Adrian Tomlinson
PO Box 9124
Alice Springs
NT 0870

20 October, 2026

Pastoral Land Board
Via 'Development Applications Online'

To the Pastoral Land Board,

RE: Pastoral Land Clearing Application – Shenandoah Perpetual Pastoral Lease, NT Portion 7026, Sturt Plateau, PPL 1201, 1,609.75 hectares

I am writing to request that you reject the application by Justin Dyer of Shenandoah Land Holdings Pty Ltd to clear 1,609.75 ha of native vegetation for pasture and hay production (Sabi Grass).

I object to this proposal on grounds of:

1. **Unsuitability of the Pastoral Land Board (PLB) to determine the application, due to individual and collective vested interests in approving land clearing (regulatory capture)**
2. **Impacts on threatened species are:**
    a. **unacceptable**
    b. **treated more weakly than in the neighbouring Tamboran EMP**
    c. **based on inferences from the SREBA regional report rather than field surveys**
    d. **does not consider risks to threatened species beyond the clearing footprint.**
    e. **require assessment under the NT *Environment Protection Act 2019* and Federal *Environment Protection and Biodiversity Conservation Act 1999***
3. **Regional context - Damage and fragmentation of tropical savanna ecosystem**
4. **Introduction and spread of environmental weeds**
5. **Pesticides and fertilisers**
6. **Climate change and greenhouse gas emissions and lack of offsets;**
7. **Unacceptable risk of breaching the Northern Territory Aboriginal Sacred Sites Act 1989 and failure to consult with Native Title holders**
8. **Risk of scope creep – the Pastoral Land Board has been unable/unwilling to stop dryland applications being used for irrigated agriculture**

DISCUSSION

1. Unsuitability of the Pastoral Land Board (PLB) to determine the application, due to individual and collective vested interests (regulatory capture by clearing interests)

The PLB is not in a position to make a sound decision on this proposal. The majority of its membership has a vested interest in proposals like this going ahead. This constitutes regulatory capture. Examples:

- Val Dyer (whose family is the applicant) is a member of the Pastoral Lands Board;
- Allan Andrews (Vice President) is an employee of Consolidated Pastoral Corporation which has a vested interest in clearing approvals. This company has submitted multiple land clearing applications and has subsequently had groundwater extraction licences approved on three stations for which clearing applications were proposed for dryland purposes. He has a vested interest in allowing 'scope creep' (see item 8);
- Paul Burke (Chair) is also independent chair of the National Farmers' Federation (NFF) Horticulture Council[1]. The role of this committee is *to form policy and advocate on behalf of the national horticulture industry*. Mr Burke clearly has a vested interest in facilitating clearing which is necessary for irrigated agriculture proposals;
- All other PLB members who are pastoral lease holders stand to benefit from a laissez faire approach to land clearing assessments and the tactic of allowing scope creep to gain approvals. This approach is expanding pastoral land entitlements and hence the value of pastoral leases even when these decisions are not in the public interest
- There appears to an ingrained culture in this board of approving land clearing proposals that suggests the threshold of regulatory capture has been crossed. PLB has a history of essentially never refusing clearing applications.

2. Impacts on threatened species are:

a. **unacceptable**
b. **treated more weakly in this application than in the neighbouring Tamboran EMP**
c. **based on inferences from the SREBA regional report rather than field surveys**
d. **Does not consider risks to threatened species beyond the clearing footprint.**
e. **require assessment under the NT *Environment Protection Act 2019* and Federal *Environment Protection and Biodiversity Conservation Act 1999***

2.a. Unacceptable

The land subject to clearing comprises outstanding vegetation. The application and GoogleEarth shows the area characterised by large trees with hollows (e.g. Corymbia/Eucalyptus species exceeding 20m tall for which there is a significant chance of sustaining populations of threatened species).

2.b. Treated more weakly in this application than the neighbouring Tamboran EMP

The environmental management plan on adjacent land by Tamboran's identified the risk to threatened species arising from clearing native vegetation that warranted vegetation being preserved, despite the clearing footprint being much smaller [2]

Species of concern in the Tamboran EMP included:

- Gouldian Finch Chloebia gouldiae (Endangered EPBC Act, Vulnerable TPWC Act)

[1] https://nff.org.au/media-release/paul-burke-appointed-independent-chair-of-nff-horticulture-council/

[2] https://environment.nt.gov.au/__data/assets/pdf_file/0009/1570914/approved-emp.pdf (refer pp111-112)

- Grey Falcon *Falco hypoleucos* (Vulnerable EPBC Act and TPWC Act)
- Northern Shrike-tit *Falcunculus whitei* (Vulnerable EPBC Act)
- Common Brushtail Possum (northern) *Trichosurus vulpecula arnhemensis* (Vulnerable EPBC Act)
- Plains Death Adder *Acanthopsis hawkei* (Vulnerable EPBC ACT and TPWC Act) • Northern Blue-tongue Skink *Tiliqua scincoides intermedia* (Critically Endangered EPBC Act)
- Yellow-spotted Monitor *Varanus panoptes* (Vulnerable TPWC Act).

Examples of threats/species in the Tamboran EMP for which mitigation from clearing impacts was proposed, but are not mitigated in this application:

- Large trees kept – large trees were to be avoided and where this is not possible, logs retained on site and records kept
- Gouldian Finch treated as occurring beyond BVG 8 – Snappy Gum low open woodland as claimed in this application and surveys needed. (Note Preferred feed source *Chrysopogon fallax* present in this applications proposed clearing area.)
- Pre-clearance surveys and commits to retaining and documenting evidence of Grey Falcon active nesting sites.

2.c. Based on inferences from the SREBA regional report rather than field surveys and failure to protect possible populations of listed species.

- I object to the applicant drawing inferences from a regional scale SREBA report rather doing its own site surveys
- I object to the potential loss of rare habitat and possibly populations of Common brushtail possum. The applicant acknowledges this is suitable habitat, yet no surveys are done. All northern populations of this EPBC listed vulnerable species should be protected.
- I object to threats Northern Blue-tongue Skink *Tiliqua scincoides intermedia* (Critically Endangered EPBC Act). All populations of this species should be protected. Surveys have not been conducted, yet the clearing which will cause loss of habitat and logs etc and damage to food sources.
- Discounts bird species which depend on large trees e.g. or Red Goshawk and Grey Falcon on basis of there being no tall riparian woodland, yet this is not the only habitat they occupy.

2.d. Does not consider risks to threatened species beyond the clearing footprint.

As this clearing proposal involves planting invasive grasses and creation of habitats suitable for feral animals, the clearing's impacts will not be limited to the site but will degrade surrounding areas. The impacts on species in nearby areas should be considered.

2.e Requires assessment under the NT *Environment Protection Act 2019* and Federal *Environment Protection and Biodiversity Conservation Act 1999*

The above concerns (2a-2d) and principles of Ecologically Sustainable Development warrant that this proposal should be subject to environmental impact assessment under the *Environment Protection Act 2019* and consideration of theats to protected matters under the *Environment Protection and Biodiversity Conservation Act 1999* (Cwth).

3. Regional context - Damage and fragmentation of tropical savanna ecosystem

- The NT savanna region is under considerable pressure from ecosystem decline (climate change, invasive plants and animals) and has been characterised as in a state of collapse[3].
- There are multiple clearing applications across the region (e.g. enormous clearing proposals for Muckaty and Murranji) and nearby clearing for fracking operations.
- These clearing proposals are occurring in the absence of any strategic plan for biodiversity conservation or clearing in the region and come on top of the severe risk posed by climate change and the NTG's chronic failure to manage other environmental risks (e.g weeds, ferals, livestock).

4. Introduction and spread of environmental weeds

Sabi grass (*Urochloa mosambicensis*) is regarded as an environmental weed in parts of Queensland, the Northern Territory and Western Australia.[4] It has potential to spread beyond the clearing footprint and degrade surrounding ecosystems.

Furthermore removal of native vegetation, cultivation and more intensive use of the site will introduce likelihood of spread of other weeds.

5. Pesticides and fertilisers

The application involves two broadscale glyphosate applications, 2,4-D Amine herbicide use and fertiliser application.

These represent the significant, avoidable degradation of soils, and threaten unknown plant and insect populations, which are significant in themselves and a source of food for other species.

6. Climate change, greenhouse gas emissions from the project and lack of offsets.

I object to the carbon emissions 176,528.74tCO2-e.

Furthermore these emissions are not offset. This means the direct cost of these avoidable emissions is born by the public at a time when we are facing global climate change tipping points.

At a conservative spot price of $35 tonne CO2 offset, this represents cost shifting onto the public of $6,178,480

The offsets framework makes clear offsets *cannot be used to make an unacceptable impact acceptable*[5]. This proposal is unacceptable. There is no public interest in clearing this land, it involves environmental harm, is not needed and will result in avoidable carbon emissions.

7. Unacceptable risk of breaching the Northern Territory Aboriginal Sacred Sites Act 1989 and failure to consult with Native Title holders

---

[3] https://theconversation.com/existential-threat-to-our-survival-see-the-19-australian-ecosystems-already-collapsing-154077

[4] https://keyserver.lucidcentral.org/weeds/data/media/Html/urochloa_mosambicensis.htm

[5] https://environment.nt.gov.au/environment/northern-territory-offsets-framework/greenhouse-gas-emissions-offsets-policy

An Abstract of Records is provided but this is insufficient to determine whether sacred sites exist. A Sacred Sites clearance involving consultation with Traditional Owners attending the site has never been undertaken. This is the obvious, risk averse way to assess the risk to sacred sites and include Native Title holders in land clearing.

Appendix 12 of the application shows the Heritage Branch recommends *that an archaeological survey is required to identify and mitigate the impact to Aboriginal or Macassan archaeological places and objects.*

No survey has been done. This is needed before this application is assessed to enable a balanced assessment. Inferences are instead drawn from a different survey done for a different purpose. This is unfair and misuses good faith advice that was not provided in relation to a clearing proposal.

The proposed mitigation '*If any potential sacred site, archaeological place, object or remains are identified during works, the area will be immediately excluded from disturbance and appropriately buffered',* is absurd and unreliable. Sites of significance are not necessarily visible to the naked eye and require specific cultural knowledge. An unsupervised contractor driving a bulldozer with a vested interest in not noticing is not a sensible mitigation.

Ultimately the applicant should have consulted directly with the custodians regarding risks to cultural sites and cultural values. This is a profound change to land over which was never ceded and for which Native Title rights. exist The Pastoral Lands Board should seek the Native Title Holders' advice on this change in land use as it could degrade the Native Title holders' entitlements.

8. Risk of scope creep – the Pastoral Land Board has been unable/unwilling to stop dryland applications being used for irrigated agriculture

The PLB and NTG has shown in itself unable to ensure that pastoral clearing applications do not escalate into even more damaging irrigated agricultural uses (E.g. recent clearing approvals on Dungowan, Newcastle Waters, Tandyidgee pastoral leases).

The impacts of irrigated agriculture are even worse than clearing for dryland farming. If irrigated agriculture is planned then this needs to be assessed upfront on the basis of damage it will cause to in-tact savanna lands, not after the subject lands have been significantly damaged by clearing for dryland purposes.

This application also sits above groundwater within the Cambrian Limestone Aquifer hence the risk it could be subject to a later groundwater extraction proposal is material. To ensure this does not happen this application should be subject to a formal environmental impact assessment which will 'lock in' a binding proposal.

9. Conclusion

The applicant has not demonstrated why this clearing is needed. It involves completely avoidable harm to large trees in some of the best savanna woodlands in the world and puts at risk the species these ecosystems support.

I urge you to refuse this application. If the applicant wishes to pursue this proposal then this should be via a public environmental impact assessment under the NTEPA Act. As well as being necessary given the environmental risks and problems I raise with the PLB making a decision, this approach is more binding, considers a wider range of factors and is more consultative.

Sincerely,

Adrian Tomlinson

Written with respect on unceded Central Arrernte lands

Copies to:

NTEPA (Attention Dr Paul Vogel)

Federal Minister for the Environment (via EADParliamentary@dcceew.gov.au)

Environmental Defenders Office (Attention Elanor Fenge)

The Centre for Public Integrity