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.
### Clearing of Native Vegetation – Performance Criteria

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:

   - **Land Clearing Guidelines** (as amended from time to time) by the Department of Natural Environment and the Arts; See clause 2.8.
   - Presence of threatened wildlife as declared under the **Territory Parks and Wildlife Conservation Act**;
   - Presence of sensitive or significant vegetation communities such as rainforest, vine thicket, closed forest or riparian vegetation;
   - Presence of essential habitats, within the meaning of the **Territory Parks and Wildlife Conservation Act**;
   - Impact of the clearing on regional biodiversity;
   - Whether the clearing is necessary for the intended use;
   - Whether there is sufficient water for the intended use;
   - Whether the soils are suitable for the intended use;
   - Whether the slope is suitable for the intended use;
   - Presence of permanent and seasonal water features such as billabongs and swamps;
   - Retention of native vegetation adjacent to waterways, wetlands and rainforests;
   - Retention of native vegetation buffers along boundaries;
   - Retention of native vegetation corridors between remnant native vegetation;
   - Presence of declared heritage places or archaeological sites within the meaning of the **Heritage Act**; and
   - Presence of any sacred sites within the meaning of the **NT Aboriginal Sacred Sites Act**.