

102 **Clearing of Native Vegetation in Zones H, A, RR, RL, R, CP, CN, RD and WM and on Unzoned Land**

1. The purpose of this clause is to ensure that the **clearing of native vegetation** does not unreasonably contribute to environmental degradation of the locality.
2. This clause does not apply if the **clearing of native vegetation** is required or controlled under any Act in force in the Territory, or is for the purpose of:
 - (a) a firebreak up to 5m wide along the boundary of a lot having an area of 8ha or less, unless otherwise specified by a Regional Fire Control Committee; or
 - (b) a firebreak up to 10m wide along the boundary of a lot having an area greater than 8ha, unless otherwise specified by a Regional Fire Control Committee; or
 - (c) an internal fence line up to 10m wide on a lot having an area greater than 8ha.
3. 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.
4. All **clearing of native vegetation** in Zone CN requires **consent**.
5. Subject to sub-clause 6, 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**.
6. Despite sub-clause 5 the **clearing of native vegetation** on a lot identified on the zoning map as "Restricted Rural Residential" must not exceed that reasonably necessary for the construction of a **dwelling** and uses ancillary to that **dwelling**.
The consent authority must not **consent** to development that is not in accordance with this sub-clause.

For example, the *Territory Parks and Wildlife Conservation Act*, the *Mining Act*, the *Pastoral Land Act*, and the *Environmental Protection and Biodiversity Conservation Act*.

Clause 10.3 details performance criteria for **clearing of native vegetation**.

103 **Clearing of Native Vegetation – Performance Criteria**

<ol style="list-style-type: none">1. The purpose of this clause is to specify the matters to be taken into account in assessing an application for the clearing of native vegetation.2. An application for the clearing of native vegetation is to demonstrate consideration of the following:<ol style="list-style-type: none">(a) the <i>Land Clearing Guidelines</i> (as amended from time to time) by the Department of Natural Environment and the Arts;(b) the presence of threatened wildlife as declared under the <i>Territory Parks and Wildlife Conservation Act</i>;(c) the presence of sensitive or significant vegetation communities such as rainforest, vine thicket, closed forest or riparian vegetation;(d) the presence of essential habitats, within the meaning of the <i>Territory Parks and Wildlife Conservation Act</i>;(e) the 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) the presence of permanent and seasonal water features such as billabongs and swamps;(k) the retention of native vegetation adjacent to waterways, wetlands and rainforests;(l) the retention of native vegetation buffers along boundaries;(m) the retention of native vegetation corridors between remnant native vegetation;(n) the presence of declared heritage places or archaeological sites within the meaning of the <i>Heritage Act</i>; and(o) the presence of any sacred sites within the meaning of the <i>NT Aboriginal Sacred Sites Act</i>.	<p>See clause 2.8.</p>
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