

NT PLANNING COMMISSION HEARING

**PROPOSED NT PLANNING SCHEME AMENDMENT
PA2023/0227**

Proposal to amend the NT Planning Scheme to include the
Greater Holtze Area Plan

Agenda Item Number: 2
Meeting Date: 5 June 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 Greater Holtze Area Plan as a policy document.

2. LEGISLATIVE REQUIREMENTS

The Minister for Infrastructure, Planning and Logistics 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 Infrastructure, Planning and Logistics, 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 Greater Holtze Area Plan (GHAP) within Part 2 of the NT Planning Scheme 2020. The GHAP will introduce new statements of planning policy and accompanying text to guide the long term development of the subregion.

The GHAP will provide the next level of detail under the Holtze to Elizabeth River Subregional Land Use Plan and the Darwin Regional Land Use Plan. No consequential updates to these plans will be required.

The GHAP is a long-term plan that identifies land to support growth and confirming strategic corridors for main roads, rail and utilities. The GHAP refines the extent of the area shown in the Holtze to Elizabeth River Subregional Land Use Plan (HESLUP) for fully serviced residential development.

Extensive consultation and stakeholder consultation has been incorporated into the preparation of the GHAP including two stages of consultation with members of the public, government agencies and industry groups.

The GHAP was placed on public exhibition for a third stage of consultation as 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.

The Minister for Infrastructure Planning and Logistics will consider submissions and any subsequent changes to the GHAP that may be necessary in response to public submissions, as part of final consideration of the GHAP. This includes any changes that may result from issues or concerns raised at the public hearing.

It is noted, that the Department of Infrastructure Planning and Logistics (DIPL) has made some minor changes to the GHAP to address environmental concerns prior to the hearing, as this was a common theme amongst those that lodged submissions. For the purpose of transparency, the altered version of the GHAP responding to the environmental concerns raised in submissions, was recirculated to all those that lodged submissions. A copy is available at **Attachment C**. Changes are further discussed within Section 7 of this report.

Any further changes to the GHAP as the result of other matters raised in public submissions will be considered by the Minister for Infrastructure, Planning and Logistics 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 Greater Holtze area includes the localities of: Holtze, Kowandi, Holtze North and Howard Springs North as shown at Map 1 overpage.



Map 1: GHAP area

5. EXHIBITION OF PROPOSAL

On 23 August 2023, 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 8 September 2023 to 6 October 2023. The period of exhibition was in accordance with the requirements of the *Planning Act 1999*.

6. SUBMISSIONS

Fourteen (14) submissions were received regarding the proposal.

Below is a summary of the matters raised in the submissions, refer Attachments **B1 - B12**.

Public Submissions (Attachments B1 - B2)

Submitter	Discussion Points
<p>Gerry Wood Individual / Landowner Attachment B1</p>	<ul style="list-style-type: none"> • Vision statement - It leaves off one important strategy – a cooling strategy in line with the Government Heat Mitigation policy as well as the NT Government’s view on Climate Change Policy.
	<ul style="list-style-type: none"> • The purpose of the Area Plan – Vision to Policy excludes any mention of possible rural development.
	<ul style="list-style-type: none"> • Integrated water management – the ownership and management of these areas needs to be sorted now before development occurs.
	<ul style="list-style-type: none"> • Newer subdivisions need more shade trees planted within road reserves.
	<ul style="list-style-type: none"> • Sustainable Subdivision design – If block sizes are too small – below 600sqm – then sustainable subdivision can’t happen.
	<ul style="list-style-type: none"> • Main Roads – The road from Kowandi should not join up with Madsen Road as it encourages urban traffic into the rural area.
	<ul style="list-style-type: none"> • The proposed extension of Smyth Road into Coolalinga is strongly opposed and would ruin the rural amenity.
	<ul style="list-style-type: none"> • Activity Centre – Could have detrimental economic impact on the existing Howard Springs Activity Centre
	<ul style="list-style-type: none"> • Defence – There doesn’t seem any consideration re; Defence concerns.
	<ul style="list-style-type: none"> • Youth Detention Centre – The land around the centre should be a native vegetation reserve or a rural subdivision.
<ul style="list-style-type: none"> • General - The development should not be a copy of Zuccoli, Northcrest or other sardine suburbs. The suburb of Leanyer is what the Government should use as the template for Holtze. 	
<ul style="list-style-type: none"> • Aged Care Facility – The plan should set aside an area for the proposed 60 bed aged car facility which should be located in a bush setting close to the Palmerston Regional Hospital at Holtze. 	

<p>Heather Lear and Alister Lear</p> <p>Individuals, landowners on Taylor Road</p> <p>Attachment B2</p>	<p>Ms Lear has previously requested that submissions not be summarised and instead be provided in their entirety. This submission may be found within Attachment B2.</p>
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Submissions from industry and community groups (Attachments B3 – B7)

Submissions were received from several industry and community groups regarding the proposal. Submissions received are summarised in the table below.

Submitter	Discussion Points
<p>Friends of Lee Point</p> <p>Attachment B3</p>	<ul style="list-style-type: none"> • Wildlife corridors are not included in the Holtze to Elizabeth River Subregional Land Use Plan (2022) or the Darwin Regional Land Use Plan (2015). • Wildlife corridors should allow the passage of all wildlife where possible and are best planned at a regional level before Area Plans are developed. • Maintaining Darwin’s biodiversity means protecting and connecting critical areas of habitat. To achieve this, a Darwin regional biodiversity plan needs to be developed to identify critical habitat and set out wildlife corridors. • The land use principles for Holtze North and Howard Springs North should recognise and accommodate a wildlife corridor. • A connected savannah habitat wildlife corridor is proposed connecting Lee Point to the Howard Springs Nature Park in a location North of the Greater Holtze study area.
<p>PLan the Planning Action Network</p> <p>Attachment B4</p>	<ul style="list-style-type: none"> • There is no Regional Conservation Strategy as called for by the Holtze to Elizabeth River Subregional Land Use Plan. • The proposed amendment has failed to step up to the level of effort described in the Northern Territory Climate Change Response Towards 2050 Framework. • The area includes the headwaters of Kings Creek and Howard Springs Reserve and insufficient attention as to how these resources and downstream will be protected is provided. • The woodland present supports threatened species. Tree clearing is occurring at a rate that will see all old growth extinguished by 2040. Any amendment should mandate a sustainable future for our wildlife and environment. • Typically, these developments are handed to developers who then generate projects which have no input from members of

	<p>the public, see the Lee Point Area Plan which was developed with no recognisable input from any member of the public or member of NT Planning Department.</p> <ul style="list-style-type: none"> • Some of the hottest temperatures recorded are occurring in these new clear fell high density developments, 60C at Muirhead for example. • Insufficient attention has been paid to the Darwin Heat Mitigation Strategy developed by the CSIRO. • A mix of rural blocks to create buffers between hub zones would enable a cleaner green living environment. • The description of lot size as being driven by market forces is a cop out. It is clear that the NT could create best practice tropical living precincts. • To say that 300sqm blocks with 2sqm for a lawn is the cheapest option is an insult to members of the public. • We can do better and call on our public service to step up, not out, of the planning of good communities.
<p>Margaret Clinch PLan Planning Action Network Attachment B5</p>	<ul style="list-style-type: none"> • On the one hand it is very complex, but on the other, it is very vague and does not provide certainty on the ground. • A repeat of Zuccoli is not appropriate here. • Most of the planning principles are too general. • Green open spaces as described are far too limited. • Small lots are not appropriate for growing families. • People come to Darwin to live because it is green. Without this we will lose our population. • Dense development as intended, would create far too much heat in the area. • Support a public swimming pool and aged care facility. • The road structure appears to need clarifying in regard to Gunn Point Road.
<p>Environment Centre NT Attachment B6</p>	<ul style="list-style-type: none"> • ECNT submits that the amendment to the include the GHAP is complete premature • The HESLUP states that no development should occur until a Regional Conservation Strategy is developed. Therefore, the plan's consideration of the natural environment is notional at best, and fundamentally misleading.

	<ul style="list-style-type: none"> • It purports to “seek to incorporate the functions of the natural environment for the continued and enhanced enjoyment of the community” and yet is being finalised prior to the existence of a regional conservation strategy, in a jurisdiction with no native vegetation laws nor any state of environment reporting.
	<ul style="list-style-type: none"> • We recommend that the amendment of the planning scheme to introduce the GHAP is halted until the necessary data, legislative and policy frameworks are in place – including, at a minimum, the Regional Conservation Strategy.
	<ul style="list-style-type: none"> • The GHAP’s consideration of cultural heritage in the Greater Holtze district is not transparent or evident.
	<ul style="list-style-type: none"> • The Minister’s power to rezone land is in practice discretionary and unreviewable. Due to weak legislation this area plan is the first step towards large scale land-clearing on the edge of one of Darwin’s beloved recreation areas which is already under pressure from excessive groundwater extraction.

Service Authority Submissions (AttachmentsB7 – B10.1)

Submissions received from Service Authorities are summarised in the table below.

Service Authority	Comments
Heritage Branch Dept. of Territory Families, Housing and Communities Attachment B7	<ul style="list-style-type: none"> • The draft GHAP should acknowledge the heritage potential within the Holtze area and how it might be incorporated into the future development of the region.
	<ul style="list-style-type: none"> • Examples of how to incorporate heritage into the draft plan include the Coolalinga and Freds Pass Rural Activity Centre Area Plan 2023 (refer to 3.4 and 6.3)
	<ul style="list-style-type: none"> • The draft GHAP should acknowledge the heritage potential within the Holtze area and how it might be incorporated into the future development of the region.
Dept. of Defence Attachment B8	<ul style="list-style-type: none"> • Defence remains concerned with the proposed change to land use to the south of Robertson Barracks that will rezone the land for urban use.
	<ul style="list-style-type: none"> • Defence notes that the current plan includes an open space, road and rail buffer along the southern boundary of Robertson barracks. The inclusion of such a buffer is supported by defence.
	<ul style="list-style-type: none"> • Defence activities result in excessive noise and vibration and this has the potential to cause nuisance for future residents in this area.
Dept. of Defence	<ul style="list-style-type: none"> • Defence will facilitate access to Kowandi North to support the progression of site investigations.

Attachment B8.1	<ul style="list-style-type: none"> • Planning for development around Defence bases and training areas should consider noise, security, aviation regulations, access and traffic
Medical Entomology NT Health Attachment B9	<ul style="list-style-type: none"> • There are no medical entomology objections regarding the proposal to introduce the GHAP into the NT Planning Scheme. • Mosquito breeding sites are also likely to exist in other seasonally waterlogged areas to those identified. Any newly discovered mosquito breeding sites within close proximity to GHAP would need to be added to the biting insect management plan.
Dept. of Environment Parks and Water Security Attachment B10	<ul style="list-style-type: none"> • It is acknowledged that this version of the Area Plan incorporates a broader view of the function of the Green Corridor. This includes the co-location of passive and active public open space. However, there is no delineation of the areas to serve these disparate functions, nor criteria to prioritise one over another where they are incompatible. • The majority of the known patch of threatened species is outside the proposed green corridor and in woodland habitat, which would be cleared. • It is recommended that the native woodland be retained for the benefit of biodiversity, and not only in areas within which development is constrained (currently encumbered land that is seasonally inundated). • It is recommended that known occurrences of <i>Typhonium praetermissum</i> are recognised as a constraint, and important patches are accommodated. • It is recommended that the green corridor is aligned to provide a contiguous link between larger areas of native bushland. • Prior to the removal of fill from the site, or the importation of fill onto the site, waste classification assessment is undertaken. • Development under the plan will require a new Howard Springs Nature Park entry road and access point to the Howard Springs Hunting Reserve and Shoal Bay Coastal Reserve while roads are being upgraded.
Dept. of Environment Parks and Water Security Attachment B10.1	<ul style="list-style-type: none"> • The revision of the area plan in response to previous comments from DEPWS dated 20 October 2023 is noted. • The revised area plan appropriately recognises the significant environmental values present in the Greater Holtze area, and provides flexibility for further detailed planning to retain and protect important biodiversity values as development progresses. • This planning will be informed by ongoing environmental studies and engagement between DIPL and DEPWS as to appropriate land use responses, including through the development of a regional conservation strategy for the broader Darwin region. • The revised area plan is commended for recognising the importance of habitat retention and wildlife corridors and commitments to

	consider these as part of detailed planning for Kowandi, Holtze North and Howard Springs North
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Local Authority Submissions (Attachment B11 & B12)

Council	Comments
Litchfield Council Attachment B11	<ul style="list-style-type: none"> • Green Corridor – Consideration could be given to additional guidance under Planning Principle 1 to prioritise its wildlife conservation function.
	<ul style="list-style-type: none"> • Where nearing existing rural residential properties, Council encourages further consideration of the potential impact on amenity through appropriate residential densities or other strategic framework elements such as open space, to minimise the impact or urbanisation on the established rural character.
	<ul style="list-style-type: none"> • To understand the method of calculating density for the purpose of the Area Plan it is recommended that a definition of per net hectare is included in the Glossary of Planning Terms.
	<ul style="list-style-type: none"> • It is recommended that consideration be given to an additional Acceptable Response which incorporates the requirement for subdivision design to provide high level connectivity for pedestrians and cyclists to main roads, transit routes, open space and the Green Corridor.
	<ul style="list-style-type: none"> • Consideration should be given to expanding the Acceptable Responses to include integration with path networks through public open space which is a desirable component of walkable neighbourhoods with route choice.
	<ul style="list-style-type: none"> • The plan could further consider key pedestrian/cycleway linkages which facilitate movement across and along the Stuart Highway e.g. a pedestrian bridge over the highway.
City of Palmerston Attachment B12	<ul style="list-style-type: none"> • Planning Principle 1 of the GHAP is to create active and sustainable neighbourhoods however, the objectives and acceptable land use and development responses don't require or encourage specific environmental initiatives such as renewable energy or water harvesting.
	<ul style="list-style-type: none"> • The planning principles in relation to social infrastructure including schools are supported. However, the specific allocation of land and minimum requirements of social infrastructure need to be identified and planned for. This would enable the NT Infrastructure Plan and Pipeline to specifically identify and plan for the required social infrastructure.
	<ul style="list-style-type: none"> • The details within the GHAP of the social infrastructure to be provided are limited and the timing of development is not outlined.

	<ul style="list-style-type: none"> • There is a risk that there may be insufficient social infrastructure developed that aligns with the current capacity of existing infrastructure and the demands of increasing development.
	<ul style="list-style-type: none"> • To ensure social infrastructure is adequately planned for, and able to be appropriately funded, it is recommended that a contribution scheme relating to social infrastructure is developed for the Greater Holtze area.
	<ul style="list-style-type: none"> • Through the implementation of a contribution scheme, the land and funding required for social infrastructure can be planned as part of the development, rather than it being the responsibility of Council's and/or Governments after the demand has been reached. This has occurred recently in Zuccoli where the community has grown without adequate social infrastructure, which Council is now leading resolve.
	<ul style="list-style-type: none"> • A contribution scheme also enables clarity around the infrastructure types and locations to be confirmed at a greater detail than provided for in the GHAP.
	<ul style="list-style-type: none"> • There are concerns that the impact on Palmerston's Road network has not been adequately considered and reflected in the Planning Principles. The proposed development will impact the activity within Palmerston. Traffic modelling and analysis of the development needs to include the potential impacts of traffic on the Palmerston network.

7. CHANGES TO THE AREA PLAN TO RESPOND TO SUBMISSIONS

Comments received during the public exhibition period identified a common theme regarding environmental considerations including protection of habitat of threatened species.

DIPL has been liaising with the Department of Environment, Parks and Water Security (DEPWS) on how best to address the environmental concerns raised. As a result, the Department has incorporated several changes to the area plan that was placed on public exhibition.

A copy of the altered GHAP is at **Attachment C**.

The changes support the staged approach to the development of different localities and Kowandi is now included as an area as 'subject to future planning', along with Holtze North and Howard Springs North (as exhibited).

Future detailed planning will be informed by ongoing environmental studies and engagement between DIPL and DEPWS as to appropriate land use responses, including through the development of a regional conservation biodiversity plan for the broader Darwin region.

The near term development area of Holtze has obtained relevant environmental approvals under the *Environment Protection Act 2019* and no changes are proposed that would affect this locality.

Other updates have been included to refine the discussion, context and policy statements of the included themes, but do not change the intent of the previously exhibited information.

8. RECOMMENDATION

That under section 24 of the *Planning Act 1999*, the Planning Commission report to the Minister for Infrastructure, Planning and Logistics 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.