

Referral form - Environment Protection Act 2019

| PART A - Proponent details | |
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| It is the proponent's responsibility to advise the NT EPA in writing, of changes to consultant and proponent contacts. | |
| Name of the proponent/s (<i>legal entity</i>) | Northern Territory Department of Infrastructure, Planning and Logistics (DIPL) |
| Proponent details | <p><i>Name:</i> Andrew Kirkman</p> <p><i>Position/responsibility:</i> Chief Executive Officer, DIPL</p> <p><i>Physical address:</i> Floor 5, Energy House, 18-20 Cavenagh Street, Darwin</p> <p><i>Postal address:</i> GPO Box 2520, Darwin NT 0801</p> <p><i>Phone:</i> 08 8924 7029</p> <p><i>Email:</i> Andrew.kirkman@nt.gov.au</p> |
| Proponent Trading Name if relevant | N/A |
| Australian Business Number/s | ABN: 84 085 734 990 |
| Provide a description of the organisational structure with respect to responsibility of the proposed action, environmental approvals and implementation. | <p>The Holtze Urban Area project is a NTG project led by the Department of Infrastructure, Planning and Logistics (DIPL), the Proponent. DIPL is leading the design and delivery of enabling infrastructure for the project. DIPL will also prepare and administer a development agreement between the Territory and a proponent/s for the subdivision and delivery of individual lots.</p> <p>Within DIPL there is the Land Development team led by Executive Director Graeme Finch who is responsible for delivering enabling infrastructure. Also within DIPL is Crown Land Estate, led by Executive Director Sharon Jones, who is responsible for the administration of development agreements on behalf of the Territory.</p> <p>Both Graeme Finch and Sharon Jones report to the DIPL Chief Executive Officer, Andrew Kirkman through the Deputy Chief Executive, Leah Clifford.</p> |
| Joint-venture partners (if applicable) | <i>Name:</i> N/A |
| PART B - Outline of the proposal and location | |
| Outline of the Proposed action or strategic proposal (proposal) | |
| Title of the proposal | Holtze Development Area |

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| Provide a brief summary (one or two paragraphs) of the proposal including the activity type/ industry/ duration. | The Proposal involves the clearing of approximately 116 ha for development of the Holtze Development Area. Works include construction of a new subdivision and supporting infrastructure, comprising sewerage, water supply, power, communications, roads, drainage and social infrastructure. Following initial works, the land will be subdivided and released for development of individual lots, including residential dwellings, a local commercial centre and a health precinct. |
| Location | |
| Provide location details as: | 213 & 265 Taylor Road and 102 Wallaby Holtze Road, Holtze |
| <ul style="list-style-type: none"> street address, suburb | |
| <ul style="list-style-type: none"> tenement, lot/section numbers, town/hundred, NT Portion or pastoral lease numbers, as applicable | Sections 4231, 4229 and 2295, Hundred of Bagot |
| <ul style="list-style-type: none"> the nearest town, recognisable feature, and distance and direction from that town/feature to the site of the proposed action. | The Proposal is located 1.8 km north of the Palmerston Central Business District (CBD). |
| Name of the Local Government Area/s in which the proposal is located. | Litchfield LGA |
| What is the land tenure type? | Vacant crown land and freehold |
| Does the proponent have the legal (land) access required for the implementation of all aspects of the proposal? | <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes – government owned land |
| Is the land zoned under the NT Planning Scheme ? | <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Rural Living (RL), Future Development (FD), Community Purpose (CP) and Proposed Main Road (PM). |
| What is the current land use of the proposal site/s? | Currently vacant land, largely undeveloped. |
| What is the approximate distance (direct line) and direction to the closest human sensitive receptor? For example, residence, accommodation, hospital, school, homeland from the proposal. | The site of the Palmerston Regional Hospital lies entirely within the Proposal area. There are existing rural residences located along the northern and eastern boundaries of the Proposal. |
| Consultation | |

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| <p>Provide an overview of consultation undertaken specific to the proposal and potential environmental impacts.</p> | <p>Consultation relevant to the Proposal has been ongoing since 2015 and has been conducted throughout the land use framework planning process by the NT Planning Commission (NTPC) on behalf of NTG. The Proposal area has been included in three land use framework administrative processes under the <i>Planning Act</i> in recent years. These include the Holtze to Elizabeth River Subregional Land Use Plan (HESLUP) that was incorporated into the NT Planning Scheme in 2022 and the ongoing Greater Holtze Area Plan (GHAP). The GHAP commenced stage 2 consultation on 10 November 2022 with the presentation of a draft GHAP for stakeholder comment. An engagement strategy was prepared by the NTPC to guide the consultation process for HESLUP. Each stage of consultation has informed the proceeding stage of design and development, ultimately informing the Proposal as it is presented in this referral. Additionally, commitments to plan and develop the Proposal were included most recently in both the 2021-22 and 2022-23 NT Budget Papers.</p> |
| <p>List the matters raised in consultation and identify how the proposal has been modified to respond to stakeholder feedback.</p> | <p>Key themes and feedback from consultation included:</p> <ul style="list-style-type: none"> • General support for increased living density and proposed medical precinct to support hospital • Minor concerns about competing commercial development with existing services in Palmerston • Strong opposition to a proposed service commercial area • Concerns about impacts to natural environment and threatened species, and the need to maintain wildlife corridors • Impacts to rural amenity and lifestyle of existing residents • Negative impacts to traffic flow on Stuart Highway and road alignment concerns, but support for increased public transport • Concerns about overuse of groundwater and surface water quality issues • Biting insect management <p>Response and outcomes to these key themes include:</p> <ul style="list-style-type: none"> • Proposed service commercial area was removed from the Holtze Area Plan in 2015 • Ecological assessments of the area to inform design, subsequent avoidance of threatened species habitat |

- Amendments to area plans to provide a vegetation buffer between development and residents on Wallaby Holtze Road
- Amendments to road alignments and proposed connector roads in response to feedback
- No groundwater use proposed
- Hydrological specialists engaged to design stormwater network to address potential water quality issues
- Preparation of a biting insect management strategy.

PART C - Referral type

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| <p>What type of proposal is being referred?</p> | <p><input checked="" type="checkbox"/> proposed action</p> <p><input type="checkbox"/> strategic proposal</p> <p><input type="checkbox"/> proponent initiated EIS referral</p> |
| <p>Provide a brief justification including the reasons why you consider the action may have a significant impact on the environment and is referred to the NT EPA.</p> <p>Refer to section 11 of the EP Act and the NT EPA's environmental factors and objectives.</p> | <p>Pre-referral screening of the Proposal determined that the Proposal has potential to impact six of the 14 environmental factors:</p> <ul style="list-style-type: none"> • Terrestrial environmental quality – land clearing and soil disturbance, potentially contaminated land • Terrestrial ecosystems – presence of threatened species and significant vegetation • Hydrological processes – alteration of overland flows and groundwater recharge • Inland water quality – construction and urban runoff • Community and economy – construction impacts to local amenity, exposure to biting insects • Human health – biting insect risk |
| <p>Does the proposal involve an action that may be or is a controlled action under the Commonwealth <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act)?</p> | <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> |
| <p>Has the proposed action been referred?</p> | <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> |
| <p>If referred, has a decision been made on whether the proposed action is a controlled action?</p> | <p>NA</p> |

PART D - Proponent referrer details and declaration

*The referral form must include the declaration signed by the proponent, or where the proponent is an organisation or business, the Chief Executive Officer (CEO) or duly authorised delegate within the proponent company.

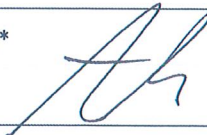
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| Who is referring this proposal? | <input checked="" type="checkbox"/> Proponent <input type="checkbox"/> Authorised representative within proponent entity |
| Does the proponent request that the NT EPA treat any part of the information in the referral as confidential under section 281(2) of the EP Act? | <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If yes, provide an application in accordance with regulation 271 of the Environment Protection Regulations 2020 and submit the confidential information as a separate attachment |

Referral declaration by proponent:

I, Andrew Kirkman, (full name) declare that I am authorised to refer this proposed action/strategic proposal on behalf of Dept. of Infrastructure, Planning and Logistics, name of legal entity organisation, and further declare that:

- the attached environmental impact assessment documents have been prepared in accordance with the EP Act and EP Regulations; and
- the attached environmental impact assessment documents (including attachments) are true; and
- the attached environmental impact assessment documents do not provide false or misleading information and I know it is an offence to provide false and misleading information, noting the penalties under section 260 of the EP Act, and section 119 of the *Criminal Code Act 1983*; and
- the proponent fully understands that referral under the EP Act does not limit, in any way, the requirements of the proponent to ensure approvals under any other regulatory regime are applied for, and adhered to; and
- the proponent has fulfilled its general duty in accordance with section 43 of the EP Act.

Note: if the NT EPA determine that an environmental approval is required, the proponent will be requested to provide supporting documents during the assessment process such as details to support that the person is a fit and proper person to hold an environmental approval in accordance with section 62 of the EP Act

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| Name Andrew Kirkman | Signature*  | | |
| Date | | | |
| Position | Chief Executive Officer | Organisation (if a business or organisation) | Department of Infrastructure, Planning and Logistics |
| Email | Andrew.kirkman@nt.gov.au | | |
| Address | 18-20 | Cavanagh Street | |

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| Darwin | Northern Territory | 0821 |
| PART E - Nominated contact | | |
| <p>Contact details for proponent contact (provide the details for the person who will be corresponding with the NT EPA on the proposal)</p> | <p><i>Business name:</i> Department of Infrastructure Planning and Logistics <i>Name of primary contact:</i> Nicole Conroy <i>Physical address:</i> 18-20 Cavanagh Street, Darwin, NT 0800 <i>Postal address:</i> GPO Box 1680 DARWIN NT 0801 <i>Phone:</i> 8924 7528 <i>Email:</i> Nicole.conroy@nt.gov.au</p> | |
| <p>Contact details of consultant (if relevant, provide the details for the person who will be corresponding with the NT EPA on the proposal on behalf of the proponent)</p> | <p><i>Business name:</i> EcOz Environmental Consultants <i>Name of primary contact:</i> Emma Lewis <i>Physical address:</i> Level 1, 70 Cavenagh St, Darwin NT 0800 <i>Postal address:</i> GPO Box 381, Darwin NT 0801 <i>Phone:</i> 08 8981 1100 <i>Email:</i> Emma.lewis@eco.com.au</p> | |

Checklist 1 – Cross reference of matters addressed in the referral report (for more detail see Table 1 in section 3.3.1 and section 4 of the Referring a proposal to the NT EPA guidance)

| Item | See Referral guidance for complete information requirements | Report section/page |
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| <i>Publication statement</i> | Provide name and qualifications of relevant contributors to the referral. | x |
| <i>Executive summary</i> | Overview of the proposal, its potential for significant impact and key conclusions. | ii |
| <i>Introduction</i> | Include a brief introduction to the proposal and the proponent (noting proponent details are also to be included in the referral form). | Section 1 |
| <i>Proposal description - Key components</i> | <p>Provide a clear and detailed description of the proposal, referencing maps and spatial information.</p> <p>Provide a key components summary table.</p> <p>Identify uncertainty / likely changes if particular elements of a proposal require further design at the time of referral.</p> <p>Provide an account of past, present and reasonably foreseeable future development, operations, or industries that are related the current proposal.</p> | Section 3.1 |
| <i>Proposal description - Location and regional context</i> | Location and regional context. | Section 2.1 |
| <i>Proposal description - Alternatives (options)</i> | <p>Describe any alternatives (location, timeframes, activities) considered or are under consideration in scoping and developing the proposal.</p> <p>Describe how the analysis of alternatives accounted for the <i>principles of environment protection and management</i> (Part 2 of the EP Act).</p> <p>Justification for the preferred/selected option.</p> <p>Describe any assumptions critical to your assessment.</p> | Section 4 |
| <i>Proposal description - Application of the:</i> <ul style="list-style-type: none"> - <i>Principles of environment protection and management</i> (Part 2) - <i>General duty of proponents</i> (s43) | <p>Discuss how the proposal accounts for the <i>principles of environment protection and management</i> (Part 2 of the EP Act) and the general duty of proponents provided for under section 43 of the EP Act:</p> <ul style="list-style-type: none"> • Principles of ecologically sustainable development • Environmental decision-making hierarchy • Waste management hierarchy. | Section 5 |
| <i>Consultation</i> Refer to NT EPA Stakeholder Engagement guidance 2020 | <p>The EP Act (section 3 and section 43) puts an obligation on the proponent to consult with stakeholders and the community in the development of the proposal.</p> <p>As an example, the referral should include:</p> <ul style="list-style-type: none"> • a description of stakeholder engagement and community consultation undertaken • an outline of the method and process of consultation with stakeholders • a summary of the key matters raised during consultation • any changes made as a result of consultation • the ongoing consultation, and options for feedback | Section 6 |

| Item | See Referral guidance for complete information requirements | Report section/page |
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| | <ul style="list-style-type: none"> whether the consultation has or has not been undertaken in accordance with NT EPA guidance on Stakeholder Engagement 2020 whether the consultation has or hasn't been undertaken in accordance with the section 43 (EP Act) general duty of proponents (see Checklist 2). | |
| <i>Strategic and statutory context</i> | Table discussing proposal specific legislation, policies, and guidelines that are and may be applicable to the proposal and the sequencing and status of those, is provided. | Section 1.3 |
| <i>Environmental Factors</i> | <p>The remaining sections below relate to information that describes the potential impacts of the proposal on the NT EPA's Environmental factors.</p> <p>Information requirements for each environmental factor identified by the pre-referral screening tool are provided (any technical studies and surveys included).</p> | Section 7 |
| <i>Environmental Factors and objectives</i> Presence/absence of environmental values | <p><i>Repeat for each NT EPA Factor being considered for your proposal/referral</i></p> <p>The presence or absence of relevant environmental values and sensitivities are verified.</p> <p>Specify the source of information (e.g. desktop assessments, and/or field surveys, the methods used, dates, sources, and whether the approach is conducted in accordance with relevant regulatory and industry guideline.</p> | Section 7.2 Section 7.3 Section 7.4 Section 7.5 Section 7.6 Section 7.7 |
| <i>Environmental Factors and objectives</i> Potential impacts and consistency with relevant policy/guidance | <p><i>Repeat for each NT EPA Factor being considered for your proposal/referral</i></p> <p>Assessment of potential impacts (positive, negative, direct, indirect, cumulative, short and long-term) of the proposal.</p> <p>Relevant policy and guidance described.</p> <p>Residual / remaining impact to the environmental factor described.</p> | Section 7.2 Section 7.3 Section 7.4 Section 7.5 Section 7.6 Section 7.7 |
| <i>Environmental Factors and objectives</i> Environment protection and management | <p><i>Repeat for each NT EPA Factor being considered for your proposal/referral</i></p> <p>Describe in terms of management hierarchies:</p> <ul style="list-style-type: none"> measures proposed to avoid, mitigate or offset (if appropriate) effectiveness of proposed measures and the level of confidence of implementation whether the NT EPA's objective for the environmental factor is likely to be met. | Section 7.2 Section 7.3 Section 7.4 Section 7.5 Section 7.6 Section 7.7 |
| <i>Environmental Factors and objectives</i> Cumulative impacts | <p><i>Repeat for each NT EPA Factor being considered for your proposal/referral</i></p> <p>Describe potential cumulative impacts.</p> | Section 8 |

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| | | <p>habitat that can be conserved within the Greater Holtze region, planning mechanisms (and associated responsibilities) for doing so, and offset sites. Additionally, DIPL have invested in the development of a regional conservation and offset plan for the Greater Darwin region.</p> |
| <ul style="list-style-type: none"> Principle of improved valuation, pricing and incentive mechanisms | ✓ | <p>Environmental outcomes are considered by DIPL when comparing design options for enabling infrastructure.</p> <p>Environmental performance is considered by DIPL when assessing tenderers undertaking construction works on DIPL's behalf.</p> <p>Environmental factors and desired environmental objectives for the development are outlined in the NT Planning Scheme (NTPS) and land use plans prepared by the NT Planning Commission (NTPC).</p> <p>Prospective developers will include in their proposals for development, an outline of how they propose to respond to these environmental objectives, which is a factor in the assessment process of selecting the successful Developer.</p> <p>There will be various parties generating waste during the various construction phases of the project including contractors delivering infrastructure on behalf of DIPL, the land developer and individual building companies. Each of these parties will be responsible for the cost of treating waste generated as part of their works, which is typically through the disposal of waste in a legal manner to landfill and or through recycling activities.</p> <p>Future residents of the development will also be responsible waste they generate, which is typically the collected by local council for landfill and or recycling, the cost of which is recovered through council rates.</p> <p>The ultimate users of the site are the future land owners, which will contribute to the full life cycle costs of treatment of waste through council rates and charges.</p> |
| <p>The following management hierarchies must be taken into consideration in the design of the proposed action.</p> | | |
| <ul style="list-style-type: none"> Environmental decision-making hierarchy | ✓ | <p>The Proposal has applied the environmental decision-making hierarchy through design of the Holtze Urban Area to avoid impacts based on consultation and environmental assessments. Proposal infrastructure is being designed to minimise impacts where they cannot be avoided, as demonstrated throughout this referral.</p> |
| <ul style="list-style-type: none"> Waste management hierarchy | ✓ | <p>Construction and putrescible waste generated through works will be stored in appropriate containers for disposal at a licenced waste management facility.</p> |

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| | | <p>Waste generation through construction is anticipated to be minimal due to the nature of the works (i.e., predominantly trenching earthworks, roadworks and installation of service networks). Future residents will have access to general waste and recycling services for household generated waste products.</p> <p>Contractors and prospective developers are incentivised to make sustainability commitments, including recycling and waste management (in line with the waste hierarchy), as part of their respective submissions.</p> <p>Any commitments made by Contractors and the successful Developer will form part of their respective contracts, against which their performance will be assessed.</p> |
| Other section 43 considerations | | |
| <ul style="list-style-type: none"> Have communities that may be affected by the proposed action been provided with information and opportunities for consultation? | ✓ | <p>The NTPC has undertaken significant consultation with the community and stakeholders as part of developing the HESLUP. This included two rounds of targeted consultation which ran for six weeks each, as well as a public exhibition period of the draft plan. Further consultation is occurring via the NTPC for its development of the Greater Holtze Area Plan (GHAP) throughout 2022 and into 2023. This includes two four-week rounds of consultation and a statutory public exhibition period.</p> <p>Development of these two plans has provided the wider Darwin community, people who live in the area, and key stakeholders with significant opportunities to engage and provide feedback. Consultation strategies have been developed to provide numerous avenues for engagement including online and in person, supported by a suite of written materials.</p> |
| <ul style="list-style-type: none"> Has consultation with affected communities, including Aboriginal communities' been undertaken in a culturally appropriate manner? | ✓ | <p>A variety of consultation opportunities and methods have been employed throughout HESLUP and GHAP consultations to date, including online, written, face-to-face in public settings (pop-up info stalls) and opportunities for small group meetings with the project team.</p> <p>Direct contact with the NTPC was offered to the Northern Land Council, Larrakia Nation and Yili Reung. Consultation was undertaken onsite with residents of the Wallaby Holtze locality during HESLUP consultations.</p> |
| <ul style="list-style-type: none"> Has community knowledge and understanding (including scientific and traditional knowledge and understanding) of the natural and cultural values of areas that may be impacted | ✓ | <p>Stakeholders have been invited to review and contribute to land capability analysis throughout the engagement processes on HESLUP and GHAP.</p> <p>The Chairman has met with representatives of the Holtze Landcare Group to discuss wallaby populations and environmental considerations as well as receiving formal submissions from the group.</p> |

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| by the proposed action been sought and documented? | | |
| <ul style="list-style-type: none"> • Have Aboriginal values and the rights and interests of Aboriginal communities' been addressed in relation to areas that may be impacted by the proposed action? | ✓ | <p>Aboriginal values have been recognized through adherence and reinforcement of AAPA certification processes and compliance with the <i>Aboriginal Sacred Sites Act 1989</i>.</p> <p>Direct contact with the NTPC was offered to the Northern Land Council, Larrakia Nation and Yili Reung.</p> |