

NORTHERN TERRITORY OF AUSTRALIA
Section 85A(1) – Pastoral Land Act
CONSENT TO NON-PASTORAL USE ACTIVITY

PERMIT NUMBER: NPU 14/3-A

I, PAUL ZLOTKOWSKI, Chairman, Pastoral Land Board

GRANT TO Anthony Woodley Davis and Pamela Ruth Davis and their successors and heirs in title (“the **Permit Holder**”) in respect of Perpetual Pastoral Lease No 1019 (“**PPL**”), which relates to NT Portions 727 and 7536.

A PERMIT FOR NON-PASTORAL USE ACTIVITY (“the **Permit**”), for the area of 4207ha within NT Portion 727 (being part of the PPL) which is more particularly depicted in the plan contained at Schedule 1 of this Permit (“the **Land**”),

COMMENCING on 18 November 2014 and expiring on 18 November 2044 (“the **Term**”);

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

AUTHORISE THE PERMIT HOLDERS TO use that part of the Land for non-pastoral use, being tourism activities, namely a campground with non-powered sites, bush camping, bird watching and nature experiences, 4WD tours and access to climb Mt. Zeil (“the **Non-Pastoral Use Activities**”).

PROVIDED THAT the Permit Holder must Substantially Commence the Non-Pastoral Use Activities within the Commencement Period, otherwise this Permit will expire on the lapse of the Commencement Period.

EXTENSION OF TERM OF PERMIT:

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

- i. the Permit Holders have Substantially Commenced the Non-Pastoral Use Activities within the Commencement Period; and
- ii. the application for extension is submitted to the Pastoral Land Board in the approved form at least two (2) years 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.

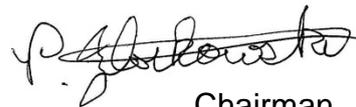
REASONS FOR DECISION:

- A. Due to the Original Permit being issued with an unclear plan, the Pastoral Land Board determined to re-issue this permit with a more detailed geo-referenced plan.
- B. The Original Decision and all conditions from the Original Permit remain.
- C. The Reissued Permit is granted for the period remaining of 30 years from the date of the Original Permit.

ORIGINAL DECISION – NPU14/3

- A. On 4 July 2014, the Permit Holders submitted the Original Application to the Pastoral Land Board, requesting a permit for the Non-Pastoral Use Activities, pursuant to section 86(1) of the *Pastoral Land Act*.
- B. On the basis of the information contained in the Original Application, and consideration of feedback from various Northern Territory Government agencies and authorities, the Pastoral Land Board is satisfied that it is appropriate to issue this Permit to the Permit Holders.

DATED 15 September 2017



Chairman
Pastoral Land Board

DEFINITIONS:

In this Permit:

“Commencement Period” means the period of two (2) years from the date of this Permit.

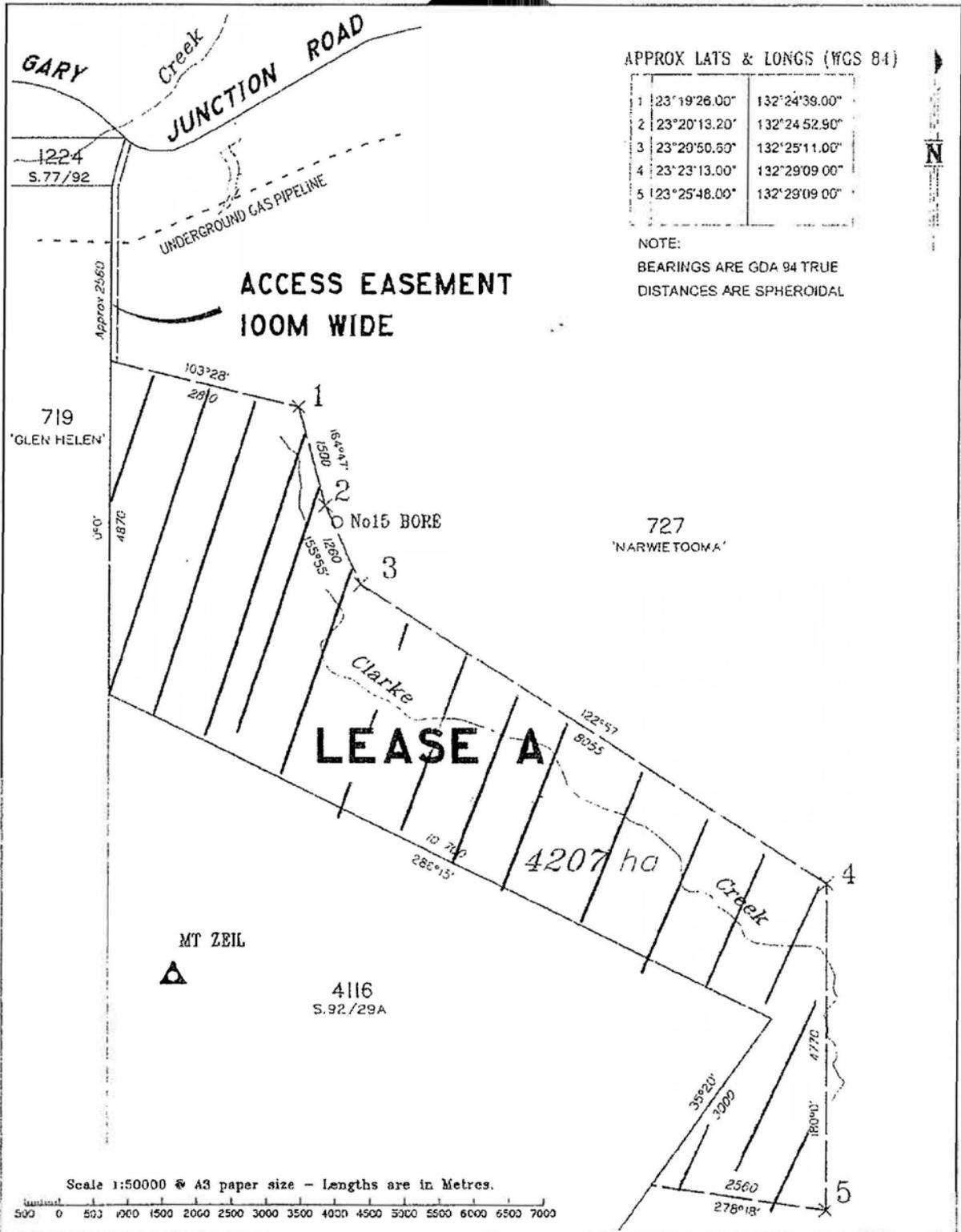
“Expiry Date” means 18 November 2044 being a period of thirty (30) years after the date of the Original Permit.

“Original Application” means the document prepared by the Permit Holders, entitled “*Application for non-pastoral use of pastoral land*” dated 4 July 2014.

“Original Permit” means the Non-Pastoral Use Permit with permit number NPU14/3 signed by R Galton dated 18 November 2014.

“Substantially Commenced” and “Substantially Commence” means the establishment of campground with non-powered sites, bush camping and 4WD tracks.

**SCHEDULE 1
[AREA OF LAND]**



AMENDMENTS		DATE
A.	First proposed plan & all enclosed	11.4.13
B.	Supplemental enclosure	27.4.13
C.	Second proposed enclosure plan	23.7.13

DRAWN	DATE	CHECKED	DATE
ADC	3.4.2015	KWB	9.4.2015

SCALE 1:50000 DWG. NO. 15058-DIC

SCHEDULE 2

SCHEDULE OF CONDITIONS

1. An annual fee for this Permit is payable by the Lessee in accordance with section 85D of the *Pastoral Land Act* (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 Pastoral Land Board from time to time.
2. This Permit is subject to the Lessee's ongoing compliance with its obligations under the PPL.
3. Despite any term or condition of this Permit, the Lessee 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* (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).
4. This Permit is at all times subject to existing rights, title and interests of all other persons including those holding native title rights and interests, if any, any rights Aboriginal people may exercise under the provisions of the *Pastoral Land Act*, and 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 other person.
5. This Permit shall be revoked automatically upon the:
 - a. termination of the PPL; or
 - b. surrender of the PPL.
6. The Pastoral Land Board may immediately revoke this Permit by written notice to the Lessee if the Lessee 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 Holders are advised that should access be required to West MacDonnell National Park this would need to be negotiated with the Northern Territory Parks and Wildlife Commission and would need to comply with the Joint Management Plan for the West MacDonnell National Park under the *Territory Parks and Wildlife Conservation Act* (NT).
2. The Permit Holders are advised that there are statutory obligations under the *Weeds Management Act* (NT) to take all practical measures to manage weeds on the property. It is the responsibility of the Permit Holders to ensure that all non-pastoral 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 Holders can also access information on the requirements of this Act on DENR’s website (www.denr.nt.gov.au)
3. The *Heritage Act* (NT) 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 non-pastoral use activity complies with the requirements of this Act. The Permit Holders can access information on the requirements of this Act on DTC’s website (www.dtc.nt.gov.au).
4. Under the *Northern Territory Aboriginal Sacred Sites Act* (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 Holders to ensure that all non-pastoral activity complies with the requirements of this Act.
5. 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.