

NORTHERN TERRITORY OF AUSTRALIA

*Pastoral Land Act 1992 – section 85A(1)*

**CONSENT TO NON-PASTORAL USE ACTIVITY**

**Permit Number: NPU15/1A**

**DESCRIPTION OF THE LAND SUBJECT OF THE PERMIT**

N.T. Portion 771

630 Undoolya Road, Hale

**Perpetual Pastoral Lease No. 980 – Undoolya Station**

**APPROVED PURPOSE**

To use and develop the land for the purpose of Non-pastoral Use being irrigated cropping and perennial horticulture (“the Non-pastoral Use Activity”), in accordance with the attached Schedule of Conditions and the Endorsed Plans.

**TERM OF PERMIT**

The Pastoral Land Board (Board) has determined to extend the Commencement Period of the Permit until 21 April 2021.

This Permit variation does not extend the base period of the Original Permit, which was issued on 21 April 2015 and will lapse thirty (30) years from the date of issue, subject to the Schedule of Conditions.

This Permit extends the commencement period of the Original Permit by four (4) years.

**EXTENSION OF TERM OF PERMIT**

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

- (i) The Permit Holder has Substantially Commenced the Non-pastoral Use Activity within the Commencement Period; and
- (ii) The application for extension is submitted to the Board in the approved form at least two (2) years before the Expiry Date.

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

Date: 09/12/2019



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Julie Ross

Chairman, Pastoral Land Board

## DEFINITIONS

In this Permit:

“**Commencement Period**” means the period ending 21 April 2021.

“**Endorsed Plan**” means any plan subject to the conditions of the permit that has been endorsed by the Board as forming part of this permit.

“**Expiry Date**” means the period of thirty (30) years from the date of the Original Permit being 21 April 2015.

“**Non-pastoral Use Activity**” means the use described in the Approved Purpose.

“**Original Application**” means the document prepared by the Permit Holders, entitled “*Application for Non-pastoral Use of Pastoral Land (s.86 Pastoral Land Act)*” dated 5 December 2014.

“**Original Permit**” means the Consent to Non-pastoral Use Activity Permit (Permit Number NPU15/1) issued on 21 April 2015.

“**Pastoral Lessee**” has the same meaning as in the *Pastoral Land Act 1992*.

“**Permit Holder/s**” means the Pastoral Lessee.

“**Substantially Commenced**” and “**Substantially Commence**” means not less than 10% of the total area proposed for development under this permit has been developed.

## SCHEDULE OF CONDITIONS

1. An annual fee for this Permit is payable by the Permit Holder in accordance with section 85D of the *Pastoral Land Act 1992* (NT) from the date of this Permit and continuing throughout the Term (and any Extension of the Term), in accordance with notices issued by the Board from time to time.
2. This Permit is subject to the Permit Holder’s ongoing compliance with its obligations under the Perpetual Pastoral Lease (PPL).
3. Despite any term or condition of this Permit, the Permit Holder must at its own cost in all respects, comply with all laws, statutes and subordinate instruments, applicable in the Northern Territory including but not limited to the following:
  - a. *Northern Territory Aboriginal Sacred Sites Act 1989* (NT);
  - b. *Territory Parks and Wildlife Conservation Act 1976* (NT);
  - c. *Weeds Management Act 2001* (NT);
  - d. *Bushfires Management Act 2016* (NT);
  - e. *Heritage Act 2011* (NT);
  - f. *Environmental Assessment Act 1982* (NT); and
  - g. *Environment Protection and Biodiversity Conservation Act 1999* (Cth).
4. 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 Holder must comply with

all terms and conditions of such existing rights, title and interests. The Permit Holder must not unreasonably or unduly interfere with, impede, restrict or limit the rights, title or interests of any other person.

5. This Permit shall be revoked automatically upon the:
  - a. termination of the PPL; or
  - b. surrender of the PPL.
6. The Board may immediately revoke this Permit by written notice to the Permit Holder if the Permit Holder breaches any condition of this Permit and fails to remedy the breach within 90 days after receiving notice requiring it to do so.

## NOTES

1. The Permit Holder is advised that there are statutory obligations under *the Weeds Management Act 2001* (NT) to take all practical measures to manage weeds on the property. It is the responsibility of the Permit Holder to ensure that all Non-pastoral Use activity complies with the requirements of this 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 Holder can also access information on the requirements of this Act on DENR's website ([www.denr.nt.gov.au](http://www.denr.nt.gov.au) ).
2. The *Heritage Act 2011* (NT) protects archaeological places and objects, regardless of the level of documentation that the Department of Tourism, Sport and Culture (Heritage Branch) ("DTSC") 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 Holder to ensure that all Non-pastoral Use activity complies with the requirements of this Act. The Permit Holder can access information on the requirements of this Act on DTSC's website ([www.dtsc.nt.gov.au/nt-heritage-council](http://www.dtsc.nt.gov.au/nt-heritage-council) ).
3. Under the *Northern Territory Aboriginal Sacred Sites Act 1989* (NT), 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"). It is the responsibility of the Permit Holder to ensure that all Non-pastoral Use activity complies with the requirements of this Act.
4. Under section 119(1)(a) of the *Pastoral Land Act 1992* (NT), a Permit Holder who is dissatisfied with a decision of the Board has a right to have this decision reviewed by the Northern Territory Civil and Administration Tribunal ("NTCAT"). Such an application must be lodged with NTCAT within 28 days of receipt of notice of this decision.

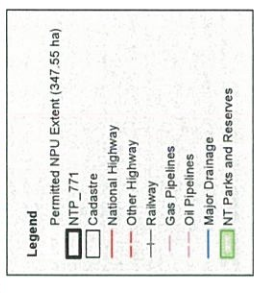
**Undoolya Station**  
**PPL 980**  
**NT Portion 771**  
**Undoolya Road, Hale Locality**  
 Permit Holder - James Hayes



Drawing No: **NPU15/LA-001** referred to in  
 Permit No: **NPU15/LA** issued by  
 The Pastoral Land Board on: **09/12/2019**

*Julie Ross*

Julie Ross, Chairman, Pastoral Land Board



Projection: Universal Transverse Mercator (UTM)  
 Map Grid of Australia (MGA), Zone 53  
 Horizontal Datum: Geocentric Datum of Australia (GDA94)

**DATA SOURCE:**  
 Permitted Clearing Areas: Department of Environment and Natural Resources  
 NT Parks and Wildlife Commission  
 NT Pastoral Land Board  
 Department of Infrastructure, Planning and Logistics  
 Drainage: 250k © Commonwealth of Australia (BoM) 2012



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