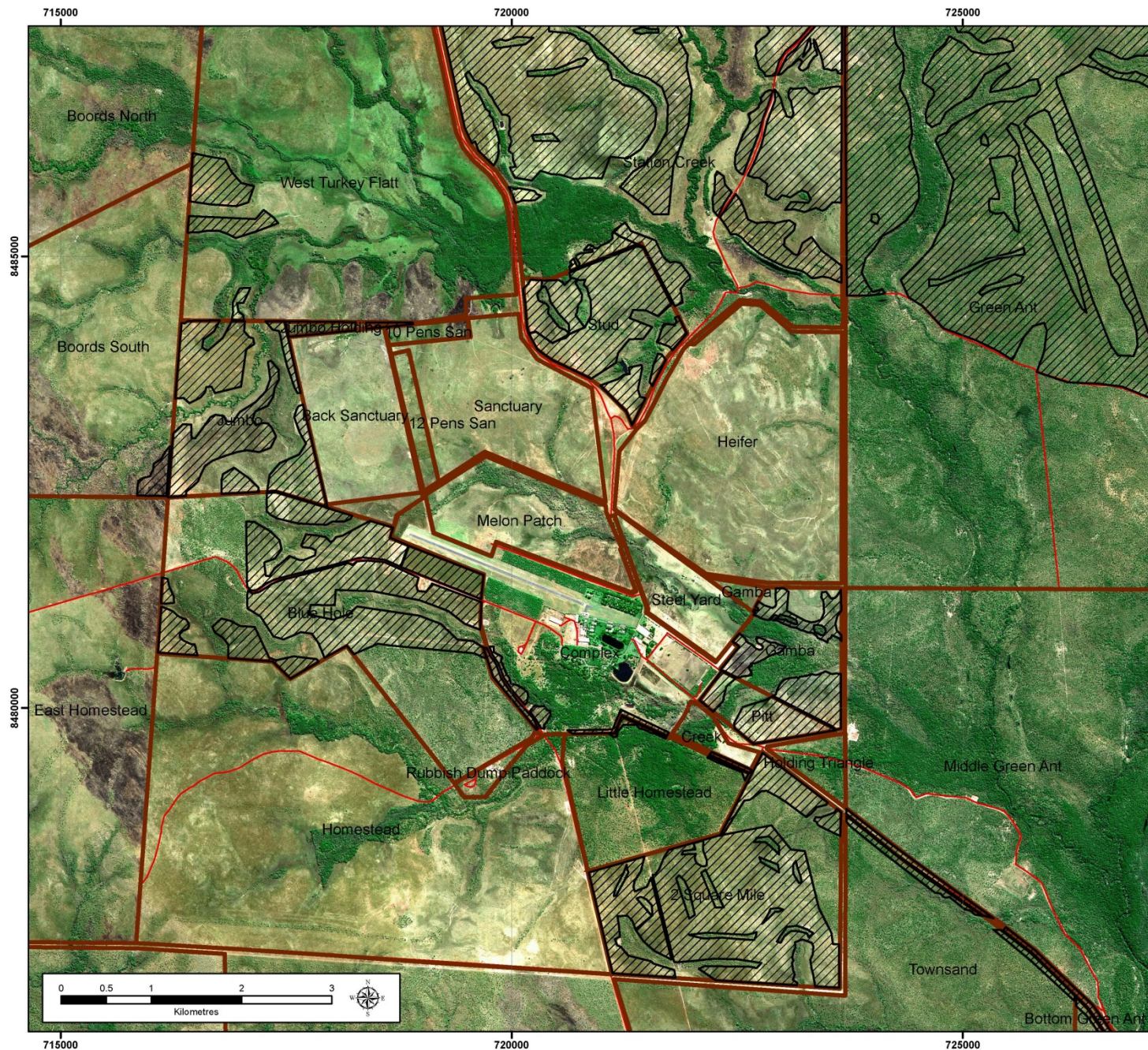
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SHEET 4 OF 9





**Drawing No.13/1004/1  
TIPPERARY EAST STATION  
CLEARING PLAN  
NT Portion 7348 PPL 1222**

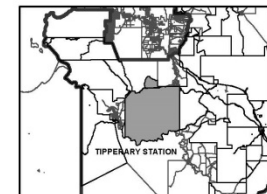
Total area approved for clearing = 18126 ha

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**Map details:**  
Map prepared by Rangeland Monitoring, DIRM, Palmerston  
Date: 8 October 2013  
Plot File Reference: CLR\_TPY\_2013\_MAP06

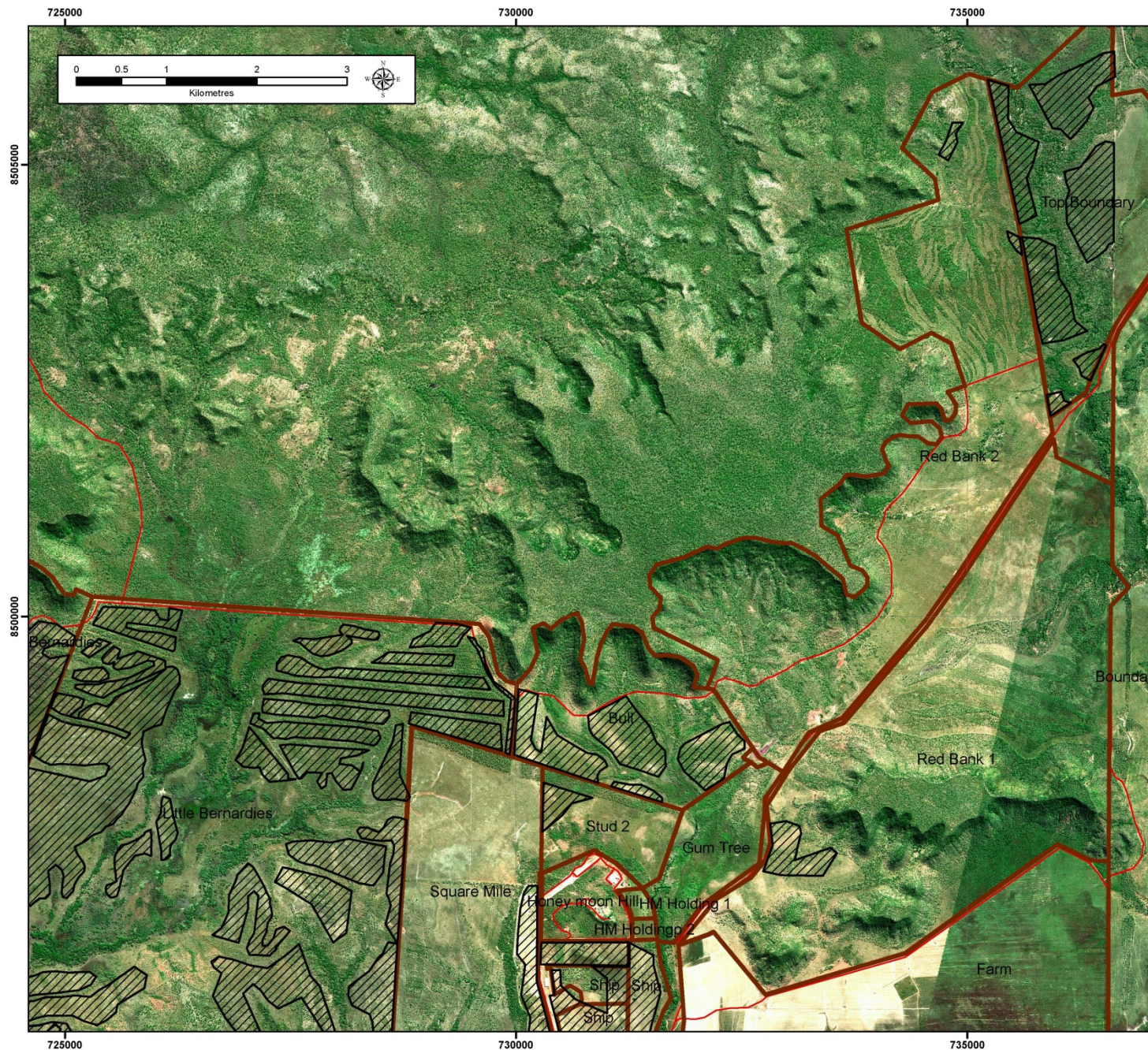
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Permit No: PLC13/2-B

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TIPPERARY EAST STATION  
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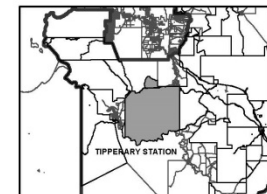
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Phone: (08) 8999 4474, Fax: (08) 8999 4403

**Map details:**  
Map prepared by: Rangeland Monitoring, DIRM, Palmerston  
Date: 8 October 2013  
Plot File Reference: CLR\_TIPV\_2013\_MAP06

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Permit No: PLC13/2-B

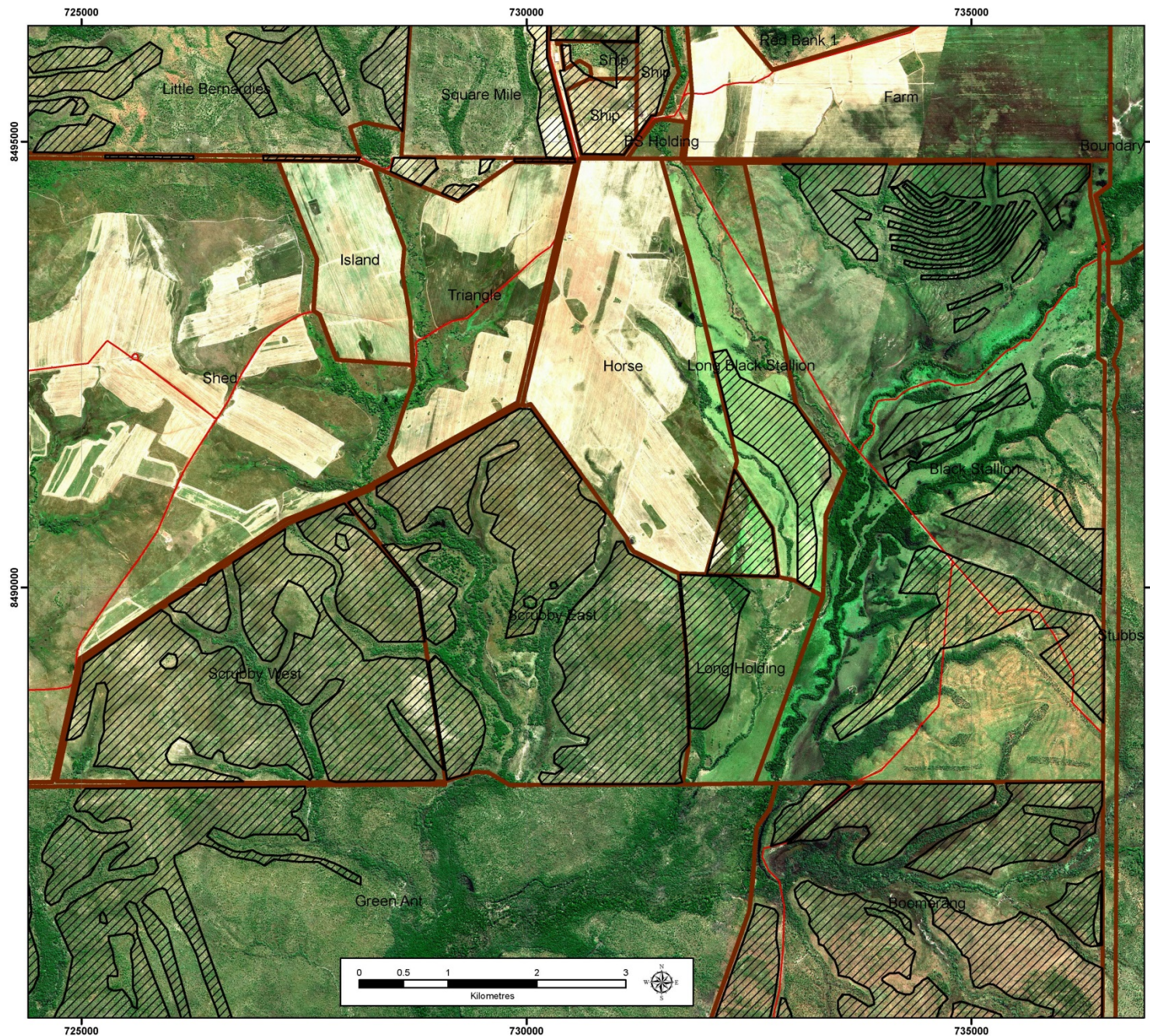
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SHEET 6 OF 9





**Drawing No.13/1004/1  
TIPPERARY EAST STATION  
CLEARING PLAN  
NT Portion 7348 PPL 1222**

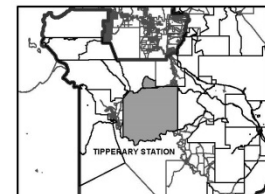
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**Map details:**  
Map prepared by: Rangeland Monitoring, DIRM, Palmerston  
Date: 8 October 2013  
Plot File Reference: CLR\_TPY\_2013\_MAP07

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Permit No: PLC13/2-B

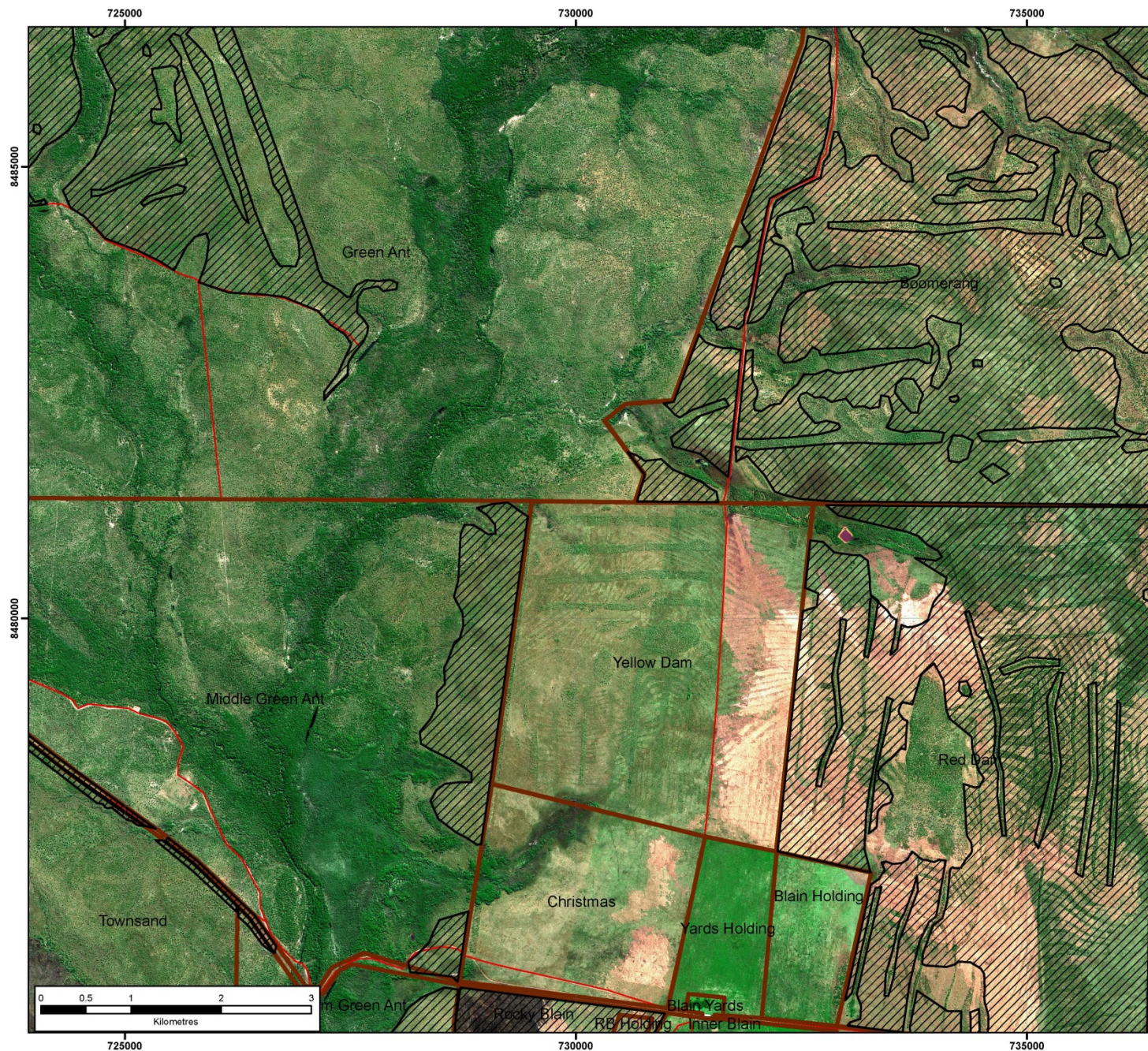
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SHEET 7 OF 9





**Drawing No.13/1004/1  
TIPPERARY EAST STATION  
CLEARING PLAN  
NT Portion 7348 PPL 1222**

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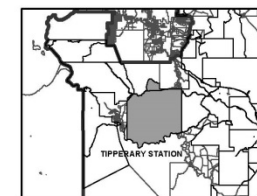
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Property Infrastructure: Rangeland Monitoring Branch, DLRM  
Clearing Areas: Drawn by Rangeland Monitoring Branch,  
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Cadastre: Land Information, Land Division, DLPE, Darwin, N.T.

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3rd Floor, Goyder Centre, Palmerston, Northern Territory  
Phone: (08) 8998 4474, Fax: (08) 8998 4403

**Map details:**  
Map prepared by Rangeland Monitoring, DLRM, Palmerston  
Date: 8 October 2013  
Plot File Reference: CLR\_TPY\_2013\_MAP08

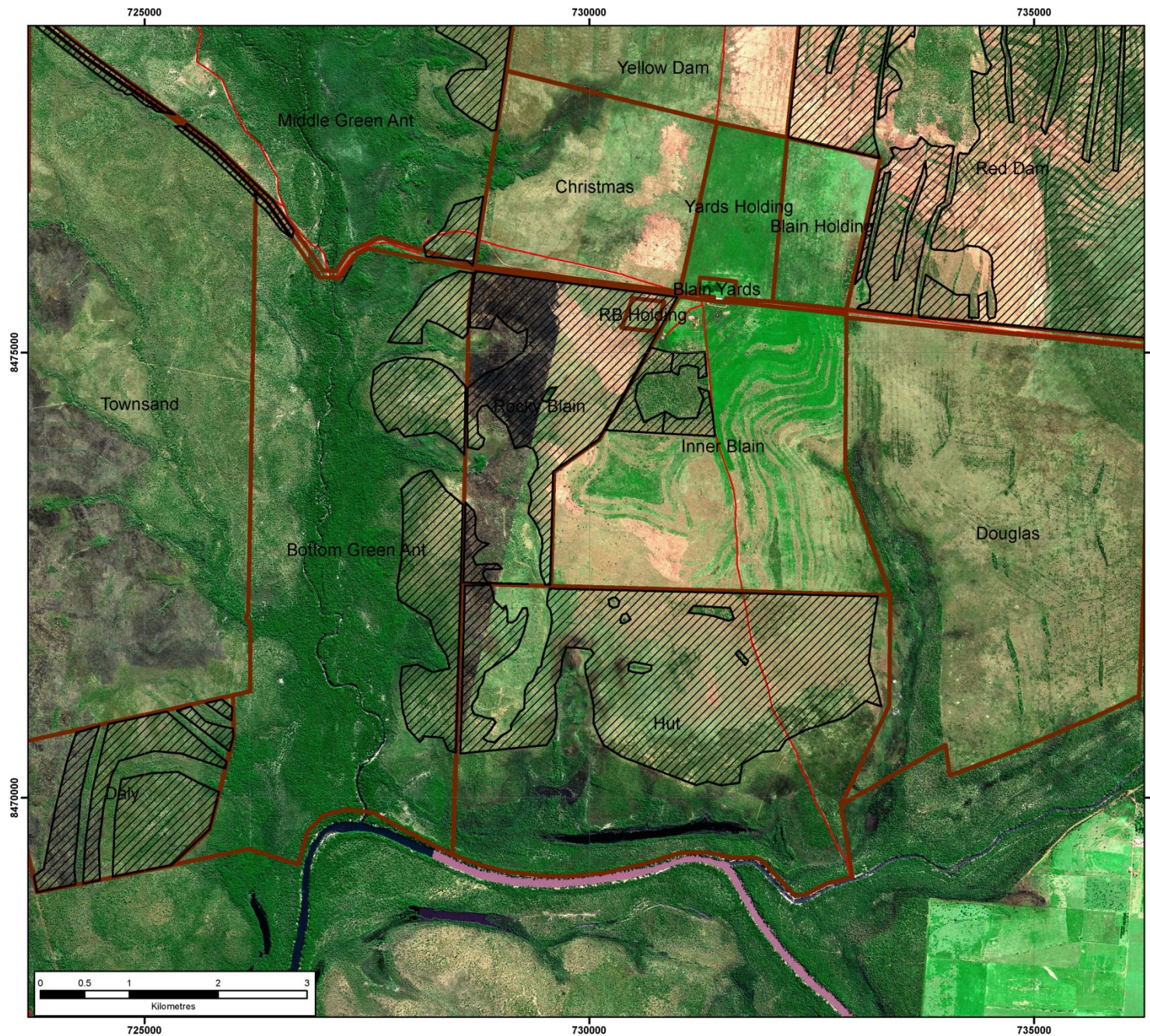
This is the drawing referred to in Pastoral Land Clearing.

Permit No: PLC13/2-B

Issued on: 04/05/2017

CHAIRMAN, PASTORAL LAND BOARD





**Drawing No.13/1004/1  
TIPPERARY EAST STATION  
CLEARING PLAN  
NT Portion 7348 PPL 1222**

Total area approved for clearing = 18126 ha

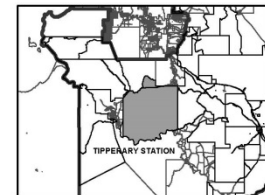
**Legend**

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Cadastre: Land Information, Land Division, DLPE, Darwin, N.T.

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**Map details:**

Map prepared by Rangeland Monitoring, DLRM, Palmerston  
Date: 8 October 2013  
Plot File Reference: CLR\_TPY\_2013\_MAP08

This is the drawing referred to in Pastoral Land Clearing\*

Permit No: PLC13/2-B

Issued on: 04/05/2017

CHAIRMAN, PASTORAL LAND BOARD



## **SCHEDULE 2**

### **SCHEDULE OF CONDITIONS**

1. Prior to commencing any clearing, the Permit Holders must develop an erosion and sediment control plan in relation to that part of the PPL known as “Back Creek Paddock” and submit that plan to the Pastoral Land Board for approval (“ESCP”). The ESCP must outline the measures the Permit Holders will implement to:
  - a. rectify the existing erosion issues along fence lines and track of the Back Creek Paddock; and
  - b. prevent future erosion to the Back Creek Paddock.
2. In relation to any ESCP submitted for approval under Condition 1 or any amended ESCP submitted for approval under Condition 2(c), the Pastoral Land Board may, in its absolute discretion:
  - a. approve the ESCP (hereinafter referred to as the “Approved ESCP”);
  - b. reject the ESCP; or
  - c. identify any issues it has with the ESCP and allow the Lessee to resubmit (under this Condition 2) an amended ESCP that addresses those issues.
3. The Permit Holders must ensure that appropriate levels of ground cover are maintained to prevent erosion and sediment movement on Back Creek Paddock.
4. The clearing, clearing methods, pasture establishment, ongoing pasture and grazing management and ongoing environmental management (including erosion and sediment control) of cleared areas must be undertaken:
  - a. in accordance with the Original Application;
  - b. in accordance with the Endorsed Clearing Plan; and
  - c. to the satisfaction of the Pastoral Land Board.
5. The Permit Holders are required to ensure land management practices do not instigate erosion and to ensure that appropriate erosion and sediment control measures are employed throughout the development and establishment stages, including:
  - a. retention of buffer zones where appropriate and measures to address seasonal timing of works;
  - b. management of groundcover and minimisation of bare ground, crop layout and maintenance of natural sheet flow patterns;
  - c. avoidance or removal of soil windrows or other surface modifications that create concentrated flow paths for runoff; and
  - d. use of erosion controls on access tracks where appropriate.
6. The Permit Holders must notify the Director Pastoral Lease Administration and Board, Department of Environment and Natural Resources before the commencement of each stage of clearing and on completion of the clearing as outlined in the Original Application.
7. This Permit is subject to the Permit Holders’ ongoing compliance with its obligations under the PPL.



8. Despite any term or condition of this Permit, the Permit Holders must at its own cost in all respects, comply with all laws, statutes and subordinate instruments, applicable to the clearing of pastoral land including but not limited to the following:
  - a. *Northern Territory Aboriginal Sacred Sites Act* (NT);
  - b. *Territory Parks and Wildlife Conservation Act* (NT);
  - c. *Weeds Management Act* (NT);
  - d. *Bushfires Act* (NT);
  - e. *Heritage Act* (NT);
  - f. *Environmental Assessment Act* (NT); and
  - g. *Environment Protection and Biodiversity Conservation Act 1999* (Cth).
9. This Permit is at all times subject to existing rights, title and interests of all other persons (including any rights or interests registered on the certificate of title). The Permit Holders must comply with all terms and conditions of such existing rights, title and interests. The Permit Holders must not unreasonably or unduly interfere with, impede, restrict or limit the rights, title or interests of any person.
10. This Permit shall be revoked automatically upon the:
  - a. termination of the PPL; or
  - b. surrender of the PPL.

For the avoidance of doubt, a transfer of the PPL does not revoke this Permit.

11. The Pastoral Land Board may immediately revoke this Permit by written notice to the Permit Holders if the Permit Holders breach any condition of this Permit and fails to remedy the breach within ninety (90) days after receiving notice requiring it to do so.

## NOTES

1. Under the *Northern Territory Aboriginal Sacred Sites Act*, entry onto and carrying out of work on Aboriginal sacred sites is an offence unless the work is done in accordance with an Authority Certificate issued by the Aboriginal Areas Protection Authority (“**AAPA**”). The Permit Holders must ensure that all clearing complies with the requirements of that Act.
2. The Permit Holders are advised that there are statutory obligations under the *Weeds Management Act* to take all practical measures to manage weeds on the property. It is the responsibility of the Permit Holders to ensure that all clearing complies with the requirements of that Act. For advice on weed management please contact the Regional Weeds Officer, Department of Environment and Natural Resources (“**DENR**”) on telephone 8999 4567. The Permit Holders can also access information on the requirements of that Act on DENR’s website ([www.denr.nt.gov.au](http://www.denr.nt.gov.au)).
3. Fire prevention measures are to be implemented in accordance with the requirements of the *Bushfires Act*. A permit must be obtained before ignition of any felled timber in this area. It is the responsibility of the Permit Holders to ensure that all clearing complies with the requirements of that Act. Please contact the Regional Fire Control Officer of the DENR on telephone (08) 8976 0098. The Permit Holders can also access information on the requirements of that Act on DENR’s website ([www.denr.nt.gov.au](http://www.denr.nt.gov.au)).
4. The *Heritage Act* protects archaeological places and objects, regardless of the level of documentation that the Department of Tourism and Culture (Heritage Branch) (“**DTC**”) has of such sites. It is an offence to undertake work on a heritage place or object without first obtaining the relevant approval under the Act. It is the responsibility of the Permit Holders to ensure that all clearing complies with the requirements of that Act. The Permit Holders can access information on the requirements of this Act on DTC’s website ([www.dtc.nt.gov.au](http://www.dtc.nt.gov.au)).
5. It is the responsibility of the Permit Holders to ensure that the proposal to clear pastoral land meets the requirements of the *Environmental Assessment Act*. The Northern Territory Environment Protection Authority (“**NTEPA**”) administers that Act. The Permit Holders can access information on the requirements of that Act on NTEPA’s website ([www.ntepa.nt.gov.au](http://www.ntepa.nt.gov.au)).
6. It is the responsibility of the Permit Holders to ensure that the proposal to clear pastoral land meets the requirements of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth). The Commonwealth Department of Environment (“**DoE**”) administers that Act. The Permit Holders can access information on the requirements of that Act on DoE’s website ([www.environment.gov.au/epbc/index.html](http://www.environment.gov.au/epbc/index.html)).
7. Pursuant to section 119(1)(a) of the *Pastoral Land Act* the applicant has a right to have this decision reviewed by the Northern Territory Civil and Administrative Tribunal. Such an application must be lodged within 28 days of receipt of notice of this decision.