

1 February 2026



Northern Territory Planning Commission (NTPC)  
GPO Box 1680  
DARWIN NT 0801

Attn: Mark Coffey, Chair NTPC  
Via Email: [ntpc@nt.gov.au](mailto:ntpc@nt.gov.au)  
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CC: Fiona Ray - [fiona.ray@nt.gov.au](mailto:fiona.ray@nt.gov.au)

Dear Chair,

**REF: PA2025/0395 – SUBMISSION AND SERVICE AUTHORITY REFERRAL RESPONSE LETTER – DARWIN SURF LIFE SAVING CLUB – PROPOSED REZONING**

### Background

The proposal is for a partial rezoning of Part Lot 9375 Town of Nightcliff (422 Trower Road, Tiwi) for the Darwin Surf Life Saving Club (DSLSC). The proposal seeks to rezone a portion of the DSLSC lease area from Zone CN (Conservation) to OR (Organised Recreation). The proposal was exhibited from 21 November 2025 to 19 December 2025.

### Response to Submissions

Eleven (11) public submissions were received during the exhibition period. The submissions raised the following matters (summarised):

#### **1. Nick Kirlew, Convenor Plan: The Planning Action Network Inc - Objection**

The PPlan submission is summarised as an objection to the proposal, stating the following:

- Objects to permanent loss of Conservation zoning.
- Argues rezoning is not required for Surf Club operations.
- Notes rezoning extends beyond existing disturbed footprint.
- Raises concern about consolidation of lots creating a new planning baseline.
- Warns against reliance on non-binding assurances.
- Emphasises strengthened conservation context post-2024 park declaration.
- States rezoning is a significant and irreversible planning decision.
- Concludes land should remain zoned CN.

#### **2. Andris Bergs – Objection**

The submission is summarised as an objection to the proposal, stating the following:

- Objects to rezoning from CN (Conservation) to OR (Organised Recreation).
- Argues rezoning is unnecessary if no change to land use or development footprint is proposed.
- Concern that OR zoning would enable a much broader range of future uses, including commercial activities.
- Raises risk of incremental intensification over time despite current assurances.
- Notes potential impacts on visual amenity, noise, traffic, lighting and infrastructure.
- Questions adequacy and transparency of consultation undertaken.

- Prefers retention of CN zoning, or split zoning to better protect conservation values.

### **3. Deborah Hall, Convenor, Friends of Casuarina Coastal reserve Inc. – Objection**

The FCCR submission is summarised as an objection to the proposal, stating the following:

- Objects to rezoning from CN (Conservation) to OR (Organised Recreation).
- Argues rezoning is unnecessary if no change to land use or development footprint is proposed.
- Concern that OR zoning would enable a much broader range of future uses, including commercial activities.
- Raises risk of incremental intensification over time despite current assurances.
- Notes potential impacts on visual amenity, noise, traffic, lighting and infrastructure.
- Questions adequacy and transparency of consultation undertaken.
- Prefers retention of CN zoning, or split zoning to better protect conservation values.

### **4. Betty Lum – Objection**

The submission is summarised as an objection to the proposal, stating the following:

- Do not support rezoning of CN land adjoining the Reserve.
- Emphasise high ecological significance of Casuarina Coastal Reserve (endangered species, habitats).
- Argues CN zoning already allows Surf Club operations without rezoning.
- State rezoning would undermine reserve integrity and conservation primacy.
- Raise concerns about weed management, invasive species and ongoing maintenance.
- Question claimed consultation with FCCR.
- Consider justification for rezoning insufficient and unconvincing.

### **5. Friends of Lee Point – Objection**

The submission is summarised as an objection to the proposal, stating the following:

- Oppose rezoning from CN to OR.
- Highlight Reserve's recent expansion and park declaration.
- Note proximity to Darwin's last wildlife corridor.
- Argue Surf Life Saving Club has operated successfully without rezoning.
- Consider rezoning unnecessary and environmentally risky.

### **6. Gayle Laidlaw – Objection**

The submission is summarised as an objection to the proposal, stating the following:

- Objects to rezoning CN land.
- States land forms part of Casuarina Coastal Reserve.
- Notes Surf Club has no stated development plans, so rezoning is unjustified.
- Emphasises protection of native vegetation and wildlife.

### **7. Graham Kirby – Objection**

The submission is summarised as an objection to the proposal, stating the following:

- Strong objection based on biodiversity loss and habitat destruction.
- Raises concern about process complexity and lack of clarity regarding proponent and client.
- Criticises concurrent subdivision and rezoning as confusing.
- Questions adequacy of consultation with conservation groups.

- Notes poor weed management performance by lessee.
- Argues rezoning treats Conservation land as “land waiting for development”.
- Raises concerns about lease tenure changes and access easements.

#### 8. Grusha Leeman – Objection

The submission is summarised as an objection to the proposal, stating the following:

- Objects to any further development of Casuarina Coast.
- Emphasises climate change, sea-level rise and environmental degradation.
- Claims rezoning assumes tree clearing and intensification are acceptable.
- States existing Surf Club facilities are sufficient.
- Calls for stronger protection of coastal forest.

#### 9. James Courtney – Objection

The submission is summarised as an objection to the proposal, stating the following:

- Detailed objection focusing on planning law and process.
- Argues CN zoning already accommodates Surf Club use.
- States OR zoning would permanently expand development rights.
- Raises concern about attempted waiver of public exhibition.
- Claims procedural unfairness and selective consultation.
- Raises issues of Aboriginal cultural heritage and sacred site proximity.
- Notes wastewater infrastructure constraints and environmental risk.
- Requests rejection or, at minimum, full public exhibition.

#### 10. Maragret Clinch – Objection

The submission is summarised as an objection to the proposal, stating the following:

- Strong objection to rezoning Crown land within Casuarina Coastal Reserve.
- Argues CN is the correct and only appropriate zoning.
- Raises concerns about:
  - Restricted public access
  - Precedent for further rezonings
  - Expansion of Surf Club landholding without justification
- Highlights community use, landcare work, birdwatching and proximity to CBD.
- Claims rezoning would conflict with NT planning objectives.

#### 11. Louise Harrison – Objection

The submission is summarised as an objection to the proposal, stating the following:

- Does not support rezoning due to increased risk to Reserve values.
- Argues rezoning would reduce protection of vegetation and wildlife.
- Notes limited resourcing of NT Parks to manage increased impacts.
- Criticises lessee’s understanding of conservation responsibilities.
- Calls for a Weed Management Plan as a minimum requirement.

The matters raised in the objections cover a range of issues which, while expressed in different ways, broadly fall into common thematic categories relating to environmental protection, precedent, process, future development potential and the necessity for rezoning. These matters are addressed below.

## 1. Loss of Conservation Zoning / Environmental Protection

Many submitters object to any reduction of Conservation (CN) zoning, citing risks to flora, fauna, habitat connectivity, coastal processes and long-term environmental values of the Casuarina Coastal Reserve. The following is offered in response:

- The land subject to this rezoning has already been excised from the Casuarina Coastal Reserve pursuant to a Government Gazette proclamation dated 5 January 2023.
- The excision was a separate statutory process under the *Crown Lands Act*, undertaken prior to, and independently of, the subject Planning Scheme Amendment (Rezoning).
- The PSA does not remove land from the Reserve; it responds to the existing tenure and land status created by that excision.
- The area proposed to be rezoned has been historically disturbed and used for recreation-related purposes associated with the Darwin Surf Life Saving Club.
- Importantly, rezoning to OR (Organised Recreation) does not remove environmental controls as follows:
  - clearing of native vegetation remains regulated under the CNV (Clearing of Native Vegetation) overlay applicable to the new portion of the lease area;
  - coastal, flooding and storm surge overlays continue to apply;
  - any future development would still require development consent and assessment against environmental impacts.
- Retaining CN zoning over land that is no longer Reserve land, and which functions operationally as part of an established recreation facility, would create an artificial and inconsistent planning outcome.

## 2. Future Development Rights and “Creep” Concerns

Submitters express concern that OR zoning enables a broader range of future uses, potentially allowing intensification, commercialisation or expansion beyond current operations. The following is offered in response:

- The Planning Scheme Amendment does not approve any development. Any future development, including clearing, would likely necessitate a development application.
- Rezoning establishes a framework, not an entitlement.
- Any future use or development:
  - Must be permissible within Zone OR;
  - Must comply with all relevant overlays;
  - Would require a separate development application; and
  - Would be publicly exhibited where required.
- The approved subdivision decision explicitly recognised that:
  - No physical works are proposed;
  - No expansion of the operational footprint is approved or authorised;
  - Rezoning is sought to regularise land tenure and zoning, not facilitate new development.
- The OR zone is the most appropriate zone for an existing, long-established surf lifesaving and community recreation facility operating on coastal land.

## 3. Unnecessary Zoning Change

Several submissions argue that the Surf Life Saving Club has operated successfully under existing zoning arrangements and therefore rezoning is unnecessary. The following is offered in response:

- While it is correct that certain recreation-related uses may be contemplated in Zone CN, the current split zoning is an anomaly created by existing tenure arrangements.

- The approved subdivision consolidates land into a single leasehold parcel (Lot 12991) encompassing all existing facilities and access.
- Maintaining split zoning across a single operational lot would:
  - Complicate land management;
  - Create uncertainty for assessment of future maintenance or minor works;
  - Undermine consistency with the NT planning scheme's intent.
- The rezoning aligns the zone boundary with the operational footprint and approved subdivision boundary, which is a recognised and accepted planning principle.

#### **4. Precedent and Cumulative Impact Concerns**

Concerns were raised by submitters that approving this rezoning may set a precedent for further rezonings within Casuarina Coastal Reserve or elsewhere. The following is offered in response:

- This proposal is site-specific and reasoning-specific.
- It is underpinned by:
  - An existing, long-established community facility;
  - A prior Reserve excision;
  - An approved subdivision and lease restructuring;
  - Demonstrated public benefit in coastal safety and community use.
- The amendment does not establish a general policy position that Conservation land should be rezoned.
- Each Planning Scheme Amendment must be assessed on its own merits under the Planning Act.

#### **5. Process, Consultation and Public Exhibition**

Several submissions criticise the perceived complexity of the process, timing of applications, and initial request to waive public exhibition. The following is offered in response:

- The subdivision and the Planning Scheme Amendment (Rezoning) are separate statutory processes, each with distinct decision-makers.
- The subdivision was publicly exhibited for 14 days, assessed by the Development Consent Authority at a public DCA meeting, and approved following consideration of submissions.
- The Planning Scheme Amendment was publicly exhibited for 28 days after consideration by the Minister to allow exhibition, allowing submissions to be made.
- The Minister's decision to require exhibition demonstrates that procedural safeguards have been applied.
- The existence of parallel processes reflects statutory requirements, not an attempt to avoid scrutiny.

#### **6. Weed Management, Dune Stability and Environmental Stewardship**

Concerns are raised regarding weed management, dune disturbance, and land management practices. The following is offered in response:

- The Surf Life Saving Club is subject to ongoing lease conditions and statutory obligations, including weed management.
- Evidence before the DCA as part of the associated subdivision application confirmed:
  - active weed management programs;
  - successful eradication of key declared species (including Ivy Gourd);
  - ongoing coordination with DLPE and relevant agencies.
- Rezoning does not reduce environmental responsibilities; rather, it supports clearer land management expectations under a recreation-focused zone.
- Any future works affecting dunes or vegetation would require separate approvals.

#### **7. Aboriginal Cultural Heritage and Broader Public Interest**

Some submissions raise concerns about cultural heritage, intergenerational equity and public interest. The following is offered in response:

- The Planning Scheme Amendment does not approve physical works or land disturbance.
- Existing statutory protections for Aboriginal sacred sites and heritage continue to apply regardless of zoning.
- The public interest has been addressed through:
  - Maintaining coastal safety services;
  - Ensuring orderly land use planning;
  - Aligning zoning with lawful land tenure;
  - Avoiding fragmented or inconsistent planning controls.
- The approved subdivision concluded the proposal was not detrimental to the public interest, a finding directly relevant to this amendment.

## Conclusion

The concerns raised in submissions are acknowledged and respected. However, when assessed against the statutory planning framework, land tenure history and the findings of the approved subdivision:

- ➔ Pursuant to the declaration in the Government Gazette proclamation ref. G1 of 5 January 2023, Part Lot 9375 subject to the Rezoning application has already been excised from the Casuarina Coastal reserve. It is reiterated that the proposed subdivision is not part of the Casuarina Coastal Reserve or the declared National Park, although it is both noted and acknowledged that the site is a 'neighbour' to the Coastal Reserve.
- ➔ The proposal does not seek or require any additional vegetation clearing. The application clearly commits to retaining the existing tree canopy and native vegetation across the site, including the northern portion. The northern portion contains vegetation valued by both the community and the Club for shade, amenity and its role in the coastal reserve. It will be retained and managed accordingly.
- ➔ Any future clearing (regardless of zoning) or physical works would still require separate consent under the Planning Scheme and assessment by the DCA.
- ➔ The Club's operational footprint on the foredune relates directly to lifesaving duties, emergency response and public access safety. The DSLSC is working with the relevant branch of DLPE to implement stabilisation and rehabilitation measures, including targeted revegetation with appropriate coastal species.
- ➔ The proposed rezoning does not reduce environmental responsibilities; rather, it provides a clearer framework for managing the site under a defined recreational land use.
- ➔ The proposed rezoning to OR (Organised Recreation) for the entirety of the proposed lease area does not authorise intensified works on the foredune, or within the site. Instead, the rezoning seeks to provide the most appropriate zone for the existing legitimate operational use and allows the site to be governed under a consistent recreation-focused zoning.
- ➔ The subdivision and lease regularisation will enable more structured, enforceable land management arrangements through updated lease conditions and reporting requirements.
- ➔ Organised Recreation zoning is consistent with the purpose of Casuarina Coastal Reserve, which includes supporting low-impact recreation, coastal safety services and community use. The proposal strengthens clarity around land management and allows continued delivery of lifesaving functions critical to public safety. The rezoning is sought solely to regularise the land tenure for an existing long-established community facility, not to facilitate expanded development footprints.
- ➔ The DSLSC is a recognised provider of coastal safety and community sport, with land

management obligations established through the lease. Rezoning does not remove these obligations - the Club must still comply with all environmental requirements, weed management standards and fire management protocols.

The opposing submissions are respectfully noted but the concerns raised have been comprehensively addressed through planning documentation.

On this basis, we submit that there are sound planning grounds for approval of PA2025/0395. We remain available to provide further information if requested by the NTPC or the consent authority (being the Minister for Lands, Planning & Environment in this instance).

### Response to Service Authority Referrals

1. The comments from Power and Water Corporation (Power Networks) are noted, and we have no concerns with any comments.
2. The comments from Power and Water Corporation (Water Services) are noted, and we have no concerns with any comments.
3. The comments from Aboriginal Areas Protection Authority are noted, and we have no concerns with any comments. However, it is noted that no development activity or other work is proposed on site.
4. The comments from Parks and Wildlife Commission are noted, and we have no concerns with any comments.
5. The comments from Development Coordination, Land Resource Division (DLPE) are noted, and we have no concerns with any comments.
6. The comments from the City of Darwin are noted, and we have no concerns with any comments.

### Conclusion

It is considered that the submitter concerns have been adequately addressed within the application and this response contained herein. It is noted that no issues were raised by service agencies.

It is understood that the Northern Territory Planning Commission will consider the application at a Hearing on 3 February 2026. We look forward to your consideration of the application, and subsequent report to the Minister in light of the above response to the submissions received, and service authority referral responses addressed above.

If you have any queries, please do not hesitate to contact me on 0415 933 635.

Regards,



**Catriona Tatam, MPIA**  
Director  
Tatam Planning Co.

