

NORTHERN TERRITORY PASTORAL LAND CLEARING GUIDELINES

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APPLICATION FORM

TEMPLATE FOR PROPERTY MANAGEMENT PLAN FOR LAND CLEARING DEVELOPMENT

INTRODUCTION

This booklet has been prepared by the Pastoral Land Board to outline requirements for clearing on pastoral leases in the Northern Territory and the process for lodgement and assessment of clearing applications.

Detailed advice and assistance can be sought from the relevant Government Agencies as outlined on page 10.

PLANNING TO PROTECT YOUR LAND

You can minimise the risk of soil erosion and other land degradation problems by planning before you start clearing. A sound plan will also keep your fixed improvements in good shape for longer, reduce maintenance costs and help you to manage your operation efficiently.

You should focus on the following key areas when planning to clear land:

- The desired result - *the objective of the proposed clearing*;
- Plan components such as (a) appropriate site selection, (b) timing of clearing, (c) clearing method, (d) erosion control and environmental protection, (e) ongoing management;
- The availability of advice and assistance if you require it;
- The need to be mindful of future fire risks;
- The need to protect and maintain biodiversity (variety and variability of plants, animals and other living organisms and the ecosystems in which they occur).
- The possible downstream impacts of clearing operations

You need to determine the actual clearing method you will use. Often clear felling is not the best option and will not achieve the best results. For example, selective clearing to improve pasture may bring better results than total clearing.

You are encouraged to contact officers of the Department of Natural Resources, Environment and the Arts, Natural Resource Management Division to provide you with advice on what method of clearing to use or whether there is a more appropriate area in terms of site selection. Extension officers of the Department of Primary Industry, Fisheries and Mines can advise on appropriate crops or pasture species.

YOUR LEGAL OBLIGATIONS WHEN CLEARING LAND

As a Northern Territory pastoralist, you have a legal obligation to formally apply to the Pastoral Land Board before clearing land for any purpose where specific guidelines have not been set.

The Pastoral Land Board, has published these guidelines to outline requirements for lodging clearing applications, and to help you clear land in a legal and environmentally responsible manner.

The guidelines reflect the requirements of section 38(1)(h) of the *Pastoral Land Act (1992)* that states:

“The lessee will not clear any pastoral land except in accordance with the written consent of the Board or guidelines, if any, published by the Board”.

You are NOT required to formally apply to clear land for the purposes of:

- making fixed improvements (infrastructure); or
- selectively removing noxious weeds; or
- removing woody weeds over an area of less than ten hectares in areas surrounding fixed improvements such as yards, holding paddocks and laneways; or
- maintaining or clearing regrowth from previous broadscale clearing operations provided such clearing was subject to the written approval of the Pastoral Land Board since 1992 and was carried out in accordance with the approval issued by the Board.

However, such clearing must still abide by the Land Clearing Guidelines outlined in Technical Report 27/2002 (as may be amended from time to time) which have been adopted by the Pastoral Land Board as the technical guidelines to apply to all clearing on pastoral land. Any clearing not carried out in accordance with these guidelines could be considered as a breach of the *Pastoral Land Act* and penalties could result.

It is important to remember that as a pastoral lessee you have a responsibility to maintain, improve and protect the land you use for your particular pastoral enterprise.

REQUIREMENTS TO OBTAIN A CLEARING APPROVAL

The Pastoral Land Board has specific requirements for clearing approvals, depending on the clearing purpose and what you plan to do with the cleared land.

The following clearing operations require formal approval from the Pastoral Land Board:

1. Clearing for Cropping / Pasture Improvement
2. Clearing for Other Purposes including but not limited to:
 - Thinning trees to improve access and management;
 - Pushing or chaining non-preferred shrub or tree species;
 - Maintaining or clearing regrowth from previous broadscale clearing operations where such clearing was NOT approved by the Pastoral Land Board since 1992 or was not carried out in accordance with the approval issued by the Board.

For clearing activities where no specific guidelines have been prepared, each application will be considered by the Board on its merits. Clearing should be planned and undertaken in accordance with the Land Clearing Guidelines outlined in Technical Report 27/2002 (as may be amended from time to time) which have been adopted by the Pastoral Land Board as the technical guidelines to apply to all clearing on pastoral land.

1) Clearing for cropping/pasture improvement

Clearing must not commence until formal approval is obtained from the Pastoral Land Board. To do this, you must submit an application form, which requires the following information:

- Applicant contact details and lease details;
- Total area to be cleared (hectares/sq km);
- A site location plan of the proposed clearing area in relation to the rest of the property, including any past clearing undertaken on the lease;
- Pasture or crop to be planted;
- Whether the cleared area is to be grazed;
- Whether the cleared area is to be used for fodder production;
- Details of the clearing purpose if not for cropping or pasture improvement;

- Details of any areas of sensitive or significant vegetation (*eg riparian, monsoon vine forest or closed forest*);
- Details of any declared heritage places or archaeological sites, or other areas of cultural or heritage significance (*Heritage Conservation Services, NRETA can assist with details of any declared sites*);
- Details of any declared Aboriginal sacred sites;
- Details of rare or endangered fauna ;
- Whether there are any areas or matters of national significance under the Commonwealth *Environmental Protection and Biodiversity Conservation Act* (*World Heritage properties, Ramsar Wetlands of international significance; threatened species and ecological communities, and listed migratory species*);
- An assessment of the potential impact the clearing and proposed development may have on the surrounding area and possible detriment to the public interest;
- An assessment of the merits of the proposed development (*An explanation of why the proposal is a good idea and what the merits and benefits of the development will be, including how you intend to minimise any detrimental effects to the environment*).

PROPERTY MANAGEMENT PLAN FOR LAND CLEARING DEVELOPMENT

In addition to the application form, you are also required to prepare a property management plan for land clearing which is to provide:

- An overview of the proposed clearing and whole property development (*summary of clearing and development program; details of the natural resources and current status; how the proposed clearing development fits into the long term aims for the property; number of cattle currently carried and proposed final number to be carried following completion of development*).
- Cost and Benefit of the development (*cost of the proposed clearing development; annual cost of ongoing maintenance; projected increase in carrying capacity; projected increased annual income*).
- Details of proposed clearing (*areas not to be cleared due to natural resource limitations; areas not to be cleared due to environment and heritage considerations; details of clearing method, details of earthworks for runoff management; details of pasture establishment and development methods*).

- Ongoing resource management (*grazing regimes and pasture management plan; weed management plan; exotic pasture species management plan; fire management plan; native vegetation management plan, erosion and sediment control plan and feral animal management plan*).

A template for the property management plan is included in this booklet as a guide. You can reproduce your own plan if preferred and an electronic copy of the template can be provided if preferred.

The Land Clearing Permit issued for your clearing development will refer to the approved property management plan as a condition of the approval; requiring development and ongoing management to be undertaken in accordance with this plan.

2) Clearing for Fixed Improvements and other Purposes

The majority of clearing carried out on pastoral leases is for the construction of fixed improvements such as fences, roads or tracks, firebreaks, yards and watering points. Unfortunately straight line developments such as roads and fences are a significant cause of erosion on pastoral leases. Although you will not require formal approval from the Pastoral Land Board to clear land for fixed improvements the clearing must be carried out in accordance with the Land Clearing Guidelines outlined in Technical Report 27/2002 (as may be amended from time to time) which have been adopted by the Pastoral Land Board as the technical guidelines to apply to all clearing on pastoral land.

3) Protecting Biodiversity

Maintaining buffers around land areas to protect biodiversity is strongly recommended. Biodiversity refers to the variety and variability of plants, animals and other living organisms and the ecosystems in which they occur. There is a clear link between retaining native vegetation and protecting biodiversity. To reduce the impacts of clearing, it is important to protect native plants and animals and/or any ecosystems, which may be particularly important to biodiversity. When clearing take special care to protect:

- Sensitive or significant plant and animal species including rare, endangered or threatened species;
- Sensitive or significant plant communities such as rainforests, vine thickets and those along waterways; and
- Other plant communities which provide corridors for wildlife moving between habitats.

NOTE: Biodiversity Conservation, Department of Natural Resources, Environment and the Arts can assist you to identify significant areas of biodiversity or ecosystems on your property.

TIME REQUIRED FOR PROCESSING OF CLEARING APPLICATIONS

The Pastoral Land Board has a policy to determine all clearing applications within 12 weeks of being lodged. There may be some cases where this time frame cannot be met due to circumstances beyond the control of the Pastoral Land Board, such as the need for detailed studies or assessments to be undertaken or if further information is required to be provided by the applicant. You will be advised of any delays anticipated in determining your application.

LODGING YOUR APPLICATION

To ensure your application can be processed as quickly as possible, make sure you fill out all the required details on the approved form and attach all relevant supporting information, including the property management plan for land clearing development.

An application fee of \$120 is charged for clearing applications and payment is required at the time the application is lodged.

Applications should be mailed, with your cheque for payment, direct to:

**Executive Officer
Pastoral Land Board
PO Box 30
PALMERSTON NT 0831**

Alternatively, applications can be hand-delivered to regional offices of the Rangelands Management Branch, Department of Natural Resources, Environment and the Arts:

PALMERSTON

3RD Floor
Goyder Centre
Chung Wah Terrace

KATHERINE

Ground Floor
Randazzo Arcade
Katherine Terrace

ALICE SPRINGS

1st Floor
Alice Plaza
Todd Mall

PUBLIC NOTIFICATION OF CLEARING PROPOSALS

Details of your clearing application will be advertised in the Northern Territory News to advise the public of the right to view the application and make comments on the proposal to the Pastoral Land Board. A copy of your application and all supporting documentation will be available for public inspection at offices of Development Assessment Services, Department of Planning and Infrastructure, and regional offices of the Rangelands Management Branch, Department of Natural Resources, Environment and the Arts, for a period of 2 weeks. A copy will also be put on NRETA's web-site.

PROCESS FOR CONSULTATION

Your application will be referred to relevant government departments and agencies for comment and technical assessment before it is referred to the Pastoral Land Board for determination.

You will receive copies of any public submissions that may be lodged and copies of comments made by Government agencies. In some cases, you may be asked to provide additional information. You will have an opportunity to address any objections or comments made before the final report is submitted to the Pastoral Land Board.

FURTHER INVESTIGATIONS BY THE PASTORAL LAND BOARD

In some cases, it may be necessary for the Pastoral Land Board or a sub committee of the Board, to undertake further investigations and a site inspection of the proposed development. This may be required in cases where:

- conflicting advice is received from Government agencies;
- there are significant public objections; or
- there are other sensitivities requiring further investigation by the Board.

HEARING OF THE BOARD

You will be given an opportunity to appear before the Board, or a sub committee of the Board, to present your arguments in support of the proposed clearing. Any persons who may lodge submissions in respect of your clearing application will also be invited to attend a Board meeting.

MATTERS TO BE TAKEN INTO ACCOUNT BY THE PASTORAL LAND BOARD

In determining your clearing application, the Pastoral Land Board will take the following matters into account:

- Any matters the Minister may have directed the Board to consider;
- Your submissions in respect of the proposed clearing and development;
- Reports of relevant government agencies;
- Any public submissions made;
- The capability of the land to support the proposed development;
- Any impact the proposed development may have on the subject land and other land;
- Sensitive or significant vegetation communities, such as rainforest, vine thickets or closed forests;
- Natural drainage lines, seasonally waterlogged soils and permanent water features such as swamps, lagoons and rivers);

- Essential habitats, within the meaning of the *Territory Parks and Wildlife Conservation Act*;
- Erosion prone soils, slopes exceeding 1% and any areas of erosion hazard within the meaning of the *Soil Conservation and Land Utilisation Act*;
- Declared Heritage Places or Archaeological sites within the meaning of the *Heritage Conservation Act*;
- An Environment Protection Objective within the meaning of the *Waste Management and Pollution Control Act* that is relevant to the subject land;
- If a public environmental report, or an environmental impact statement has been prepared, or is required under the *Environmental Assessment Act*, in relation to the proposed development, the Board is required to consider the report or statement and the results of any assessments by the Minister administering that Act;
- Any beneficial uses, quality standards, criteria or objectives that are declared under section 73 of the *Water Act*;
- The potential impact on the existing and future amenity of the area and potential impact on natural, social, cultural or heritage values;
- The public interest;
- The merits of the proposed development as demonstrated in the application; and
- Other matters it thinks fit.

DETERMINATION OF YOUR APPLICATION

You will receive written notification of the determination by the Board.

If the application is approved (or approved with amendments) you will receive a Pastoral Land Clearing Permit which will list any conditions applying to the approval. A clearing plan showing the areas approved for clearing will also be given to you. The property management plan for land clearing submitted with your application (with any amendments made by the Board) will also comprise part of your clearing approval. It is important that you comply with all conditions listed on the permit.

If your application is refused, the notice of refusal will list all reasons for the refusal.

TERM OF APPROVALS

The Clearing Permit will outline the period of the clearing permit and time frames for commencement and completion of clearing works. If you do not meet these time periods, you will need to seek an extension from the Pastoral Land Board, or your clearing approval will lapse.

CONTACTS FOR FURTHER INFORMATION

PASTORAL LAND BOARD

For further information on how to lodge a clearing application for pastoral land, please contact:

Judy Bartolo

Executive Officer, Pastoral Land Board

Phone: 8999 4667

Fax: 8999 4462

DEPARTMENT OF NATURAL RESOURCES, ENVIRONMENT AND THE ARTS

- **Rangelands Management**

Darwin: Phone 8999 4575

3rd Floor Goyder Centre, Palmerston

Katherine: Phone 8973 8104

Ground Floor Randazzo Building, Katherine Terrace

Alice Springs: Phone 8951 9220

1st Floor Alice Plaza, Todd Mall

- **Natural Resource Management**

Darwin: Phone 8999 4449

Katherine: Phone 8973 8111

Alice Springs: Phone 8951 9259

- **Weeds**

Darwin: Phone 8999 2020

Katherine: Phone 8973 8107

Alice Springs: Phone 8951 9259

- **Biodiversity Conservation**

Darwin: Phone 8944 8453

Alice Springs: Phone 8951 8240

NT ENVIRONMENT PROTECTION AGENCY

Darwin Environment Enquiries: Phone 8924 4140

Darwin Heritage Enquiries: Phone 8924 4143

Alice Springs: Phone: 8951 9201

DEPARTMENT OF PRIMARY INDUSTRY, FISHERIES AND MINES

Darwin: Phone 8999 2302

Katherine: Phone 8973 9739

Tennant Creek: Phone 8962 4485

Alice Springs: Phone 8951 8111