

NT PLANNING COMMISSION HEARING

**PROPOSED NT PLANNING SCHEME AMENDMENT
PA2024/0100**

Proposal to amend the NT Planning Scheme to include the
Humpty Doo Rural Activity Centre Area Plan

Agenda Item Number: 1

Meeting Date: 24 September 2024

**Attachment A – Exhibition Material
Attachment B – Submissions Received**

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Report to the Planning Commission

This report is prepared under section 22 of the *Planning Act 1999*, and considers the submissions made in relation to the proposal.

1. GENERAL INFORMATION

PROPOSAL: To amend the NT Planning Scheme to include the Humpty Doo Rural Activity Centre Area Plan as a policy document.

2. LEGISLATIVE REQUIREMENTS

The Minister for Lands, Planning and Environment is responsible for determining proposals to amend the NT Planning Scheme, including the rezoning of land. The *Planning Act 1999* (the Act) establishes requirements relating to the exhibition, consultation and reporting of proposed amendments to the NT Planning Scheme.

Under section 22(6), the Planning Commission must hold a hearing if submissions are received during the exhibition period, and the Chairperson is satisfied that a hearing would provide further useful information.

Under section 24 of the Act, the Planning Commission must provide to the Minister for Lands, Planning and Environment, a written report that addresses the issues raised in the submissions; the issues raised at the hearing and during any consultation; and any other matters the Commission considers the Minister should take into account when considering the proposal.

3. PROPOSAL

The proposed amendment is to include the Humpty Doo Rural Activity Centre Area Plan (HDAP) within Part 2 of the NT Planning Scheme 2020. The HDAP will introduce new statements of planning policy, accompanying text and a land use structure plan to guide long term development within the Humpty Doo locality.

The HDAP follows the implementation of the Darwin Regional Land Use Plan 2015 (DRLUP) and the Litchfield Subregional Land Use Plan 2016 (LSLUP) into Part 2 – Strategic Framework of the NT Planning Scheme 2020. The LSLUP identifies Humpty Doo as a rural activity centre which supports a large proportion of commercial, community, industrial and residential development in the Litchfield subregion, with opportunities to accommodate additional growth and demand.

The HDAP has been prepared to provide the highest level of detailed planning for the Humpty Doo locality. No consequential updates to the DRLUP and LSLUP will be required.

The HDAP is a long-term plan that will guide future land use within the Humpty Doo locality, ensuring that proposed land uses cater for future population growth, support the efficient provision of key infrastructure and services and support the role of the commercial centre, whilst recognising and protecting the rural character associated with the locality.

Extensive consultation and stakeholder consultation has been incorporated into the preparation of the HDAP including three stages of consultation with members of the public, government agencies and industry groups through the NT Planning Commission processes.

The HDAP was placed on statutory exhibition as a planning scheme amendment which has solicited another stage of consultation and key stakeholder and community feedback, discussed within Section 5 of this report. A copy of the exhibition material is at **Attachment A**.

Copies of submissions are at **Attachment B**. Submissions are summarised within Section 6 of this report.

Any further changes to the HDAP as the result of other matters raised in public submissions will be considered by the Minister for Lands, Planning and Environment following the NT Planning Commission hearing, and the Commission providing its report to the Minister on matters raised by submitters (including any new issues raised by people at the public hearing).

4. SITE AND LOCALITY CONTEXT

The HDAP study area includes the localities Humpty Doo and McMinns Lagoon as shown at Map 1 below.



Figure 1 - HDAP Locality Plan

5. EXHIBITION OF PROPOSAL

On 27 June 2024, the former Minister for Infrastructure, Planning and Logistics determined under section 13(3)(a) of the *Planning Act 1999* to continue consideration of the proposed amendment by placing it on exhibition.

The proposal was on public exhibition for a period of 28 days and advertised online from 5 July 2024 to 2 August 2024. The period of exhibition was in accordance with the requirements of the *Planning Act 1999*.

6. SUBMISSIONS

Sixteen (16) submissions were received regarding the proposal.

Below is a summary of the matters raised in the submissions, refer Attachments **B1 – B16**.

Public Submissions (Attachments B1 – B8)

Submitter	Discussion Points
Gerard Rosse <i>Attachment B1</i>	<ul style="list-style-type: none"> Supports the proposal, specifically the designation of 'Urban Residential' within the core area of the activity centre which delivers sound planning outcomes.
Rena Scown <i>Attachment B2</i>	<ul style="list-style-type: none"> Arnhem Highway duplication – concerned about the proximity of the Arnhem Highway duplication works to our property and whether we will be able to safely enter and exit the property. <p>Have previously raised concerns regarding these works, and now requesting further details on the Arnhem Highway duplication project.</p>
Humpty Doo Primary School <i>Attachment B3</i>	<ul style="list-style-type: none"> Arnhem Highway duplication – concerns regarding the intended upgrades to the Arnhem Highway, Challoner Circuit extension and proposed signalised intersections along Freds Pass Road and how these works will impact Humpty Doo Primary School. Improved awareness of the school – Humpty Doo Primary School has campaigned Litchfield Council and the local Member to improve driver awareness and better signage to indicate the proximity of the school to no avail. Existing school crossing – the proposed upgrades and works to Challoner Circuit and Freds Pass Road will result in the existing school crossing to an interim carpark being located between two sets of traffic lights. Question whether the impacts on the school crossing and car park area have been considered and how will these look post works.
Gerry Wood <i>Attachment B4</i>	<ul style="list-style-type: none"> The Area Plan – completely disappointed with the Area Plan, seemingly ignores the rural values and amenity of the area. Previous submission on the Area Plan – have reiterated concerns in previous submissions and feedback on the Area Plan and they have not been addressed. The Area Plan should be scrapped, and a new rural friendly area plan should be commenced.
Alysia Weetra <i>Attachment B5</i>	<ul style="list-style-type: none"> Request to include Marjerrison Drive in the Area Plan study area – note that Marjerrison Drive is less than 500m from the Jakira estate which has lot sizes of 450m² - 800m². The area plan boundary also includes areas of Dalgety road, adjacent to Marjerrison Drive, and Strangways Road. <p>Including properties on Marjerrison drive complies with the relevant policy of the Litchfield Subregional Land Use Plan as it is in close proximity to community facilities.</p>
Ann-Marie Bull	<ul style="list-style-type: none"> Power Road Extension and flooding – concerns about the number of additional vehicles using Power Road and how flooding of

Submitter	Discussion Points
<p><i>Attachment B6</i></p>	<p>Power Road will be managed. Power Road currently floods every wet season is unpassable at the southern end.</p> <p>Diverting flooding from Power Road may impact and cause flooding on our existing lot which is currently not affected.</p> <ul style="list-style-type: none"> • Proposed signalised intersection of Power Road and Arnhem Highway – question the need for traffic lights at Power Road and Arnhem Road. States there have been no accidents at this junction, and this intersection would be more appropriate at the intersection of Fred’s Pass Road and Arnhem Highway. • Potential road connection to allow access from Power Road to Kennedy Road – question why this connection is necessary. Concerned regarding the close proximity of this potential road to our property. <p>Note that as a result of the Power Road extension and the potential road connection to Kennedy Road, our property is now surrounded by roads and excessive noise which impacts on our rural amenity.</p> <ul style="list-style-type: none"> • Development of Section 3219 Hundred of Strangways - querying where new lots on this site will be accessed from the proposed road and proposed lot sizes. Concerned the new road will be located directly opposite to our property, which will add further noise and impacts to our rural amenity. • Impacts on fauna and flora - concerned about the wildlife, flora and fauna that exist on Section 3219 Hundred of Strangways and how these species will be protected from development. • Impacts on rural amenity - concerned our rural way of life with the additional roads and traffic and excessive noise could devalue our property.
<p>Natalie Valastro <i>Attachment B7</i></p>	<ul style="list-style-type: none"> • Request to include Marjerrison Drive in the area plan study boundary – note that Marjerrison Drive is less than 500m from the Jakira estate which has lot sizes of 450m² - 800m². The area plan boundary also includes areas of Dalgety road, adjacent to Marjerrison Drive, and Strangways Road. <p>Marjerrison drive is a cul-de-sac, however Collard Road & Spencely Road are both cul-de-sacs and they are both included in the current area plan.</p> <p>Including properties on Marjerrison drive complies with the relevant policy of the Litchfield Subregional Land Use Plan as it is in close proximity to community facilities.</p>

Submitter	Discussion Points
<p>Mathew Salter <i>Attachment B8</i></p>	<ul style="list-style-type: none"> • Walkable catchment and distance from the activity centre –the HDAP follows the same mistakes of the Coolalinga and Freds Pass Rural Activity Centre Area Plan in allowing 1 acre (4,000m²) lots too far from the activity centre. Questions why 1 acre (4,000m²) lots are supported when they are over 3km away from the activity centre, despite the Area Plan stating that the walkable catchment is 500m from the activity centre. • Lot size and what constitutes a ‘rural’ block – considers the NT Planning Commission holds a different view to that of rural residents on what a rural lot is. States that 1 acre (4,000m²) lots are not rural and a true rural block is a minimum of 2.5acres (1 hectare). • Location of lots and connection to services – states that ‘urban’ lots should only be developed and connected to the existing sewerage network and reticulated water within 500m of the Village Centre, and outside of the village Centre the minimum lot size must be 2.5 acres (1 hectare). • Rural amenity – considers the concept of 1 acre (4,000m²) lots next to existing 5 acre (2 hectares) lots will impact the rural amenity of the area. Landowners who do not want to subdivide will lose their amenity when there are new roads, increased traffic and environmental impacts on the adjoining lots. • Stormwater management and impact on the natural environment and wetlands – questions how increased stormwater run-off from new development will be managed to ensure there are no adverse effects on sensitive receiving environments such as Edwins Creek, Horne Creek and Metcalf Lagoon. The NT Planning Commission must ensure that the sources of creeks are preserved. • Traffic – notes there are a high number of road trains and heavy vehicles that traverse through the locality that are not conducive to high density living. • Separation distances of bores and required infrastructure – questioning how required separation for bores and septs will be managed when 1 acre (4,000m²) lots adjoin a 5 acre lot. • Concerns that landowners, not developers or service authorities such as Power and Water, will facilitate the provision of infrastructure and construction of roads to a suitable standard?

Service Authority Submissions (Attachments B9 – B15)

Submissions received from Service Authorities are summarised below.

<p>Passenger Transport Branch, Department of Infrastructure, Planning and Logistics <i>Attachment B9</i></p> <ul style="list-style-type: none"> No comment on the Area Plan.
<p>Department of Industry, Tourism and Trade <i>Attachment B10</i></p> <ul style="list-style-type: none"> No comment on the Area Plan.
<p>Aboriginal Areas Protection Authority <i>Attachment B11</i></p> <ul style="list-style-type: none"> Recommend the applicant apply for an Authority Certificate in accordance with Section 19B of the <i>Northern Territory Aboriginal Sacred Sites Act 1989</i> prior to undertaking any development or works as there are recorded sacred sites in the vicinity of the subject land.
<p>Heritage Branch, Dept. of Territory Families, Housing and Communities <i>Attachment B12</i></p> <ul style="list-style-type: none"> The Area Plan does not mention heritage or Aboriginal cultural heritage within the study area. <p>There is a very real possibility of Aboriginal archaeological material existing in undeveloped areas of the Area Plan, particularly near to areas adjoining the two larger watercourses.</p> <ul style="list-style-type: none"> The HDAP should acknowledge the potential cultural and heritage implications and refer to the NT Planning Scheme 2020 which requires development proposals to demonstrate compliance with the <i>Heritage Act 2011</i>.
<p>Transport and Civil Services Division, Department of Infrastructure, Planning and Logistics. <i>Attachment B13</i></p> <ul style="list-style-type: none"> No comment on the Area Plan.
<p>Medical Entomology NT Health <i>Attachment B14</i></p> <ul style="list-style-type: none"> There are no medical entomology comments regarding the proposal to introduce the Area Plan into the NT Planning Scheme. The Area Plan includes numerous recommendations for biting insect management.
<p>Dept. of Environment Parks and Water Security <i>Attachment B15</i></p> <p><u>Fauna and Flora Division</u></p> <ul style="list-style-type: none"> Generally support the changes made to the Area Plan to improve the visibility of environmental values, additional protections and acknowledgement of restrictions to future development in some areas due to significant environmental values.

- Minor suggestions made to improve the wording and clarity of objectives and development responses in the Area Plan.

Water Resources Division

- **Groundwater** – the Area Plan acknowledges previous concerns raised that groundwater use in Humpty Doo exceeds sustainable yield and requires future development to connect to reticulated systems.
- **Surface Water** – no issues requiring comment.

Local Authority Submissions (Attachment B16)

Litchfield Council

- **Vision and Planning Principles** – in regard to Figure 1 and Figure 3, Council notes Stage 1 of the Humpty Doo Industrial Park subdivision has been finalised and can be shown in these Figures.
- **Freds Pass Road, Challoner Circuit and Arnhem Highway intersection** – Council does not support the proposed intersection treatment of Freds Pass Road, Challoner Circuit and Arnhem Highway. Council unanimously viewed the signalisation of the Freds Pass Road and Arnhem Highway intersection as a key upgrade to improve safety and this does not form part of the Area Plan.

Council also considers the signalisation of intersections on Freds Pass Road and Challoner Circuit as being less favourable to roundabouts to promote low speed traffic controls with provision for pedestrian access for a central median.

- **Pedestrian / cycle network** – Council notes that under Objective 2.6(iv), Figure 3 does not identify the extension of the pedestrian / cycle network from the walkable catchment area to the Humpty Doo industrial area, nor the walkable catchment for reference.
- **Residential Growth and Housing** - Council would prefer not to see housing density in accordance with Zone LMR (Low-Medium Density Residential) within 400m of existing Zone C (Commercial) land.
- **Social Infrastructure** – Council supports the objectives of the Area Plan in respect to Social Infrastructure.

Council plans to incorporate provision of a library at the 320 Arnhem Highway site, however this should not prevent social infrastructure planning by other Government agencies as there is currently only one library facility in the entire Litchfield Council area.

Council recommends consideration of the School Road Safety Guidelines in future area plans.

- **Public Open Space** – Council supports the identified public open space as an alternative to Freds Pass Recreation Reserve.
- **Essential Infrastructure** – Council supports development of stand-alone infrastructure plans for all areas of the Litchfield Subregion to support continued development and enable provision of contribution plans.

7. RECOMMENDATION

That under section 24 of the *Planning Act 1999*, the Planning Commission report to the Minister for Lands, Planning and Environment on the issues raised in submissions, issues raised at the hearing and any other matters it considers the Minister should take into account when considering the proposal.