

NORTHERN TERRITORY OF AUSTRALIA
PROPOSAL TO AMEND NT PLANNING SCHEME
PA2025/0395

The Minister for Lands, Planning and Environment has accepted an application to amend the NT Planning Scheme 2020 made by Tatam Planning Co. for exhibition. The application seeks to:

- rezone part of Lot 9375 Town of Nightcliff (422 Trower Road, Tiwi NT) from Zone CN (Conservation) to Zone OR (Organised Recreation)

Attached are:

- a locality map;
- extracts from the NT Planning Scheme 2020 relating to Zone CN (Conservation);
- extracts from the NT Planning Scheme 2020 relating to Zone OR (Organised Recreation);
- a copy of the application.

Period of Exhibition and Lodging a Submission

The exhibition period is from Friday 21 November 2025 to Friday 19 December 2025.

The suitability of the subject site for uses in accordance with the proposed zone is the primary consideration in the assessment of proposals to amend the NT Planning Scheme 2020. Matters relating to the intended development of the site are addressed in the development application and assessment processes.

Written submissions about the proposed planning scheme amendment are to be received by 11.59pm on Friday 19 December 2025 and addressed to:

NT Planning Commission
GPO Box 1680
DARWIN NT 0801; or

Email: planning.ntg@nt.gov.au; or

Hand delivered to Level 1 Energy House 18-20 Cavenagh Street Darwin CBD.

For more information, please contact the Darwin office of the Department of Lands, Planning and Environment on 8999 8963 or by emailing planning.ntg@nt.gov.au



Loclaity Plan
Amendment PA2025/0359
Rezone Part Lot 9375
Town of Nightcliff
From CN (Conservation)
to OR (Organised Recreation)



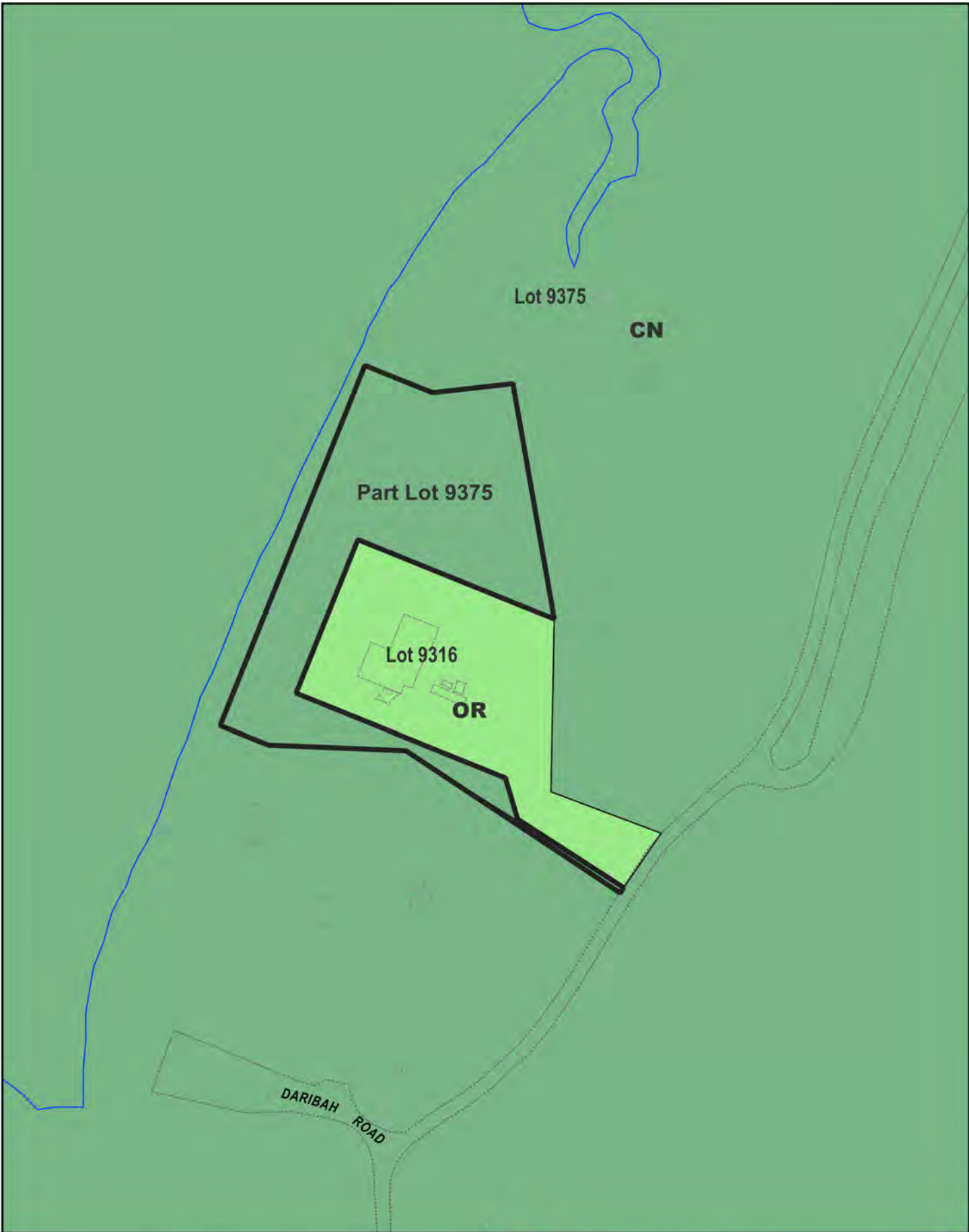
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Department of Lands, Planning and Environment

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File No: PA2025/0359
Date: 20/11/2025



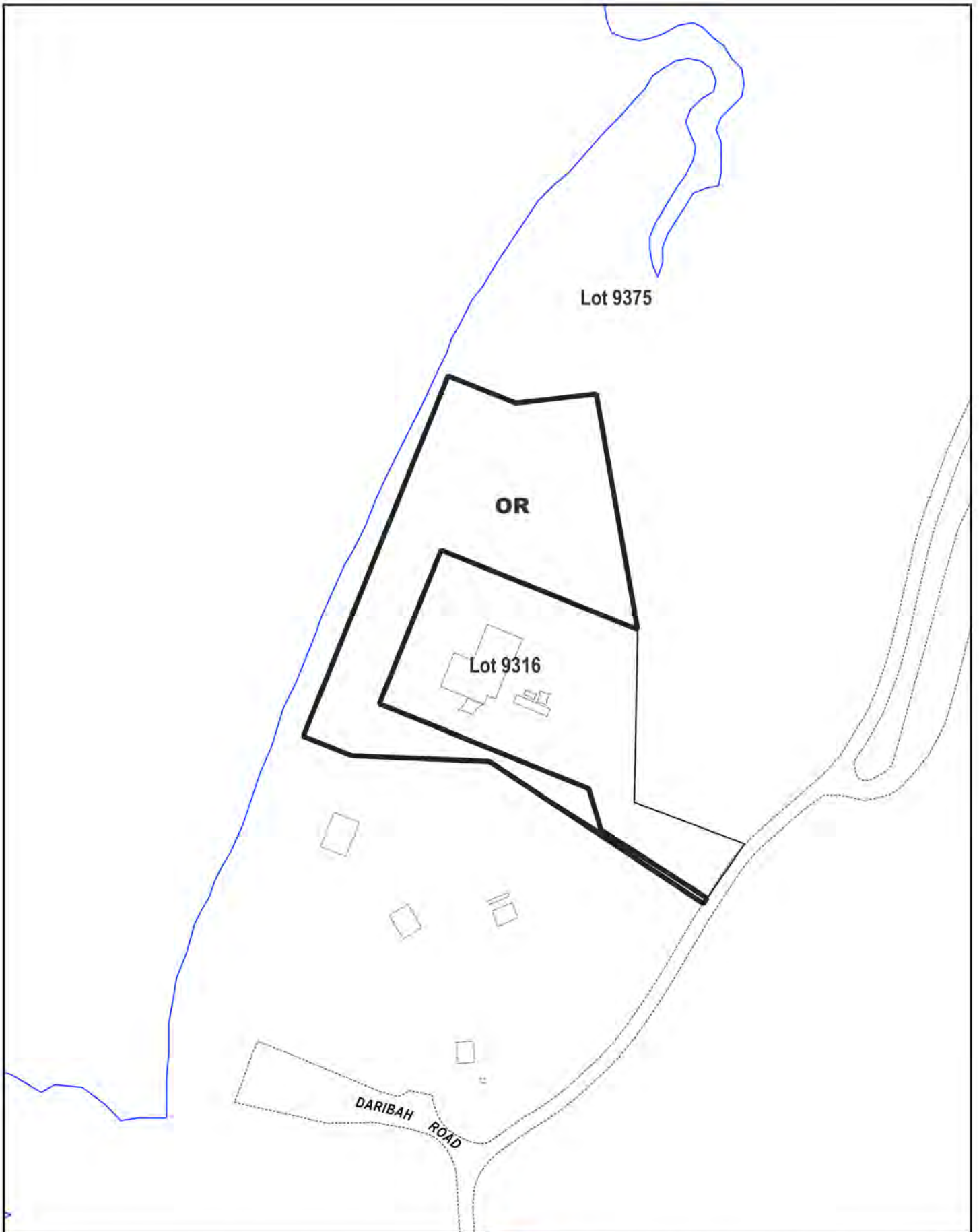
Existing NT Planning Scheme
 Amendment PA2025/0359
 Rezone Part Lot 9375
 Town of Nightcliff
 From CN (Conservation)
 to OR (Organised Recreation)



Department of Lands, Planning and Environment



File No: PA2025/0359
 Date: 20/11/2025



Proposed NT Planning Scheme
Amendment PA2025/0359
Rezone Part Lot 9375
Town of Nightcliff
From CN (Conservation)
to OR (Organised Recreation)



Department of Lands, Planning and Environment



File No: PA2025/0330
Date: 20/11/2025

4.23 Zone CN – Conservation

Zone Purpose

Conserve and protect the flora, fauna and character of natural areas.

Zone Outcomes

1. Conservation space responds to and conserves the recognised environmental values of the land.
2. Development, including **access** for informal recreation, is sensitive to the natural features and habitats of the land, and located and operated to have minimal impact on the environment.
3. Development that is complementary to and supports the conservation values of natural areas, including **exhibition centre, shop, bar-small and food premises-restaurant and cafe/takeaway**, may be established if of a scale and intensity that does not adversely impact on the **amenity** or environment.
4. Temporary or periodic use for a **market** is limited to where it can be reasonably accommodated by the existing facilities with minimal impact on the **amenity** and conservation value of the surrounding area.
5. Residential use is limited to a **dwelling-caretakers** where it is required for the protection of the conservation values of the area or facilities.
6. Development is located, designed and managed to:
 - (a) conserve ecologically important areas and other natural features of the land and the setting;
 - (b) maintain the scenic value and visual quality of the area,
 - (c) be sympathetic and respectful to places of cultural significance;
 - (d) minimise **excavation and filling** and other changes to landform;
 - (e) minimise soil erosion and adverse impacts on water quality; and
 - (f) wherever possible, use existing cleared and degraded areas for the placement of buildings and related works.
7. Development provides for a limited range of infrastructure and services that are commensurate with the protection of the conservation values of the land and incorporates a high quality of built form and landscape design.
8. Development that is not defined in Schedule 2 (Definitions) may occur only when assessment has determined that the development is appropriate in the zone, having regard to the purpose and outcomes of this zone and such matters as the location, nature, scale and intensity of the development.

ASSESSMENT TABLE – ZONE CN – CONSERVATION					
Defined Use	Assessment Category	Overlays	General Development Requirements	Location Specific Development Requirements	Specific Development Requirements
Bar-Small	Impact assessable	3.2 CNV - Clearing of Native Vegetation	5.2.1 General Height Control		5.5.10 Nightclub Entertainment Venue, Bar-Public and Bar-Small
Caravan Accommodation	Impact assessable		5.2.4 Car Parking		5.4.11 Caravan Accommodation
Demountable Structures	Merit assessable	3.3 RCNV - Restricted Clearing of Native Vegetation	5.2.5 Loading Bays		5.8.7 Demountable Structures
Dwelling-Caretakers	Impact assessable		5.2.6 Landscaping		5.4.3 Building Setbacks of Residential Buildings and Ancillary Structures 5.4.12 Dwelling-Caretakers
Excavation and Fill	Impact assessable	3.4 CR - Coastal Reclamation	5.2.7 Setbacks for Development Adjacent to Land in Zones LR, LMR, MR or HR		5.8.9 Excavation and Fill
Exhibition Centre	Impact assessable	3.5 LPA – Land in Proximity to Airports			5.8.4 Exhibition Centre, Place of Assembly and Place of Worship
Food Premises-Café/Take Away	Impact assessable	3.6 LSF - Land Subject to Flooding			5.5.11 Food Premises
Food Premises-Restaurant	Impact assessable				5.5.11 Food Premises
Market	Impact assessable	3.7 LSSS - Land Subject to Storm Surge			5.8.1 Market
Sex Services-Home Based Business	Permitted				5.4.10 Home Based Businesses
Shop	Impact assessable	3.8 LADR – Land Adjacent to a Designated Road			5.5.5 Shops in Zones CV, CL, LI, GI, OR and CN
Telecommunications Facility	Impact assessable				5.8.10 Telecommunications Facility
All other uses defined in Schedule 2 (Definitions)	Prohibited	3.9 DHD – Dredging in Darwin Harbour			
Undefined Uses Any use not defined in Schedule 2 (Definitions)	Impact assessable	3.14 HHLSI – Land in proximity to Helicopter Landing Sites of Strategic Importance			Part 2, Part 3, Part 4, Part 5 of this Planning Scheme

4.18 Zone OR – Organised Recreation

Zone Purpose

Provide for the development of community and commercial facilities for organised recreation activities.

Zone Outcomes

1. Development primarily for **sport and recreation, leisure and recreation** and **community centre** that cater for the organised active recreation needs of the community, including supporting infrastructure such as amenities blocks, **outbuildings**, spectator stands and lighting infrastructure.
2. Temporary or periodic uses, such as **markets** or outdoor entertainment events, that can be reasonably accommodated by the existing facilities and do not unduly impact on the **amenity** and character of the surrounding area.
3. Other development that is complimentary to and supports organised recreational activities, such as **car park, club, food premises-restaurant** and **shop** may also be established, where they do not compromise or conflict with the **primary use** of the land.
4. All development, including public infrastructure and **outbuildings**, is located, designed, operated and maintained to:
 - (a) make a positive contribution to the locality by incorporating a high quality of built form and landscape design;
 - (b) minimise unreasonable impacts to the **amenity** of surrounding premises and any residential land;
 - (c) mitigate the potential for land use conflict with existing and intended surrounding development;
 - (d) avoid adverse impacts on the local road network;
 - (e) provides safe and convenient pedestrian and bicycle **access** within the development and strong connections to external transport networks;
 - (f) avoid any adverse impacts on ecologically important areas; and
 - (g) allow passive surveillance of public spaces.
5. Development that is not defined in Schedule 2 (Definitions) may occur only when assessment has determined that the development is appropriate in the zone, having regard to the purpose and outcomes of this zone and such matters as the location, nature, scale and intensity of the development.

ASSESSMENT TABLE – ZONE OR – ORGANISED RECREATION					
Defined Use	Assessment Category	Overlays	General Development Requirements	Location Specific Development Requirements	Specific Development Requirements
Caravan Accommodation	Permitted	3.4 CR – Coastal Reclamation 3.6 LSF – Land Subject to Flooding 3.7 LSSS – Land Subject to Storm Surge 3.8 LADR – Land Adjacent to a Designated Road 3.14 HHLSI – Land in proximity to Helicopter Landing Sites of Strategic Importance	5.2.1 General Height Control 5.2.4 Car Parking 5.2.5 Loading Bays 5.2.6 Landscaping 5.2.7 Setbacks for Development Adjacent to Land in Zones LR, LMR, MR or HR		5.4.11 Caravan Accommodation
Car Park	Impact assessable				5.5.3 General Building and Site Design
Child Care Centre	Impact assessable				5.5.3 General Building and Site Design 5.5.7 Child Care Centres
Club	Merit assessable				5.5.3 General Building and Site Design 5.8.3 Club
Community Centre	Permitted				
Demountable Structures	Permitted				5.8.7 Demountable Structures
Dwelling-Caretakers	Merit assessable				5.4.3 Building Setbacks for Residential Buildings and Ancillary Structures 5.4.12 Dwelling-Caretakers
Excavation and Fill	Impact assessable				5.8.9 Excavation and Fill
Food Premises-Café/Take Away	Merit assessable				5.5.3 General Building and Site Design 5.5.11 Food Premises
Food Premises-Restaurant	Impact assessable				5.5.3 General Building and Site Design 5.5.11 Food Premises
Home Based Business	Impact assessable				5.4.10 Home Based Business
Leisure and Recreation	Merit assessable				5.5.3 General Building and Site Design 5.8.5 Leisure and Recreation
Market	Permitted				5.8.1 Market
Sex Services-Home Based Business	Permitted				5.4.10 Home Based Businesses
Shop	Impact assessable	5.5.3 General Building and Site Design 5.5.5 Shops in Zones CV, CL, LI, GI, DV, OR and CN			
Stables	Impact assessable	5.7.2 Animal related use (Animal Boarding and Stables)			
Telecommunications Facility	Impact assessable	5.8.10 Telecommunications Facility			

ASSESSMENT TABLE – ZONE OR – ORGANISED RECREATION

Defined Use	Assessment Category	Overlays	General Development Requirements	Location Specific Development Requirements	Specific Development Requirements
All other uses defined in Schedule 2 (Definitions)	Prohibited	3.4 CR – Coastal Reclamation	5.2.1 General Height Control		
Undefined Uses Any use not defined in Schedule 2 (Definitions)	Impact assessable	3.6 LSF – Land Subject to Flooding 3.7 LSSS – Land Subject to Storm Surge 3.8 LADR – Land Adjacent to a Designated Road 3.14 HHLSI – Land in proximity to Helicopter Landing Sites of Strategic Importance	5.2.4 Car Parking 5.2.5 Loading Bays 5.2.6 Landscaping 5.2.7 Setbacks for Development Adjacent to Land in Zones LR, LMR, MR or HR		Part 2, Part 3, Part 4, Part 5 of this Planning Scheme



STATEMENT OF EFFECT.

OCTOBER 2025

PARTIAL REZONING FROM
CN (CONSERVATION)
TO
OR (ORGANISED
RECREATION).

PART LOT 9375
TOWN OF NIGHTCLIFF
(422 TROWER ROAD, TIWI)

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SUMMARY.

PLANNING SCHEME AMENDMENT DETAILS.	
Proposed PSA.	Partial Rezoning from CN (Conservation) to OR (Organised Recreation)
Current Zoning.	CN (Conservation)
Proposed Zoning.	OR (Organised Recreation)
Site Address.	Part Lot 9375 Town of Nightcliff (422 Trower Road, Tiwi)
Purpose of Proposed PSA.	Facilitate the subdivision of the site to extend the existing lot/ lease area of the Darwin Surf Life Saving Club, in line with existing extent of use and activities.
Consent Authority.	Minister for Lands, Planning & Environment
Owner Details.	Crown Land (Northern Territory Government)
Beneficiaries.	Darwin Surf Life Saving Club
Applicant.	Department of Lands, Planning & Environment
Agent for Applicant	Tatam Planning Co.
Contact Address.	PO Box 2224 Darwin NT 0801.
Contact Person.	Catriona Tatam, Tatam Planning Co.
Contact Email.	cat@tatamplanningco.com.au.
Job Reference.	J0167

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STATEMENT OF EFFECT.
PLANNING SCHEME AMENDMENT – PARTIAL REZONING
FROM CN (CONSERVATION) TO OR (ORGANISED RECREATION)
PART LOT 9375 TOWN OF NIGHTCLIFF



1. INTRODUCTION.

1.1 PLANNING SCHEME AMENDMENT.

The Department of Lands, Planning & Environment (Crown Lands Estate) has engaged Tatam Planning Co. to prepare a Planning Scheme Amendment for Part Lot 9375 Town of Nightcliff (422 Trower Road, Tiwi). The Planning Scheme Amendment (PSA) is for a partial rezoning from CN (Conservation) to OR (Organised Recreation) for a small portion of the site, in order to facilitate the subdivision of the site for lease purposes where the existing Darwin Surf Life Saving Club is located.

This application is made pursuant to Section 12A of the *Northern Territory Planning Act 1999*, and the assessment contained herein demonstrates that the proposal is in compliance with all requirements under the *NT Planning Act 1999*.

It is noted that the proposed subdivision has been lodged at the same time as the proposed PSA, but can be considered independently under Section 44(b) of the *NT Planning Act* (rather than a Concurrent Application under Section 30(1)).

1.2 CONTENTS OF THIS PLANNING SCHEME AMENDMENT.

This Planning Scheme Amendment has been prepared to support the proposed rezoning. Included within this Planning Scheme Amendment are the following attachments:

- **Attachment A.** Site Aerial.
- **Attachment B.** Current Site Zoning.
- **Attachment C.** Proposed Site Zoning.
- **Attachment D.** Proposed Subdivision.
- **Attachment E.** Government Gazette Reserve Revocation.

In preparing this Planning Scheme Amendment, Tatam Planning Co. has conducted a site and locality inspection, examined the development and site history, discussed the proposed rezoning with the client, and considered the relevant provisions of the *NT Planning Act 1999* (NTPA).

1.3 OWNERSHIP OF THE SITE AND BENEFICIARIES.

Lot 9375 Town of Nightcliff is Crown Land, managed by the Northern Territory Government.

This application is lodged by Tatam Planning Co on behalf of the Department of Lands, Planning and Environment with consent.

The Darwin Surf Life Saving Club (DSLSC) is identified as a beneficiary of the proposal, through the existing Crown Lease in Perpetuity over adjacent Lot 9316 Town of Nightcliff, subject to an associated subdivision (lease in excess of 12 years) application. It is noted that existing leasehold area Lot 9316 will be extinguished following creation of the new lease area proposed.

It is our understanding that no other persons in a beneficiary to this specific application other than those identified above.

STATEMENT OF EFFECT.
PLANNING SCHEME AMENDMENT – PARTIAL REZONING
FROM CN (CONSERVATION) TO OR (ORGANISED RECREATION)
 PART LOT 9375 TOWN OF NIGHTCLIFF



1.4 PLANNING HISTORY OF THE SITE.

Crown Reserve (Reserve No. 1677) – being Casuarina Coastal Reserve - was not a declared park or reserve under the Territory Parks and Wildlife Conservation Act. The Northern Territory Government resolved to declare Lot 12990 (Lot 9375 and Lot 9458) a ‘Park’ under the TPWC Act per Government Gazette No. S75 (31 July 2024). It is understood that the declaration process involved resolving boundary issues to ensure accurate management boundaries, and placing assets, responsibilities and liabilities with the appropriate land owners and land managers. To date, Lot 12990 has not been created, and as such Lot 9375 still remains.

The Northern Territory Government (NTG) entered a contract with Darwin Surf Life Saving Club (the Club) regarding grant of a Crown Lease Term over proposed Lot 12991 Town of Nightcliff. The Club current holds Crown Lease in Perpetuity in Lot 9316 Town of Nightcliff and was found successful when applied for additional Crown land, Part Lot 9375 Town of Nightcliff via direct application under Community Infrastructure land grant scheme under Release of Crown Land Policy.

Additional land for the DSLSC is currently part of Lot 9375 Town of Nightcliff which is known as Casuarina Coastal Reserve (Reserve). In 2023, the Reserve was partially revoked over the area of land subject to this application to enable the land to be added to the Club’s landholdings.

Under the Agreement, NTG is responsible for the following processes:

- ➔ subdividing Part Lot 9375 to create proposed Lot 12991 (lease in excess of 12 years) on or before 8 February 2026; and
- ➔ rezoning Lot 12719(A) from Zone CN (Conservation) to Zone OR (Organised Recreation) on or before 8 August 2026.

The Certificate of Title lists the previous building and development approvals issued over the site. The development approvals of relevance to the DA are described in **Table 1**.

TABLE 1: PLANNING HISTORY.

PERMIT.	DATE ISSUED.	APPLICATION PURPOSE.
DP02/0143	18/09/2002	Subdivision and consolidation to create three lots (Lot 9375)
DP02/0161	18/09/2002	Lake, weir, bridge, carparking and access (Lot 9375)
DP06/0136	10/02/2006	Extensions to Existing Surf Life Saving Club (Lot 9316)
DP14/0748	07/11/2014	Ablution Facility (Lot 9375)
DP15/0706	23/11/2015	Change of use from Kiosk to restaurant (Lot 9316)
DP15/0771	10/12/2015	Alterations and additions to existing picnic areas within the Casuarina Coastal reserve, including Clearing of Native Vegetation (Lot 9375)
DP18/0246	16/07/2018	Clearing of native vegetation
Government Gazette	5 January 2023	Revoke proposed lot 12719(a) from Reserve no. 1677 (Lot 9375)

STATEMENT OF EFFECT.
PLANNING SCHEME AMENDMENT – PARTIAL REZONING
FROM CN (CONSERVATION) TO OR (ORGANISED RECREATION)
PART LOT 9375 TOWN OF NIGHTCLIFF



2. SITE AND LOCALITY.

2.1 DESCRIPTION OF LOCALITY.

The Darwin Foreshore area stretches from Bullocky Point (south) to Buffalo Creek (north), encompassing the whole of Casuarina Beach. The Darwin Foreshore area is listed on the Register of National Estate (as a non-statutory archive) and was declared a 'Park' under the Territory Parks and Wildlife Conservation Act.

This area is important for both its natural features and cultural values. Natural features include a significant variety of coastal landforms and ecosystems. The Casuarina Coastal Reserve (identified as Lot 9375 Town of Nightcliff) is unique in that the boundary encompasses both terrestrial and aquatic environments.

Lot 9375 (Casuarina Coastal Reserve) and Lot 9316 (Darwin Surf Life Saving Club) neighbour the suburbs of Lee Point, Brinkin, Tiwi, Rapid Creek, Lyons, and Muirhead. Other neighbours include Defence Housing Australia, the hospital precinct, Charles Darwin University and Buffalo Creek Management Area (Lot 8700 Town of Nightcliff).

2.2 DESCRIPTION OF THE SITE.

The site subject to the proposed rezoning is Part Lot 9375 Town of Nightcliff. Lot 9375 is 1,360 ha in area, and is zoned CN (Conservation) in its entirety. In September 1982, Lot 9375 was gazetted under section 103(1)(c) of the Crown Lands Act 1979 for the 'recreation and amusement' of the public. The Parks and Wildlife Commission of the Northern Territory (Parks and Wildlife), known at that time as the Conservation Commission, was given management of the area under section 103B(2) of the Crown Lands Act in October 1982. Prior to this, the land parcel was managed by the City of Darwin.

It is noted that Lot 9375 Town of Nightcliff is also referred to as Lot 12990 Town of Nightcliff, pursuant to Government Gazette No. S75, 31 July 2024 and Survey Plan S2024/061. Lot 12990 is the consolidation of Lot 9375 (Casuarina Coastal Reserve) and Lot 9458 (Crown Land), but has not been formally registered.

An area identified as Lot 12719(A) was revoked from the Reserve in January 2023. Proposed Lot 12719(A) is currently zoned CN (Conservation). The area is no longer part of the Casuarina Reserve, and as such this area will be subject to care by the DSLSC, and works have already taken place protect the dunes.

A site aerial is provided at **Attachment A**. A current zoning plan is provided at **Attachment B**.

STATEMENT OF EFFECT.
PLANNING SCHEME AMENDMENT – PARTIAL REZONING
FROM CN (CONSERVATION) TO OR (ORGANISED RECREATION)
PART LOT 9375 TOWN OF NIGHTCLIFF



3. PROPOSED PLANNING SCHEME AMENDMENT - REZONING.

3.1 CURRENT ZONING.

The current zoning of Lot 9375 Town of Nightcliff is CN (Conservation), and is identified as the Casuarina Coastal Reserve.

The portion of Part Lot 9375 Town of Nightcliff subject to this rezoning application is also referred to as Lot 12719(A). Lot 12719(A) was revoked from the Reserve in January 2023, by way of Government gazette proclamation (provided at **Attachment E**). It is noted that this portion of Lot 9375 does not form part of the Reserve or Park.

The current zoning is shown at **Attachment B**.

3.2 PROPOSED ZONING.

The proposed partial zoning of the site is to Zone OR (Organised Recreation), noting that the proposed rezoning affects only 8,960m² of the 1.360ha site. The majority of the site is to remain zoned CN (Conservation).

The partial rezoning is intended to align with a subdivision (lease in excess of 12 years) application related to the Darwin Surf Life Saving Club. The associated proposal is to subdivide Part Lot 9375 Town of Nightcliff to create proposed Lot 12991, and will measure 16,270m². It is proposed to retain the existing access easement from Trower Road to the DSLSC.

Parks and Wildlife are aware of the intended leasehold boundary proposed by the associated subdivision (lease in excess of 12 years). It is noted that historical concerns about the undisclosed location of a septic tank have been resolved and it is confirmed that this is within the proposed lease area/ rezoning area. Any future works within the lease area will require permits, in line with NT Planning Scheme requirements.

It is noted that the subdivision can occur without the rezoning, and vice versa, as no physical works are associated with the subdivision, nor are there any zone-specific subdivision or consolidation requirements applicable to either Zone CN (Conservation) or OR (Organised Recreation).

The proposed zoning is shown at **Attachment C**.

4. NT PLANNING ACT 1999.

4.1 CLAUSE 2A – PURPOSE AND OBJECTIVES.

The purpose of the NT Planning Act 1999 (NTPA) is to establish a system to facilitate planning for the orderly use and development of land to achieve the following objectives:

The proposed Planning Scheme Amendment for the partial rezoning of Lot 9375 Town of Nightcliff from CN (Conservation) to OR (Organised Recreation) has been assessed as part of the report contained herein to ensure compliance with the Purpose and Objectives of the NTPA.

4.2 CLAUSE 6A - PERSONS AND BODIES PERFORMING FUNCTIONS UNDER ACT

Under this Clause, the Minister's functions under this Act include:

- a) to make and amend specific planning schemes under Part 2;*

The Minister is identified as the Consent Authority for the proposed Planning Scheme Amendment.

4.3 CLAUSE 12A(2) - REQUEST TO AMEND PLANNING SCHEME

Under this clause, a person or body may request the Minister to amend a planning scheme. The request must be in writing and include the following:

- a) an explanation of the proposed amendment;*

This application seeks a Planning Scheme Amendment to the Northern Territory Planning Scheme 2020, through the intended partial rezoning of Lot 9375 Town of Nightcliff from Zone CN (Conservation) to Zone OR (Organised Recreation).

- b) a statement of the purpose of the proposed amendment and its desired effect;*

The purpose of the proposed amendment is to partially rezone the site from CN (Conservation) to OR (Organised Recreation), noting that the proposed rezoning affects only 8,960m² of the site. The majority of the site (being that land designated 'Park' or 'Reserve') is to remain zoned CN (Conservation).

The partial rezoning is intended to complement the subdivision of Part Lot 9375 Town of Nightcliff to create proposed Lot 12991, being the new lease area for DSLSC. This new lot (lease in excess of 12 years) is referred to as Lot 12991, and will measure 16,270m². It is proposed to retain the existing access easement from Trower Road to the DSLSC.

It is noted that the subdivision can occur without the rezoning, and vice versa, as no physical works are associated with the subdivision, nor are there any zone-specific subdivision requirements applicable to either Zone CN (Conservation) or OR (Organised Recreation).

The proposed Rezoning and associated subdivision (lease in excess of 12 years) provides for a new lot that encompasses all existing facilities, improvements, and associated access for the Darwin Surf Life Saving Club, ensuring the lot configuration accurately reflects the operational footprint of the Club

The proposed zoning is shown at **Attachment C**. The proposed subdivision (lease in excess of 12 years) is

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PLANNING SCHEME AMENDMENT – PARTIAL REZONING
FROM CN (CONSERVATION) TO OR (ORGANISED RECREATION)
PART LOT 9375 TOWN OF NIGHTCLIFF



provided at **Attachment D**.

- c) an assessment of the proposed amendment with respect to the matters to be considered by the Minister under section 13(1);*

This report comprises an assessment of the proposed amendment, having due consideration to the matters considered by the Minister under Section 13(1). Refer assessment below.

- d) the details of any community consultation conducted, or to be conducted, in addition to the consultation required under this Act.*

Preliminary consultation has been undertaken in relation to the rezoning and associated subdivision (lease in excess of 12 years) application with DSLSC, Land Care and Friends of Casuarina Reserve. It is further noted that the Government Gazette proclamation in 2023 (**Attachment E**) clearly demonstrated the intent for the site, being excised from the Reserve. Due to the revocation of the reserve these groups have been extensively consulted with and are aware of the intent to rezone and subdivide the site.

Noting above, but having due regard to the consultation undertaken and prior statutory decisions made to exclude the affected parcel to be rezoned from the Reserve or the Park, it is respectfully requested that the Minister for Lands, Planning and Environment waive exhibition for the proposed amendment on the basis that the proposal is not so significant as to require exhibition.

Should the Minister accept the proposed Planning Scheme Amendment for the purposes of exhibition, the proposed rezoning will be exhibited per the requirements of the Act. This will be for a 28-day period and will include a sign on site and inclusion in the online Planning Notices.

4.4 CLAUSE 13 - MINISTER'S CONSIDERATION OF REQUEST AND DECISION

(1) When considering a request to amend a planning scheme, the Minister must also consider the following:

- a) whether the proposed amendment promotes the purpose and objectives of this Act;*

The proposed amendment is considered to be in alignment with the purpose and objectives of the Act under Clause 2A, which are as follows:

- a) to ensure that strategic planning is applied to planning schemes and implemented in individual planning decisions;*
- b) to ensure that strategic planning reflects the wishes and needs of the community;*
- c) to ensure that appropriate public consultation and input are included in the formulation of planning schemes and the making of decisions under planning schemes;*
- d) to ensure that the planning system is clear, comprehensive, effective, efficient and accessible to the community;*
- e) to promote the sustainable development of land;*
- f) to promote the responsible use of land and water resources to limit the adverse effects of development on ecological processes;*
- g) to maintain the health of the natural environment and ecological processes;*
- h) to protect the quality of life of future generations;*

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FROM CN (CONSERVATION) TO OR (ORGANISED RECREATION)
PART LOT 9375 TOWN OF NIGHTCLIFF



- i) to assist the provision of public utilities, infrastructure and facilities for the benefit of the community;*
- j) to promote the good design of buildings and other works that respects the amenity of the locality;*
- k) to assist the conservation and enhancement of places, areas, buildings, other works and landforms that are of cultural, aesthetic, architectural or historical value;*
- l) to respect and encourage fair and open decision making and public access to processes for review of planning related decisions.*

The amendment facilitates the orderly and proper planning of land by ensuring that the zoning of the site accurately reflects the existing and long-established use footprint of the Darwin Surf Life Saving Club (DSLSC) and strengthens its role within the community.

The rezoning supports the strategic and sustainable use of land (Objectives 2A(a), (e), and (f)) by aligning statutory land use controls with the existing built form, facilities, and operational footprint of the DSLSC. It ensures land and water resources are used responsibly, avoiding unnecessary constraints on a long-established community recreation use while maintaining the broader conservation and environmental values of the Casuarina Coastal Reserve.

The proposal also promotes the health, safety, and wellbeing of the community (Objective 2A(h)) by supporting continued surf lifesaving operations and recreational activities that provide a public safety service and accessible open space recreation opportunities for residents and visitors.

In addition, the proposal:

- Implements strategic planning outcomes by rationalising the zoning boundary in line with the government's 2023 Gazette proclamation and existing land management intent (Objective 2A(a));
- Reflects community needs and expectations by formalising the tenure of a community-based facility with long-standing local support (Objective 2A(b));
- Supports efficient planning administration by clarifying land use rights and responsibilities, removing zoning anomalies, and promoting transparency in planning decisions (Objectives 2A(d) and (l)); and
- Maintains environmental integrity by ensuring that the majority of Lot 9375 remains within Zone CN (Conservation), preserving ecological values and coastal processes (Objectives 2A(f) and (g)).

Accordingly, the proposed amendment promotes the overall purpose and objectives of the Act by achieving a balanced outcome between conservation and organised recreation, consistent with the principles of sustainable and orderly development in the Northern Territory.

- b) whether the proposed amendment, other than a proposed amendment to a strategic framework, is contrary to any strategic framework in the planning scheme;*

Lot 9375 Town of Nightcliff is subject to the following strategic frameworks:

- Darwin Regional Land Use Plan;
- Darwin Mid Suburbs Area Plan; and
- Lee Point Area Plan.

However, the specific Part Lot 9375 subject to the proposed rezoning is not affected by either area plan. An assessment against the strategic framework is undertaken below.

STATEMENT OF EFFECT.
PLANNING SCHEME AMENDMENT – PARTIAL REZONING
FROM CN (CONSERVATION) TO OR (ORGANISED RECREATION)
PART LOT 9375 TOWN OF NIGHTCLIFF



4.3.1 *Clause 2.4 – Darwin Regional Land Use Plan.*

The subject site is within the 'Mangrove / Conservation' land use structure under the Darwin Regional Land Use Plan (DRLUP). The 'Mangrove / Conservation' land use structure contemplates the following outcomes:

- Retain the region's natural landscapes, vegetation and habitats where compatibility with appropriate urban and rural development can be maintained.
- Minimise the impact of development on the natural environment during the construction phase and ongoing use.
- Recognise and promote Darwin Harbour as the region's most valuable natural asset, minimising detrimental impacts from development in the harbour catchment and on its foreshore.
- Provide appropriate open space reserves for the conservation of natural environment and heritage features, and for resident and visitor recreation in active and passive activities.
- Recognise the role of remnant vegetation corridors in providing interconnectivity of open space and protecting amenity.
- Recognise the role of urban green space in reducing urban heat impacts and providing community amenity.

The proposed partial rezoning from Zone CN (Conservation) to Zone OR (Organised Recreation) aligns with these objectives by formalising an existing community recreation use that has long been established within the footprint of the Darwin Surf Life Saving Club (DSLSC). The Club's operations, including surf lifesaving training, beach safety, and community recreation, are inherently compatible with the recreation and amenity outcomes envisaged for the coastal reserve interface.

Importantly, the rezoning affects only 8,960 m² of the 1,360ha land parcel, leaving the overwhelming majority of the Casuarina Coastal Reserve protected under the existing CN (Conservation) zoning. The rezoning ensures that the extent of the OR zoning corresponds with the physical and operational footprint of the Club without encroaching on undisturbed conservation land.

By recognising the existing recreational function of the site and providing statutory clarity regarding its use, the proposal:

- Maintains the intent of the DRLUP by protecting the integrity of the wider conservation reserve;
- Facilitates compatible recreational use within the managed coastal environment, consistent with the plan's objective to provide accessible open space for residents and visitors;
- Ensures orderly and sustainable development, reflecting the principle that existing land uses of demonstrated community benefit should be supported through appropriate zoning; and
- Supports integrated land management, consistent with the NT Government's 2023 Gazette proclamation and ongoing Casuarina Coastal Reserve boundary rationalisation process.

In this context, the proposed amendment does not conflict with the strategic intent of the Darwin Regional Land Use Plan. Instead, it advances the Plan's environmental and social objectives by reinforcing a long-standing community recreation use within a clearly defined footprint, preserving adjoining conservation land, and enhancing the overall management and accessibility of the Darwin foreshore.

The proposed rezoning will formalise existing development in a manner consistent with the DRLUP, with the NTPS provisions ensuring the ongoing land use outcomes of the existing development on site appropriately consider the surrounding locality.

STATEMENT OF EFFECT.
PLANNING SCHEME AMENDMENT – PARTIAL REZONING
FROM CN (CONSERVATION) TO OR (ORGANISED RECREATION)
PART LOT 9375 TOWN OF NIGHTCLIFF



4.3.2 *Clause 2.4 – Darwin Mid Suburbs Area Plan.*

A portion of Lot 9375 Town of Nightcliff is included in the Darwin Mid Suburbs Area Plan (DMSAP), within the 'Environment and Heritage' land use structure. However the portion of Lot 9375 affected by this proposal is not subject to the DMSAP.

No further assessment has been undertaken against the DMSAP.

4.3.3 *Clause 2.4 – Lee Point Area Plan*

A portion of Lot 9375 Town of Nightcliff is included in the Lee Point Planning Principles and Area Plan, within the 'Development Restricted by Constraints' land use structure. However the portion of Lot 9375 affected by this proposal is not subject to the Lee Point Area Plan.

No further assessment has been undertaken against the Lee Point Area Plan.

- c) *whether the proposed amendment is within a declared class of amendments that do not require exhibition;*

The proposed amendment is not understood to be within a declared class of amendments that do not require exhibition.

- d) *whether the proposed amendment is not significant enough to require exhibition;*

Pending the Minister's decision, the amendment may require exhibition. It is respectfully requested that the Minister waive exhibition, on the basis that the use of the identified subject site is existing and intent has been established through the excising of the land from any Reserve or Park declaration.

It is not considered that the proposed amendment is so significant as to require exhibition, as it only seeks to facilitate an appropriate zoning and new lot boundaries that encompass all existing facilities, improvements, and associated access for the Darwin Surf Life Saving Club, ensuring the lot configuration accurately reflects the operational footprint of the Club.

- e) *the merits of the proposed amendment and whether the amendment is in the public interest;*

The merits of the proposed amendment are as follows:

- The site is considered suitable for the intended zone.
- The incorporation of the area proposed to be rezoned is proposed to be subdivided a to create a lease in excess of 12 years, being the revised leasehold area for the Darwin Surf Life Saving Club. The intended use of the site is compatible with the existing development in the immediate area.
- The nature of the rezoning to OR (Organised Recreation) is suitable to the local context.
- The proposed partial rezoning will not introduce negative impacts on the surrounding area.
- The proposed Planning Scheme Amendment not detrimental to the public interest due to the application of orderly and proper planning in line with the established planning processes under the Act.
- The proposed Planning Scheme Amendment (in conjunction with the associated subdivision) provides for a new lot that encompasses all existing facilities, improvements, and associated access

STATEMENT OF EFFECT.
PLANNING SCHEME AMENDMENT – PARTIAL REZONING
FROM CN (CONSERVATION) TO OR (ORGANISED RECREATION)
PART LOT 9375 TOWN OF NIGHTCLIFF



for the Darwin Surf Life Saving Club, ensuring the lot configuration accurately reflects the operational footprint of the Club.

The proposed rezoning will formalise existing development in a manner consistent with the strategic framework, with the NTPS provisions ensuring the ongoing land use outcomes of the existing development on site appropriately consider the surrounding locality.

f) any report from the Planning Commission under section 12B(3);

Should the Minister request a report from the Planning Commission, it is noted that such a report shall be considered as part of this Planning Scheme Amendment.

g) any other matters the Minister considers appropriate.

Noted.

STATEMENT OF EFFECT.
PLANNING SCHEME AMENDMENT – PARTIAL REZONING
FROM CN (CONSERVATION) TO OR (ORGANISED RECREATION)
PART LOT 9375 TOWN OF NIGHTCLIFF



CONCLUSION.

The Department of Lands, Planning & Environment (Crown Lands Estate) has engaged Tatam Planning Co. to prepare a Planning Scheme Amendment for Part Lot 9375 Town of Nightcliff (422 Trower Road, Tiwi). The Planning Scheme Amendment (PSA) is for a partial rezoning from CN (Conservation) to OR (Organised Recreation) for a small portion of the site, in order to facilitate the subdivision of the site for lease purposes where the existing Darwin Surf Life Saving Club is located.

This application is made pursuant to Section 12A of the *Northern Territory Planning Act 1999*, and the assessment contained herein demonstrates that the proposal is in compliance with all requirements under the *NT Planning Act 1999*.

It is noted that a proposed subdivision (lease in excess of 12 years) application has been lodged at the same time as the proposed PSA, but can be considered independently under Section 44(b) of the *NT Planning Act* (rather than a Concurrent Application under Section 30(1)).

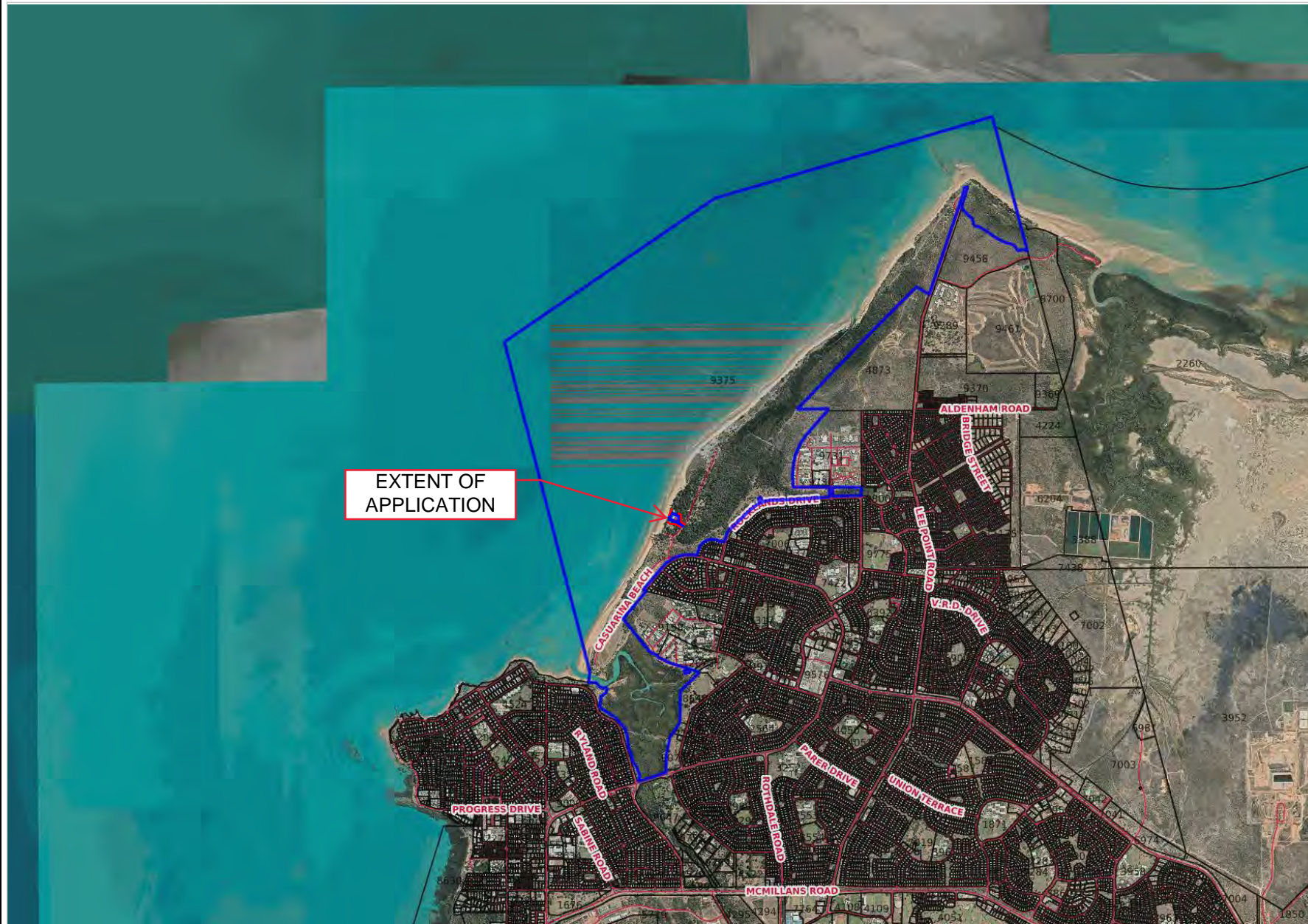
The merits of the proposed amendment are as follows:

- The site is considered suitable for the intended zone.
- The incorporation of the area proposed to be rezoned is proposed to be subdivided to create a lease in excess of 12 years, being the revised leasehold area for the Darwin Surf Life Saving Club. The intended use of the site is compatible with the existing development in the immediate area.
- The nature of the rezoning to OR (Organised Recreation) is suitable to the local context.
- The proposed partial rezoning will not introduce negative impacts on the surrounding area.
- The proposed Planning Scheme Amendment not detrimental to the public interest due to the application of orderly and proper planning in line with the established planning processes under the Act as follows:
 - Implements strategic planning outcomes by rationalising the zoning boundary in line with the government's 2023 Gazette proclamation and existing land management intent (Objective 2A(a));
 - Reflects community needs and expectations by formalising the tenure of a community-based facility with long-standing local support (Objective 2A(b));
 - Supports efficient planning administration by clarifying land use rights and responsibilities, removing zoning anomalies, and promoting transparency in planning decisions (Objectives 2A(d) and (l)); and
 - Maintains environmental integrity by ensuring that the majority of Lot 9375 remains within Zone CN (Conservation), preserving ecological values and coastal processes (Objectives 2A(f) and (g)).
- The proposed Planning Scheme Amendment (in conjunction with the associated subdivision) provides for a new lot that encompasses all existing facilities, improvements, and associated access for the Darwin Surf Life Saving Club, ensuring the lot configuration accurately reflects the operational footprint of the Club.



In consideration of the requirements of all relevant statutory planning tests of the NTPA, there are considered to be reasonable grounds for the Minister to either waive or approve the exhibition of the proposal, and subsequently determine to amend the Planning Scheme to rezone Part Lot 9375 Town of Nightcliff from CN (Conservation) to OR (Organised Recreation).

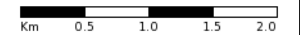
ATTACHMENT A - SITE AERIAL

PART LOT 9375 TOWN OF NIGHTCLIFF



LEGEND

-  SUBJECT SITE
-  EXTENT OF APPLICATION
(REFER NEXT PAGE FOR DETAILS)



AERIAL SOURCE:

nrmmaps.nt.gov.au

Geospatial Services Unit



Department of Lands,
Planning and Environment
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ATTACHMENT A - SITE AERIAL

PART LOT 9375 TOWN OF NIGHTCLIFF



LEGEND

-  SUBJECT SITE (PART LOT 9375 TOWN OF NIGHTCLIFF)
-  EXTENT OF APPLICATION

NOTE: LOT 9316 - EXISTING DARWIN SURF LIFE SAVING CLUB LEASEHOLD AREA - IS PROPOSED TO BE EXTINGUISHED AND REPLACED BY THE LEASE AREA CREATED BY THE APPLICATION CONTAINED HEREIN.



Metres 20 40 60

AERIAL SOURCE:

nrmaps.nt.gov.au

Geospatial Services Unit

Department of Lands,
Planning and Environment
© Northern Territory Government

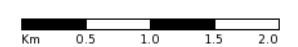
ATTACHMENT B - SITE ZONING

PART LOT 9375 TOWN OF NIGHTCLIFF

LEGEND

TOWN PLANNING ZONES

- A - Agriculture
- CV - Caravan Park
- CB - Central Business
- C - Commercial
- CL - Community Living
- CP - Community Purpose
- CN - Conservation
- DV - Development
- RR - Rural Residential
- GI - General Industry
- HT - Heritage
- HR - High Density Residential
- H - Horticulture
- LI - Light Industry
- M - Main Road
- MR - Medium Density Residential
- LMR - Low-Medium Density Resid
- CA - No Planning Scheme Control
- OR - Organised Recreation
- PM - Proposed Main Road
- PS - Public Open Space
- RW - Railway
- RD - Restricted Development
- R - Rural
- RL - Rural Living
- SC - Service Commercial
- LR - Low Density Residential
- S - Specific Use
- TC - Tourist Commercial
- U - Utilities
- WM - Water Management
- FD - Future Development



AERIAL SOURCE:

nrmmaps.nt.gov.au

Geospatial Services Unit

Department of Lands,
Planning and Environment
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ATTACHMENT B - SITE ZONING

PART LOT 9375 TOWN OF NIGHTCLIFF



LEGEND

TOWN PLANNING ZONES

- CN - Conservation
- OR - Organised Recreation

- SUBJECT SITE
- - - EXTENT OF APPLICATION



AERIAL SOURCE:
nrmaps.nt.gov.au

Geospatial Services Unit
Department of Lands,
Planning and Environment
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ATTACHMENT C - PROPOSED ZONING

PART LOT 9375 TOWN OF NIGHTCLIFF

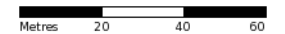


LEGEND

TOWN PLANNING ZONES

-  CN - Conservation
-  OR - Organised Recreation

-  EXTENT OF PROPOSED REZONING



AERIAL & ZONING SOURCE:

nrmmaps.nt.gov.au

Geospatial Services Unit

Department of Lands,
Planning and Environment
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NOTE: The area and boundary is approximate and subject to survey

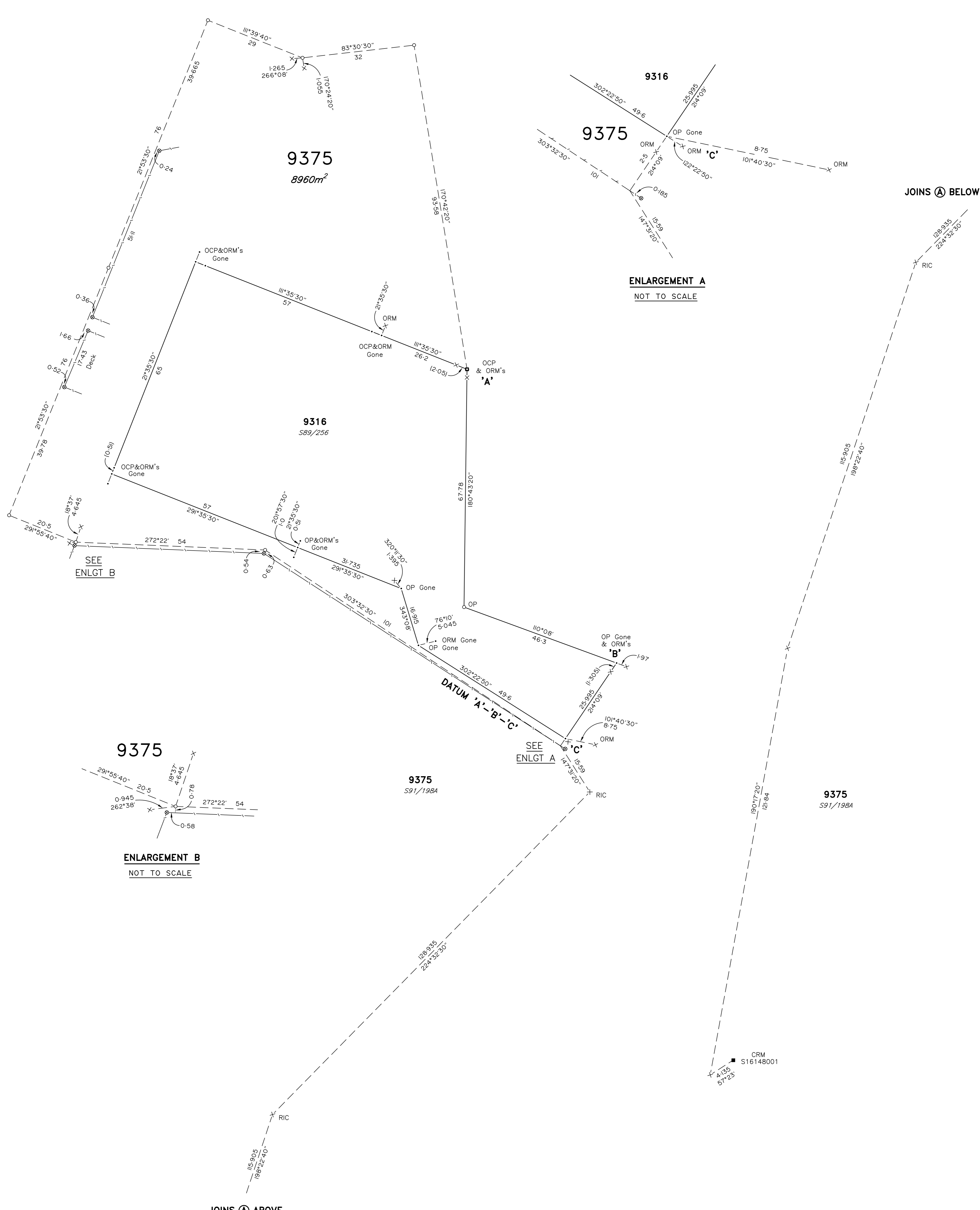


Department of Lands, Planning and Environment

25 0 25 50 75 100 m

Date: 27/10/2025

Proposed Lot 12991
Town of Nightcliff



I, Bradley Ian Riddington hereby certify that the survey represented on this plan was carried out by me or under my supervision and was completed on 13 June 2024 and that this survey has been executed in accordance with the Licensed Surveyors Act and the Directions thereunder.


B. Riddington
Licensed Surveyor
Date: 14/06/2024

NOTE:

- Reference marks are at one metre unless otherwise shown.
- Dimensions of unmarked boundaries and connections are original unless otherwise shown.
- RIC denotes Rivet in Concrete
- This plan is Version 1.0







Drawn
14.06.2024
Cross Solutions
2024-0285

Examined
Cross Solutions
17.06.2024


Grid Bearings

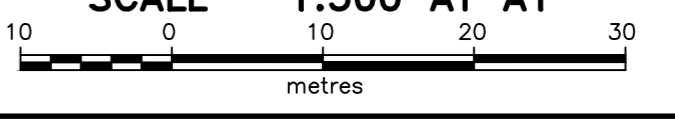
AZIMUTH
Assumed from S89/256
Observed at

LEGEND

- Concrete Post 
- Concrete Block 
- Peg or Wooden Post 
- Reference Mark 
- Lockspit 
- Fence Post 

PART BOUNDARIES LOT 9375
TOWN OF NIGHTCLIFF

SCALE 1:500 AT A1

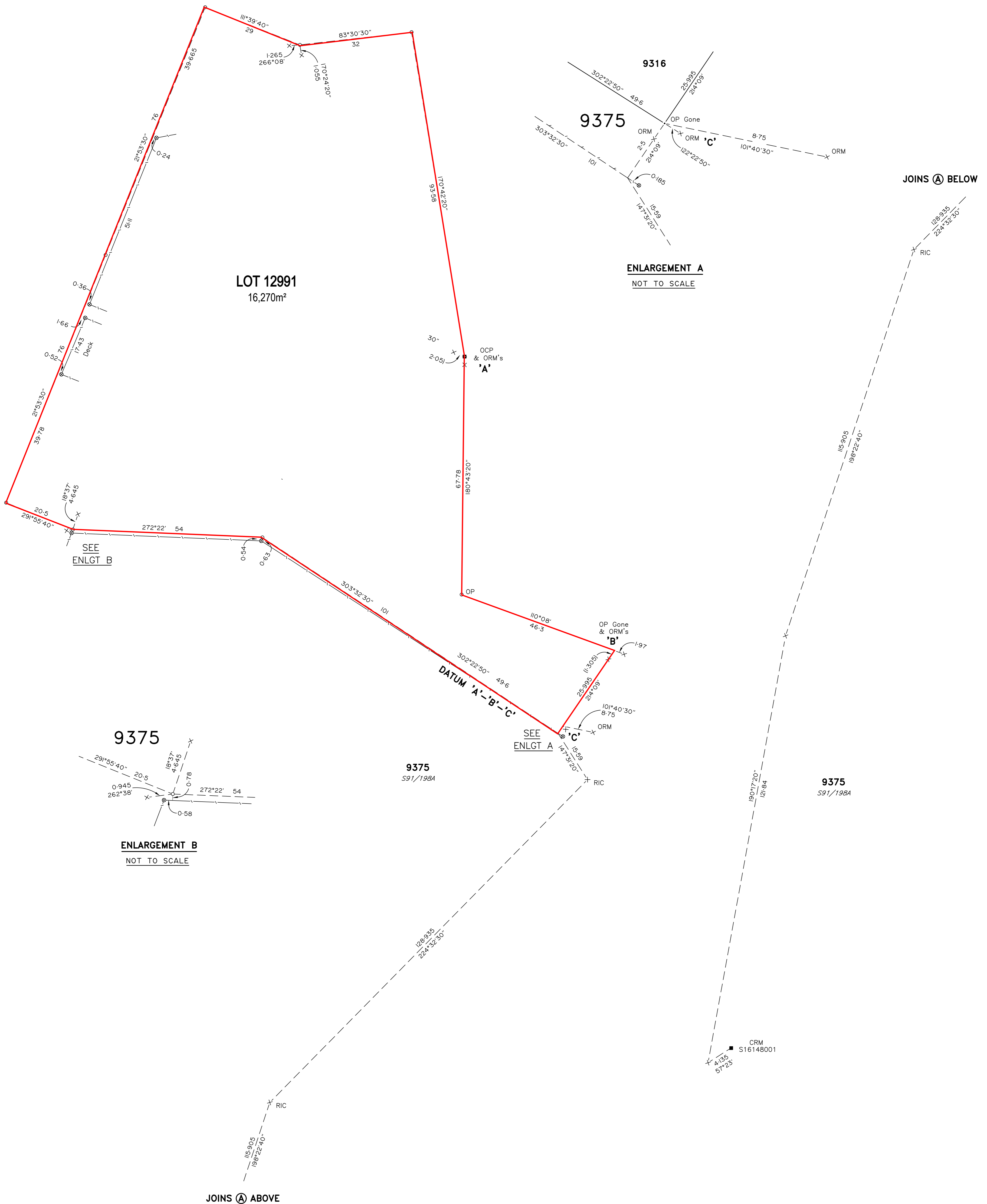


S2024/057



SURVEY APPROVED

Surveyor-General _____ Date _____



LOT 12991
16,270m²

ENLARGEMENT A
NOT TO SCALE

SEE
ENLGT B

SEE
ENLGT A

ENLARGEMENT B
NOT TO SCALE

JOINS A ABOVE

JOINS A BELOW

	<p>NOTE:</p> <ul style="list-style-type: none"> Reference marks are at one metre unless otherwise shown. Dimensions of unmarked boundaries and connections are original unless otherwise shown. RIC denotes River in Concrete This plan is Version 1.0 	<p>Drawn 14.06.2024 Cross Solutions 2024-0285</p>	<p>Grid Bearings</p> <p>AZIMUTH Assumed from S89/256 Observed at</p>	<p>LEGEND</p> <ul style="list-style-type: none"> Concrete Post Concrete Block Peg or Wooden Post Reference Mark Lockspit Fence Post 	<p>PROPOSED LOT 12991 TOWN OF NIGHTCLIFF</p> <p>SCALE 1:500 AT A1</p>
	<p>Examined Cross Solutions 17.06.2024</p>	<p>CRM S16148001</p>			



Northern Territory of Australia

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5 January 2023



Northern Territory of Australia

Crown Lands Act 1992

Proclamation

Northern Territory
of Australia

Vicki Susan O'Halloran
Administrator

By Her Honour
the Administrator
of the Northern
Territory of Australia

I, Vicki Susan O'Halloran, Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, under section 76(1)(d) of the *Crown Lands Act 1992*, revoke, in part, the reservation of land namely Reserve No. 1677 reserved by proclamation dated 7 September 1982 and published in *The Northern Territory Government Gazette* No. G37 on 17 September 1982 to the extent that the reservation relates to Lot 12719(A), Town of Nightcliff, as described in the Schedule, Part A, and shown on the map in the Schedule, Part B.

Responsible Minister:

E. D. Lawler
Minister for Infrastructure, Planning and Logistics

V. S. O' Halloran
Administrator

Dated 20 December 2022

Schedule

Part A

All that parcel of land within Lot 9375, Town of Nightcliff, Northern Territory of Australia containing an area of 8960 square metres more or less being adjacent to Lot 9316, Town of Nightcliff, more particularly designated as Lot 12719(A), Town of Nightcliff. Commencing at the north eastern corner of Lot 9316, Town of Nightcliff, then generally westerly, southerly, easterly, southerly and easterly by said lot boundaries as shown on approved Survey Plan S83/256, then generally southerly by a line bearing 214 degrees 9 minutes for about 2.5 metres, then generally westerly by a line bearing about 303 degrees 32 minutes 30 seconds for about 101 metres, then by a line bearing about 272 degrees 22 minutes for about 54 metres, then by a line bearing about 291 degrees 55 minutes 40 seconds for about 20.5 metres, then generally northerly by a line bearing about 21 degrees 53 minutes 30 seconds for about 152 metres, then generally easterly by a line bearing about 111 degrees 39 minutes 40 seconds for about 29 metres, then by a line bearing about 83 degrees 30 minutes 30 seconds for about 32 metres, then generally southerly by a line bearing about 170 degrees 42 minutes 20 seconds to the point of commencement. All bearings are Grid.

Part B

