

INTERIM DEVELOPMENT CONTROL ORDER (NO. 17)
(as amended and in force from 4 March 2009)

1. This order applies to all land within the area shown bounded by a thick black line on the map annexed to this order (the **control area**).
2. The following types of development are prohibited in the control area:
 - (a) the clearing of native vegetation that is not in accordance with clause 3, 4, 5 or 6;
 - (b) subdivision for mixed farm developments.
3. The clearing of native vegetation on a parcel is permitted, without the consent of the consent authority, if the clearing:
 - (a) does not exceed 1 hectare, including any area on the parcel already cleared of native vegetation; or
 - (b) is for an internal fence line, not exceeding 10 metres in width; or
 - (c) is for a firebreak, not exceeding 10 metres in width, along the boundary of the parcel.

Note for clause 3(c)

The Bushfires Act and Bushfires Regulations include provisions relating to firebreaks that may result in a person being required to clear native vegetation to establish a firebreak that is not in accordance with this order. In that case, clause 9(b) will apply.

4. The clearing of native vegetation on a parcel for any of the following purposes is permitted, with the consent of the consent authority:
 - (a) a single airstrip for light aircraft;
 - (b) a single livestock mustering run not exceeding 100 metres in width;
 - (c) a single livestock holding yard not exceeding 5 hectares in area;
 - (d) a maximum of 4 livestock watering points not exceeding an aggregate area of 2 hectares;
 - (e) Northern Territory government initiated scientific research;
 - (f) any use associated with the development of:
 - (i) the town of Fleming; or
 - (ii) the townsite of Nauiyu.
5. The clearing of native vegetation on a parcel for the purpose of agricultural or pastoral production is permitted, with the consent of the consent authority, if the area to be cleared is a previously cleared area.

- 6 In addition, subject to clause 7, the clearing of native vegetation on a parcel for the purpose of agricultural or pastoral production is permitted, with the consent of the consent authority, if:
- (a) the clearing is connected with adaptive management trials supported by the Daly River Management Advisory Committee; and
 - (b) the use of the area following clearing will not require irrigation drawing on ground or surface water within the Daly River catchment; and
 - (c) the area to be cleared on the parcel does not exceed 200 hectares.
- 7 The consent authority will not consent under clause 6 to:
- (a) the clearing of more than 1 200 hectares of native vegetation in the part of the control area that is shaded on the map annexed to this order; and
 - (b) the clearing of more than 800 hectares of native vegetation in the remainder of the control area.
- 8 The Minister is the consent authority in respect of development mentioned in clauses 4, 5 and 6.
- 9 This order does not apply in relation to the clearing of native vegetation that is required:
- (a) for an activity mentioned in clause 1.3.2(b), (c), (d), (f), (g) or (h) of the NT Planning Scheme; or
 - (b) under any Act in force in the Territory.
- 10 (1) If a word or expression used in this order is defined in the NT Planning Scheme, the word or expression has the same meaning as in the NT Planning Scheme.
- (2) In this order:
- parcel*** means a parcel of land within the control area.
- previously cleared area*** means an area:
- (a) that has previously been cleared of native vegetation provided that the previous clearing:
 - (i) was approved under the *Pastoral Land Act* or *Planning Act*, or
 - (ii) did not require approval under the *Pastoral Land Act* or *Planning Act*, and native vegetation has been regularly removed from the area since the previous clearing; and

- (b) in which the retention of native vegetation is not required to:
 - (i) rehabilitate land or soil stability that has been compromised or put at risk; or
 - (ii) rehabilitate water quality that has been reduced or put at risk in associated aquifers, drainage lines, streams, rivers or wetlands; or
 - (iii) maintain regional biological diversity that has been compromised or put at risk.