Property Development Plan – Unzoned Land*

Attachment to a Development Application to Clear Native Vegetation under the *Planning Act

An application to clear native vegetation under the *Planning Act* must address section 46(3) of the Act. An application can be rejected if section 46(3) is not addressed.

This **Property Development Plan** is designed to help you address section 46(3) of the *Planning Act*, and when completed, it is to be submitted online at www.nt.gov.au/property/building-and-development/development-one-stop-shop and the correct fee paid. Contact 8999 6046 for assistance to lodge an application.

Section 46(3)(a) of the Act requires a development application to demonstrate how the proposed development will comply with the NT Planning Scheme Clauses 10.2 and 10.3. The Planning Scheme states that an application to clear native vegetation must demonstrate consideration of the following:

a) Land Clearing Guidelines (as amended from time to time) by the Department of Environment and Natural Resources. The Guidelines are available at www.denr.nt.gov.au/land-resource-management/rangelands/technical-notes-fact-sheets/land-clearing-fact-sheets-reports

b) Presence of threatened wildlife as declared under the *Territory Parks and Wildlife Conservation Act*

c) Presence of sensitive or significant vegetation communities such as rainforest, vine thicket, closed forest or riparian vegetation

d) Presence of essential habitats, within the meaning of the *Territory Parks and Wildlife Conservation Act*

e) Impact of the clearing on regional biodiversity

f) Whether the clearing is necessary for the intended use

g) Whether there is sufficient water for the intended use

h) Whether the soils are suitable for the intended use

i) Whether the slope is suitable for the intended use

j) Presence of permanent and seasonal water features such as billabongs and swamps

k) Retention of native vegetation adjacent to waterways, wetlands and rainforests

l) Retention of native vegetation buffers along boundaries

m) Retention of native vegetation corridors between remnant native vegetation

n) Presence of declared heritage places or archaeological sites within the meaning of the *Heritage Act*

o) Presence of any sacred sites within the meaning of the *NT Aboriginal Sacred Sites Act*.

The process of completing this form will help to identify and assess risks associated with a proposed development and identify measures to mitigate the risk. Proposed risk mitigation strategies (e.g. erosion controls) may be formalised as a condition on a permit.

- Your application must include all previously cleared land that is not under permit (i.e. cleared before controls were introduced in December 2002) if you intend to clear native vegetation in these areas in the future. See **Appendix A** for a definition of "clearing of native vegetation."
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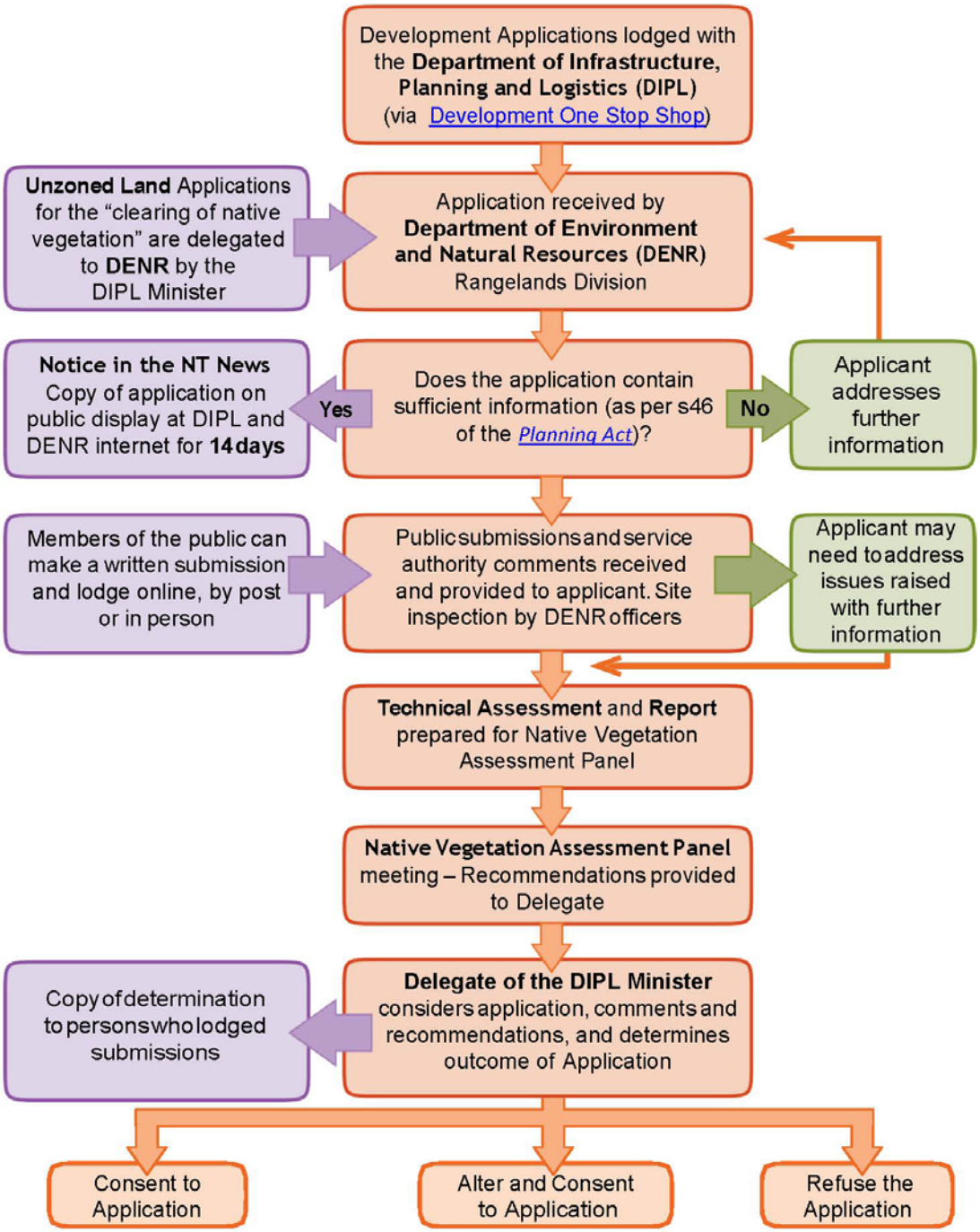
- Additional information is provided in **Appendix A** at the end of this form, including:
  - When consent to clear under the *Planning Act* is required;
  - Application process; and
  - Glossary of terms;
- Applicants must complete all 4 sections of the form:
  - **Part 1** Parcel Details; p. 3
  - **Part 2** Development Proposal; p. 4
  - **Part 3** Identifying Potential Impacts and Mitigation Strategies; p. 9
  - **Part 4** Descriptions of land types. p. 18

The process for seeking consent to clear native vegetation on unzoned land is outlined in the flowchart below. Applicants are encouraged to contact the Department of Environment and Natural Resources (Ph 8999 3631 or email landclearing@nt.gov.au) before lodging an application.

FLOW CHART FOR UNZONED LAND CLEARING APPLICATIONS



Note: an application may be deferred at any stage if further information is considered necessary to enable proper assessment of the proposal

1 LAND DETAILS

1.1 Portion/Lot/Section

Identification (Lot, NT Portion or Section number and "Hundred"):	
Tenure of parcel (e.g. Freehold, crown lease)**:**	
Property name (if applicable)**:**	
Size of parcel (ha):	
Total existing cleared area (in hectares):	
Current use(s) of property	

1.2 Applicant and/or land manager's background

Use the space here if you wish to provide your level of experience with clearing operations, establishing and maintaining the proposed crops or pastures or other land use, identifying land types, and other land management experience.

END OF PART 1

2 DEVELOPMENT PROPOSAL

2.1 How much land are you proposing to clear (including regrowth) and what is (are) the proposed use(s)?

Complete the table below. Add further rows if required.

Site ID (paddock or nominated number ID)	**Proposed Use** (e.g specify crops or pasture species to be planted. Will pastures be grazed or used for hay production?)	**Area** (ha)

Total Area: _____

Attach any relevant information about the proposed use. For example, pasture or crop requirements such as preferred soils, fertiliser and/or insecticide requirements and management advice. See websites www.denr.nt.gov.au/land-resource-management/rangelands/publications and www.dpir.nt.gov.au/primary-industry/primary-industry-publications

2.2 Attach a Clearing Plan showing proposed clearing.

The Clearing Plan is a drawing or map made to scale showing the geo-referenced location of the proposed clearing site(s) numbered or identified as shown in the above tables.

The clearing plan must contain:

- the map datum (e.g. GDA94) used to locate the clearing areas;
- the map projection or zone;
- a north arrow;
- a suitable background (e.g. cadastre showing property boundaries, satellite/aerial imagery or topographic map);
- corners of clearing areas must be labelled with coordinates, or numbered to identify coordinates contained in an attached table.

For assistance, contact the Senior Vegetation Management Officer, Department of Environment and Natural Resources on 8999 3631 or email landclearing@nt.gov.au.

2.3 Have any of these proposed areas been previously cleared?

☐ Yes – complete the table below ☐ No – go to 2.4

Add further rows if required

Site ID (paddock or nominated number ID)	**Area previously cleared** (ha)	**Details of previous clearing** Year cleared, purpose of original clearing, estimated age / height of regrowth, last known date of maintenance etc.

2.4 Have any other areas on the property been previously cleared that are not part of this application?

☐ Yes – complete the table below ☐ No – go to 2.5

Add further rows if required

Site ID (paddock or nominated number ID)	**Area previously cleared** (ha)	**Clearing Purpose / Land Use**	**Approval Date and/or Permit Details**	**Year cleared**	**Is the clearing currently maintained?**

Show the location of previous clearing on a copy of the Clearing Plan OR other drawing.

2.5 Will the clearing development be staged? (different sites cleared in different years)

☐ Yes - outline timing and order of stages below ☐ No – go to 2.6

Add additional rows if required.

Year	**Site ID** (paddock or nominated area in hectares)

2.6 Outline an Establishment Plan in the table below.

Activity	**Timing (month/year)**	**Methods/Details** Prompts are included to assist but other information can be included where relevant
Demolition of Vegetation		Machinery and techniques:
Removal of Debris		Machinery and techniques, including burning, mulching, temporary location and removal of windrows:
Site Preparation		Machinery and techniques, use of raised beds and their angle to contour:
Planting		Machinery and techniques:
Weed and Sucker Management		Indicate control methods:
Grazing Management (if applicable)		Outline when stock will be introduced and stocking regime to be used after establishment:
Crop Management (if applicable)		Outline how crops will be tilled and/or rotated and whether any additional crops or pastures are likely to be added in the future:

2.7 Does the proposal require irrigation?

☐ Yes – answer the questions below ☐ No – go to 2.9

2.7.1	**What will be the total annual water requirements for the property following establishment of the proposed development? List current and proposed crops.** For example: Mangoes – 100ha – 5x10m spacing = 860ML/yr (contact Water Resources on 8999 4613 for advice on water use requirements).
2.7.2	**Where will water be sourced and is there adequate supply?** For example: 860 ML/yr will be sourced from the Tindall Limestone Aquifer from bore RN32140 at 20L/sec.

2.8 Water licensing requirements

Note: Licensing provisions apply in the NT with a higher level of management in Water Control Districts and Water Allocation Plan areas. Contact Water Resources on 8999 4613 for advice on whether this applies to you.

Do you need a water licence?

☐ Yes ☐ No

Do you have a water licence?

☐ Yes ☐ No – go to 2.9

If yes please provide:

Licence number	
Maximum annual volume	
Licence expiry date	

2.9 Are there any weeds declared under the *Weeds Management Act* on the property?

For assistance see: www.nt.gov.au/environment/weeds/declared-weeds

☐ Yes – provide details in the table below ☐ No – go to 2.10

Weed species and declared class	**Weed locations** (e.g. tracks, previously cleared areas, proposed clearing areas)	**How common is the weed?**

Class A: to be eradicated
Class B: growth and spread to be controlled
Class C: not to be introduced to the Northern Territory

2.10 Provide descriptions of land types proposed for clearing.

Use the pro-forma at Part 4 and copy for each land type. Take a representative photo of each land type. Attach completed pro-formas and photos.

Existing land resource mapping can be used to guide your description of the land but by itself does not satisfy your obligation to describe the land because it may not be at an appropriate scale. Mapping must be verified or refined by on-ground site survey.

You should complete a separate pro-forma for each land type that you propose to clear.

Note: Government officers visit proposed developments to confirm that descriptions are accurate. If they are not accurate, additional descriptions may be requested.

Delineate the location of each land type on a copy of the clearing plan.

For further assistance, contact Rangelands Division on 8999 3631, landclearing@nt.gov.au or see:
www.denr.nt.gov.au/land-resource-management/rangelands/information-requests/land-soil-vegetation-information

2.11 Will you refer your proposal to the Northern Territory Environment Protection Authority (NT EPA) for assessment under the *Environmental Assessment Act*?

To determine whether your proposal will trigger referral, read the Environmental Assessment Guidelines "*When a Notice of Intent is not required for development proposal submitted under the Planning Act*". See https://ntepa.nt.gov.au/environmental-assessments/env-assessment-guidelines

☐ Not referred to NT EPA

☐ Referred – assessment not required (attach advice from NT EPA)

☐ Referred – assessment required (attach advice from NT EPA)

2.12 What are the merits of the proposed clearing? How will the economy, society or environment benefit? Include details of productive output.

2.13 Are there any public facilities, utilities, or infrastructure in the locality?

- Include public roads and National Parks or Reserves.

☐ Yes – provide details below including distance from proposed clearing and if the proposed clearing will impact these

☐ No – go to Part 3

END OF PART 2

3 POTENTIAL IMPACTS AND MITIGATION STRATEGIES

3.1 Are threatened flora and fauna species present?

Are there any records of threatened flora and/or fauna species listed under the Commonwealth *Environment Protection and Biodiversity Conservation* (EPBC) *Act* or the *Territory Parks and Wildlife Conservation* (TPWC) *Act* within 5km of the proposed clearing sites (or within 20km if south of Mataranka)?

To find out, go to NR Maps www.nrmaps.nt.gov.au, which incorporates the NT Species Atlas. The Atlas consists of flora, fauna, sites of conservation significance and sites of botanical significance.

NR Maps user guide:
www.nt.gov.au/__data/assets/pdf_file/0013/202342/nr-maps-species-atlas-flora-and-fauna.pdf

Alternatively, data can be requested via email from: datarequests.denr@nt.gov.au
Further information about data requests:
www.nt.gov.au/environment/environment-data-maps/environment-data-requests

☐ Yes – list species below and complete section 3.2 ☐ No – go to 3.4

Listing Codes: Critically Endangered (CR), Endangered (EN), Vulnerable (VU), Near Threatened (NT), and Data Deficient (DD)

Common Name	Species Name	EPBC Act Listing	TPWC Act Listing

3.2 Assess the risks to each threatened species

Assess the risks to each threatened species associated with the proposed development and describe how any risk will be mitigated in the table below. Identify any associations that the species may have with landforms, vegetation structure or dominant plant species proposed for clearing as described in Part 2.10.

Download species information at:
www.nt.gov.au/environment/native-plants/threatened-plants
www.nt.gov.au/environment/animals/threatened-animals

or contact DENR Flora and Fauna Division (8995 5000)

Risk assessment: (discuss the likelihood of impacts occurring and possible consequences)
Risk mitigation: (how will risks identified above be minimised)

3.3 Are any threatened flora species (such as Cycads) intended for commercial harvest?

An application under the *Territory Parks and Wildlife Conservation Act* can be made with this Property Development Plan.

☐ Yes – Contact Parks and Wildlife Permits office 8999 4795 ☐ No – go to 3.4

3.4 Are significant or sensitive vegetation communities present?

Are there any significant or sensitive vegetation communities such as rainforest; closed forest; riparian vegetation; communities containing large trees with hollows; sand-sheet heath; or mangroves within 200 m of the proposed clearing area(s)?

See the Land Clearing Guidelines for definitions of significant vegetation communities or sensitive vegetation fact-sheets at: www.denr.nt.gov.au/land-resource-management/rangelands/guidelines-and-management-plans/land-clearing-guidelines-and-management-plans

☐ Yes – provide details in the table below and section 3.5 ☐ No – go to 3.6

Description of significant vegetation community	Distance to proposed clearing

Show the location of significant vegetation communities on a copy of the Clearing Plan.

3.5 Are there any risks to significant or sensitive vegetation communities?

Identify and assess the risks to significant or sensitive vegetation communities associated with the proposed development and use of the land. Describe how risks will be mitigated. Potential impacts include: weed incursion; fertiliser / chemical inputs; erosion and/or sedimentation; and reduced wildlife movement to or from community. Consider any benefits from fire management.

Risk assessment: (discuss the likelihood of impacts occurring and possible consequences)
Risk mitigation: (how will risks identified above be minimised)

3.6 Are there any conservation areas or Sites of Conservation Significance located in the area that may be impacted by the proposed clearing?

Information about Conservation Sites can be found at:

- NT Sites of Conservation Significance: www.nt.gov.au/environment/environment-data-maps/important-biodiversity-conservation-sites/conservation-significance-list
- Register of the National Estate:
  - http://www.environment.gov.au/heritage/places/register-national-estate
  - http://www.environment.gov.au/cgi-bin/ahdb/search.pl
- NT Parks and Reserves: www.ntlis.nt.gov.au/imfPublic/imf.jsp?site=nretawww.nt.gov.au/leisure/parks-reserves/find-a-park-to-visit

Information is also available on NR Maps www.nrmaps.nt.gov.au

☐ Yes - complete table below and section 3.7 ☐ No - go to 3.8

Description of conservation site or area	**Distance to proposed clearing**

3.7 Identify and assess the risks to any Sites associated with the proposed development and use of the land and describe how risk will be mitigated.

Show the location of Sites on a copy of the Clearing Plan.

Risk assessment: (discuss the likelihood of impacts occurring and possible consequences)
Risk mitigation: (how will risks identified above be minimised)

3.8 Are native vegetation buffers and / or wildlife corridors proposed to be retained as recommended in Table 2 of the Land Clearing Guidelines?*

☐ Yes – go to 3.10 ☐ No - complete table below and section 3.9

Recommended buffer / corridor width	**Proposed width and length**	**Why have recommendations not been followed?**

*Show the location and size of any proposed native vegetation buffers and wildlife corridors on the Clearing Plan regardless of their size

3.9 Assess the risks associated with reduced vegetation buffers/corridors using the table below. Potential risks include:

- reduced habitat availability and movement of wildlife between larger patches of vegetation; or
- reduction in undisturbed habitat and species that avoid disturbance – edges of corridors are often disturbed by clearing (e.g. increased weeds, wind, fertiliser, or sediment); or
- Increased risk of declared weeds or introduced crops spreading across boundaries.

Risk assessment: (discuss the likelihood of impacts occurring and possible consequences)
Risk mitigation: (how will risks identified above be minimised)

3.10 Do you have a Weed Management Plan?

Poor weed management can lead to degradation of native vegetation. Plans are required for weeds that have declared management plans. For further information see www.nt.gov.au/environment/weeds/weed-management-planning

☐ Yes – attach, or provide details below ☐ No – go to Section 3.11

Target Weed	**Aims** (e.g. contain spread, reduce extent on fences & tracks)	**Methods** (e.g. monitor and spot spray)

3.11 Are sinkholes, waterways and wetlands present?

The Land Clearing Guidelines recommend buffers to sinkholes, waterways and wetlands (Tables 1 & 3 on pages 5 & 8). Are there any permanent or seasonal water features or sinkholes adjacent to proposed clearing sites?

☐ Yes – provide details below and complete section 3.12 ☐ No – go to Section 3.13

Describe feature e.g. drainage line, wetland, waterway (stream order), or sinkhole (open or closed)	**Recommended buffer width**	**Proposed buffer width**

3.12 What are the potential impacts to surface water and groundwater?

For example, assess the risk of chemical sprays or aerial application of fertiliser drifting into and polluting surface water or sinkholes, and describe how risk will be mitigated. Describe the frequency of spraying and application method/s.

Risk assessment: (discuss the likelihood of impacts occurring and possible consequences)
Risk mitigation: (how will risks identified above be minimised)

3.13 Potential for water and wind erosion?

In the table below, assess the potential for water and wind erosion during both the establishment and operational phases of the development. Consider:

- the % slope and length of slope proposed for clearing;
- the vulnerability of the soil type to overland flow (vulnerable soils include: loose sands; poorly drained soils; sodic or dispersive soils; and shallow soils);
- the risk of receiving erosive floodwater from adjacent streams or run-off from the surrounding landscape (e.g. rises and hills);
- the proposed land use, including projected minimum groundcover (%), tillage practices, and potential loss of soil structure from trafficking;
- the vulnerability of soil type to wind erosion (e.g. sandy soils); and
- the distance between windbreaks (where tillage is proposed).

Risk assessment: (discuss the likelihood of impacts occurring and possible consequences)

Attach a copy of the Clearing Plan showing:

- delineated land types described in Section 2.10;
- the direction of overland flow;
- adjacent property boundaries (within 200 m); and
- adjacent water features and sinkholes described above.

3.14 Risk of erosion and sedimentation?

In the table below, assess the risk of erosion or sedimentation of adjacent infrastructure, water features and sinkholes during both the establishment and operational phases of the development. Consider:

- The adequacy of retained buffers (described above in 3.8 and 3.11) to filter run-off and promote infiltration before run-off reaches streams or infrastructure.
- Potential for chemical pollution of surface water or sinkholes from herbicides, insecticides or fertilisers attached to sediment (i.e. intensity of chemical use).

Risk assessment: (discuss the likelihood of impacts occurring and possible consequences)

3.15 Erosion and sediment controls

Based on considerations above, outline temporary and/or permanent controls that you will put in place to minimise the risk of erosion and avoid the potential impacts of sedimentation and pollution.

The amount of detail and controls provided should be proportionate to the degree of risk. Show the location of controls on a copy of the Clearing Plan..

Temporary controls

Permanent controls

3.16 Are acid sulphate soils present in or within 200 m of the proposed clearing areas?

Acid sulphate soils are usually found on tidal areas including mangroves and coastal floodplains

☐ Yes ☐ No – go to 3.17

If Yes:

- Ensure that these areas are shown on a copy of the Clearing Plan.
- Assess the risk of disturbance to acid sulphate soils and release of sulphuric acid, and describe how the potential impact will be avoided.

Risk assessment: (discuss the likelihood of impacts occurring and possible consequences)
Risk mitigation: (how will risks identified above be minimised)

3.17 Impacts to existing and future amenity of the area?

Amenity is a quality that makes the locality harmonious, pleasant or enjoyable.

3.18 State the width of retained boundary buffer(s) and describe private or public areas that are nearby.

Width of retained boundary buffer	**Feature within 200 m of proposed clearing (dwelling, reserve, etc.)**

Note: the location and size of all boundary buffers are to be shown on the Clearing Plan.

3.19 Assess the risk of reduced amenity, recreation or tourism value associated with the proposed development and describe how risk will be mitigated.

Risk assessment: (discuss the likelihood of impacts occurring and possible consequences)
Risk mitigation: (how will risks identified above be minimised)

3.20 Assess potential impact to neighbours/community

Assess potential impacts such as the risk of chemical spray drift or dust pollution associated with the proposed development and how it may affect neighbours/community. Also describe the frequency of this potential impact to occur, for example frequency of spraying. Describe how risks will be mitigated.

Risk assessment: (discuss the likelihood of impacts occurring and possible consequences)
Risk mitigation: (how will risks identified above be minimised)

3.21 Are there any declared heritage places or archaeological sites within the meaning of the *Heritage Act* on the property?

Heritage places and archaeological sites can be searched www.nt.gov.au/property/land/heritage-register-search-for-places-or-objects

Alternatively, contact Heritage Branch (phone 8999 5039 – Darwin and Top End, 8951 9247 - Alice Springs and Central Australia) for information. Attach search results, advice from Heritage Branch and an archaeological survey report if a survey has been conducted.

☐ Yes ☐ No (attach "no heritage places" advice and go to 3.22

If Yes:

- Show locations of places or sites on a copy of the clearing plan.
- Assess the risk of damage to or destruction of heritage places or archaeological sites and describe how risk will be mitigated.
- Attach any advice of the presence of places or sites if applicable.

Risk assessment: (address the likelihood of risk)

Risk mitigation: (how will risks be minimised)

3.22 Are there any sacred sites or significant sites protected under the *Northern Territory Aboriginal Sacred Sites Act* on the property?

Attach a report from the Aboriginal Areas Protection Authority (AAPA) outlining the results of a register inspection. Contact details for AAPA: enquiries.aapa@nt.gov.au or phone (08) 8999 5511.

☐ Yes ☐ No (attach advice and go to Part 4

If Yes:

- Show locations of sites on a copy of the clearing plan.
- Assess the risk of damage to or destruction of sacred sites or significant sites and describe how risk will be mitigated.

Risk assessment: (address the likelihood of risk)
Risk mitigation: (how will risks be minimised)

END OF PART 3

4 LAND TYPES PROPOSED FOR CLEARING

In your own words describe **EACH** land type within the proposed clearing. Copy this page and provide details for each land type on a *separate sheet*

LAND TYPE: _____ (Use A, B, etc. to distinguish each land type and identify on the clearing plan.)

Landform: (describe the landform including slope, direction the slope faces [e.g. E, SW], and extent of surface rock)
Soil: (describe the dominant soil in this land type highlighting features such as texture, depth, colour, surface gravel, surface cracking, and drainage during the wet season)
Vegetation: (describe the average height and density of trees [e.g. dense, medium density, sparse or very sparse] and the dominant trees, shrubs, grasses and weeds.)
Soil Conservation: (Is there evidence of erosion in this land type? Rate the risk of erosion if cleared? Consider: rainfall; slope; slope length (or contributing catchment); soil erodibility; and land use (proposed tillage, mounding and projected groundcover)
Diagrams and Photographs (Optional): (Please draw the landscape e.g. cross section, noting natural and man-made features and the location of land type described) **PHOTO No's**_____ (Attached)

END OF PART 4

Checklist of Attachments

Note: You can show more than one feature on a plan to reduce the total number of plans required.

☐ A Clearing Plan showing the geo-referenced location of each proposed clearing site and numbered to identify the proposed land use at each site (2.2).

☐ Copies of the Clearing Plan showing one or more of the following:

- o Location of any other areas on the property previously cleared (2.4).
- o Location of delineated/surveyed land types proposed for clearing (2.10).
- o Location of significant vegetation types (3.4) or sites of conservation significance (3.6) within 200 m of proposed clearing sites.
- o Location and size of all native vegetation buffers and wildlife corridors (3.8)
- o Location of drainage lines or depressions, waterways (label stream order), wetlands, springs or sinkholes adjacent to proposed clearing sites (3.11).
- o Direction of potential overland flow (3.13).
- o Location of proposed erosion and sediment controls (3.15).
- o Location of acid sulphate soils within 200 m of proposed clearing sites (3.16).

☐ Land resource mapping over the proposed clearing area with a description of mapping units.

☐ Representative photos of land types proposed for clearing.

☐ Advice regarding threatened species.

☐ Advice from NT Government Heritage Branch regarding the presence of declared heritage places or archaeological sites and location of any sites of places.

☐ Results/advice from a Register of Sacred and Significant Sites search from the Aboriginal Areas Protection Authority (AAPA) and location of any sites.

☐ Information on crops or pastures to be planted.

Appendix A

When is consent to clear required?

Under clause 10.2(5) of the NT Planning Scheme, the clearing of native vegetation of more than **one hectare** in aggregate of land (including any area already cleared of native vegetation) on unzoned land or in zones H, A, RR, RL, R, CP, CN, RD or WM requires consent. Special considerations apply to land zoned "Restricted Rural Residential". Clause 10.2(4) states that all clearing of native vegetation in Zone CN requires consent (i.e. any area even if less than 1 ha in aggregate).

The NT Planning Scheme defines the "clearing of native vegetation" as the removal or destruction, by any means, of native vegetation on an area of land, other than:

a) the removal or destruction of a declared weed within the meaning of the *Weeds Management Act* or of a plant removed under the *Plant Diseases Act*;
b) the lopping of a tree;
c) incidentally through the grazing of livestock;
d) the harvesting of native vegetation planted for harvest;
e) for a road to access the land or other land;
f) in the course of Aboriginal traditional use, including the gathering of food or the production of cultural artefacts;
g) by fire;
h) the removal or destruction of native vegetation occurring on a site previously cleared in accordance with a permit issued under the Act; or
i) incidentally through mowing an area previously cleared of native vegetation.

This definition includes the selective removal of a species of plant, a group of species of plants, a storey or group of storeys in whole or in part.

"Native vegetation" means terrestrial and inter-tidal flora indigenous to the Northern Territory, including grasses, shrubs and mangroves. Native vegetation includes regrowth, or previously cleared vegetation.

Clause 10.2(5) does not apply (i.e. consent is not required) if the clearing is for the purpose of:

a) a firebreak up to 5 m wide along the boundary of a lot having an area of 8 ha or less, unless otherwise specified by a Regional Fire Control Committee; or
b) a firebreak up to 10 m wide along the boundary of a lot having an area greater than 8 ha, unless otherwise specified by a Regional Fire Control Committee; or
c) an internal fence line up to 10 m wide on a lot having an area greater than 8 ha.

Clause 10.2(5) does also not apply if the clearing is required or controlled under any Act in force in the Territory, such as the *Bushfires Act*, *Territory Parks and Wildlife Conservation Act*, the *Mineral Titles Act*, *Pastoral Land Act* or the Commonwealth *Environment Protection and Biodiversity Conservation Act*.

Applications to clear native vegetation on **Pastoral Leases** are controlled under the *Pastoral Land Act* and will not be assessed with this application form. You should contact the Pastoral Land Board on 8999 4667 or visit the website at www.nt.gov.au/property/land-clearing/apply-to-clear-pastoral-land.

Application Process

The *Planning Act* requires all applications to clear native vegetation to be publicly exhibited for two weeks. The application is advertised in a local newspaper and available on the Department of Infrastructure, Planning and Logistics (DIPL) website www.ntlis.nt.gov.au/planning/lta.dar.list. The applicant must display a pink sign at the property advertising the development. The application is circulated to NT Government service authorities and to the local municipality who assess for compliance with NT Legislation and may undertake a site inspection.

When the exhibition period finishes, public submissions and service authority comments are available outlining where the application may be inconsistent with legislation, the Planning Scheme or Land Clearing Guidelines and details whether sufficient information has been provided to enable proper consideration, and general advice regarding the proposal.

The applicant may respond to comments to support their application. A report is prepared for the consent authority outlining all information submitted and any comments made. For unzoned applications, the report is reviewed by the Native Vegetation Assessment Panel that makes final recommendations to the consent authority. The Panel is made up of experienced natural resource managers from Department of Environment and Natural Resources (DENR), DIPL, and the Department of Primary Industry and Resources.

The consent authority on unzoned land is the delegate of the Minister for Infrastructure, Planning and Logistics (the Chief Executive and the Executive Director, Rangelands Division of the Department of Environment and Natural Resources). For zoned land, determinations are made by the Development Consent Authority or the Minister for Infrastructure, Planning and Logistics.

Matters to be taken into account by the consent authority are outlined in sections 51 and 52 of the *Planning Act*. This includes NT Planning Scheme clauses 10.2 and 10.3. Clause 10.2(3) states that the clearing of native vegetation is to:

a) avoid impacts on environmentally significant or sensitive vegetation;

b) be based on land capability and suitability for the intended use;

c) avoid impacts on drainage areas, wetlands and waterways;

d) avoid habitat fragmentation and impacts on native wildlife corridors; and

e) avoid impacts on highly erodible soils.

The consent authority, in determining an application, may approve, alter and approve, or refuse a proposed development. Approvals may be conditional. Alterations are generally small changes based on recommendations made to the applicant and consent authority. Determinations to alter and approve or refuse an application are accompanied with detailed reasons for the determination.

If there are significant information gaps or concerns with the application that cannot be addressed with minor alterations, consideration of the application can be deferred under section 46(4)(b) of the *Planning Act* and the applicant asked to provide additional information considered necessary to enable proper consideration. The applicant will be notified in writing of a decision under section 46(4).

Applicants can appeal to the NT Civil and Administrative Tribunal if they disagree with a determination or conditions applied to a permit, or if there has been no notification of approval, refusal or deferral within 12 weeks from lodgement.

Glossary of Terms

Georeference – to define the location of something with coordinates e.g. Easting / Northing or Latitude / Longitude. Easting / Northing are preferred, but see Map Projection.

Map Datum – a model of the earth's shape used to measure positions on the earth. In Australia we commonly use the national model Geocentric Datum of Australia (GDA) 1994 or the global model World Geodetic System (WGS) 1984.

Map Projection – A method of representing the surface of a sphere on a flat map. The Universal Transverse Mercator (UTM / UPS) projection, which breaks the earth's surface into 60 zones, is preferred. Specify the zone you have collected your data in (52 or 53).

Risk Assessment – evaluation of risk in which assumptions and uncertainty are clearly considered and presented. Considers the probability of an impact occurring and the severity of impact if it does occur.

Risk Mitigation – a strategic response to risk assessment consisting of aims and methods designed to reduce the probability of an impact occurring and the severity of the impact.

Slope - An incline in the land's surface, upward or downward, from the horizontal. A 1% slope is equivalent to a one metre rise or fall over a distance of 100m (see figure). Slope can also be expressed as a ratio (vertical distance : horizontal distance) or degrees.