



Civic Centre
Harry Chan Avenue
Darwin NT 0800
GPO Box 84
Darwin NT 0801
P 08 8930 0300
E darwin@darwin.nt.gov.au

Planning NTG
Lands Planning
Department of Lands, Planning and Environment
Northern Territory Government
GPO Box 1680
DARWIN NT 0801

Please Quote: PA2025-0376

Dear Sir/Madam

Proposed Planning Scheme Amendment - PA2025-0376 – Rezoning at 12 Dinah Beach Road

Thank you for referring Planning Scheme Amendment (PSA) PA2024/0130 to this office on 21 November 2025.

The PSA broadly aligns with housing and commercial growth objectives near Darwin's city centre. However, it lacks sufficient detail to confirm consistency with the purpose of City of Darwin's Place and Liveability Plan 2050 or the NT Compact Urban Growth Policy. Under this Policy, residential rezonings on sites over 1 ha must address population growth and social infrastructure needs. Performance Criterion 4.6, Key Performance Indicator 1 states: *Where a proposal involves a land area greater than 1 hectare, is the social infrastructure (ie. park facilities, community centres etc.) of an adequate standard to cater for the estimated increase in population? Or, will further embellishment, planning for or the provision of new facilities be required?*

The PSA mentions onsite pedestrian linkages, new street connections, ground-floor commercial space and communal open space, which all add value to private land. However, it does not provide a detailed assessment of impacts on infrastructure capacity such as City of Darwin road upgrades, stormwater upgrades, community centres, parks or the shared path network. Nor does it address broader needs such as schools, health facilities, childcare centres or other community services. Further, the PSA does not quantify or demonstrate how these needs will be met.

City of Darwin considers the PSA is inconsistent with:

- Place and Liveability Plan 2050's purpose to ensure growth includes fair access to essential services and community facilities for all residents.
- Performance Criterion 4.6 of the NT Compact Urban Growth Policy, which requires higher density residential proposals to respond appropriately to the social infrastructure needs of a locality.



Accordingly, City of Darwin does not support the requested PSA unless, prior to Ministerial determination of the request:

- The proponent enters into a Voluntary Planning Agreement (VPA) with City of Darwin to secure developer contributions for upgrades to road and stormwater networks, shared paths, parks and other community facilities. While not mandated by the Planning Act, VPAs are recognised as lawful instruments when tied to rezoning outcomes.

OR

- The Minister for Planning requires the proponents to enter into an infrastructure agreement, to secure developer contributions for upgrades to road and stormwater networks, shared paths, parks and other community facilities.

To ensure fairness, all costs for arranging either of the abovementioned agreements should be borne by the proponent and should be based on clear nexus between the PSA benefits and social infrastructure needs, ensuring equitable contributions for road and stormwater networks, shared paths, parks and other community facilities.

If the proponent is unwilling to enter into a VPA and the Minister does not require them to enter into an infrastructure agreement to secure developer contributions for infrastructure, pursuant to Section 2 of the *NT Planning Act 1999*, City of Darwin objects to the PSA as being inconsistent with the purpose of the Act and the following objectives:

- Section 2(a) – the proposal does not integrate infrastructure delivery with residential intensification, undermining orderly and proper planning principles.
- Section 2(b) – it does not assess or provide social infrastructure required for anticipated population increase, which fails to meet the needs and wishes of the community.
- Section 2(e) – it omits analysis of dwelling yield and population growth, compromising sustainable development outcomes.
- Section 2(h) – it ignores cumulative impacts on community services, risking diminished amenity and liveability.
- Section 2(j) – it disregards design principles for integrated social infrastructure, reducing accessibility and community cohesion.

If you require any further information in relation to this application, please feel free to contact City of Darwin's Innovation Team on 8930 0300 or darwin@darwin.nt.gov.au

Yours sincerely

Signed by:

5A8AC558A1A19D92

ALICE PERCY
GENERAL MANAGER INNOVATION





**Aboriginal Areas
Protection Authority**

protecting sacred sites across the territory

Planning NTG
Planning.ntg@nt.gov.au

Dear Planning NTG

PA2025/0376 – Lot 04360 Town of Darwin – Rezone from Zone GI to Zone MR

We refer to the above application for a development permit.
Recommendation

The Aboriginal Areas Protection Authority (AAPA) **recommends that Miss Emily Greenwood apply for an Authority Certificate** in accordance with section 19B of the *Northern Territory Aboriginal Sacred Sites Act 1989* (the Sacred Sites Act) prior to undertaking any development activity or other work in Lot 04360 Town of Darwin as there may be sites that are currently not known to the Authority. There is information on the AAPA homepage on how to apply for an [Authority Certificate](#).

There is a registered sacred site located approximately 100 metres from the subject land.

In the absence of an Authority Certificate, a body corporate or an individual who undertakes work on a sacred site will be committing an offence against the Sacred Sites Act and may be subject to penalties of up to 400 penalty units or imprisonment for 2 years (or 2000 penalty units in the case of a body corporate). Additional offences under the Sacred Sites Act may also apply.

The applicant may want to apply for an Abstract of Records in the first instance. An Abstract of Records provides information on where sacred sites are known to exist so that they are not inadvertently damaged. However, an Abstract of Records is for general information purposes only and should not be relied upon by persons undertaking development activity as it is not a conclusive statement about the extent of sacred sites in the subject land. There is information on the AAPA homepage on how to apply for an [Abstract of Records](#).

Background Information

AAPA is a statutory authority responsible for overseeing the protection of Aboriginal sacred sites on land and sea across the Northern Territory.

The protection of sacred sites is recognised by the Northern Territory Government and the broader Territory community as an important element in the preservation of the Territory's cultural heritage, for the benefit of all Territorians. AAPA seeks to strike a balance between the protection of sacred sites and development in the Northern Territory.

Yours sincerely,

Jayde Manning
Ministerial and Policy Officer
21 November 2025

Darwin
P: +61 (08) 8999 4365
F: +61 (08) 8999 4334
www.aapant.org.au
enquiries.aapa@aapant.org.au
4th Floor, R.C.G Centre
47 Mitchell Street DARWIN NT
GPO Box 1890, DARWIN NT 0801

Alice Springs
P: +61 (08) 8951 5023
F: +61 (08) 8951 7398
www.aapant.org.au
enquiries.aapa@aapant.org.au
1st Floor, NT House
44 Bath Street ALICE SPRINGS NT
All mail to Darwin GPO



Container No: F2020/1792

DLPE - Development Assessment Services
GPO Box 1680
Darwin NT 0801

Dear Fletcher Willis

RE: PA2025/0376 - Lot 04360 Town of Darwin - 12 Dinah Beach Rd, Darwin City NT - Rezone from Zone GI (General Industry) to Zone MR (Medium Density Residential) and Zone HR (High Density Residential)

In response to your letter of the above proposal for development application purpose, Power and Water Corporation advises the following with reference to water and sewer enquiries:

1. It is noted that this application is **ONLY** for the rezoning of the subject lot from General Industry to Medium & High Density Residential. Future servicing for further development of the site will require significant upgrades to local water and sewer infrastructure. Upgrades will be dependent on further subdivision of the parcel.
2. Reticulated sewer services are currently available in the area however the subject lot is not currently serviced.
3. An easement shall be created over the Power and Water sewer main that traverse the subject lot in the southeastern corner of the lot. Structures must not be located on or over a water supply or sewerage easement, or where no easement exists such as within a road reserve without obtaining the prior written approval of Power and Water.

If you have any further queries, please contact the undersigned on (08) 9463 2089, or email waterdevelopment@powerwater.com.au

Yours sincerely

Craig Thomas

Craig Thomas
Services Development

19 December 2025

cc: Emily Greenwood
email: emily.greenwood@slrconsulting.com

Phone 1800 245 092

Web powerwater.com.au

Record No: D2025/425215

Container No: NE200/4360

Your Ref: PA2025/0376

Fletcher Willis
Development Assessment Services
GPO Box 1680
Darwin NT 0801

Dear Fletcher

Re: Lot 4360 (12) Dinah Beach Road Darwin City Town of Darwin

In response to your letter of the above proposal for the purpose of rezone from Zone GI (General Industry) to Zone MR (Medium Density Residential) and Zone HR (High Density Residential), Power and Water Corporation (PWC) advises the following with reference to electricity enquiries:

1. The existing 11kV distribution network on Dinah Beach Road does not have the capacity to accommodate the rezoned application for the proposed MR and HR development.
2. The Proponent shall engage an accredited electrical consultant to submit the anticipated maximum power demand details and apply for a Negotiated Connection (NC) application under Australian Energy Regulator (AER) compliance process for PWS's assessment confirmation on distribution networks upgrade requirements.
3. PWC had advised the following power servicing requirements for PA2015/0120 rezoning application from Zone GI (General Industry) to Zone CB (Centre Business) for high density residential development proposal by Demand Planning group (Goutham Maddirala, 8924 5009):
 - A new underground 11kV backbone feeder (400sqmm Aluminium or 300sqmm Copper, XLPE 11kV cable) from Frances Bay Zone Substation running along Frances Bay Drive and Dinah Beach Road to the site (approximate 2km distance).
 - Suitable interconnection with the existing 11kV distribution network.
 - Suitable indoor substation with exact number of transformers depending on the required maximum demand.

If you have any further queries, please contact the undersigned on 8924 5729 or email:

PowerDevelopment@powerwater.com.au

Yours sincerely



Thanh Tang
Manager Distribution Development
26 November 2025

Fletcher Willis
Strategic Lands Planning
GPO Box 1680
Darwin NT 0801

T 08 8999 4412

File reference
DDOT2013/0273-02-007~0005
TCI Project No: 2015-0120

Dear Fletcher

Re: DARWIN - LOT 4360 TOWN OF DARWIN -12 DINAH BEACH ROAD, DARWIN CITY - REZONE FROM GI (GENERAL INDUSTRY) TO MR (MEDIUM DENSITY RESIDENTIAL) AND HR (HIGH DENSITY RESIDENTIAL) - AMPOL PETROLEUM LIMITED - ELEMENT ADVISORY

I refer to the Development Assessment Services' correspondence of 21 November 2025 regarding Planning Application PA2025/0376 on Rezoning from Zone GI (General Industry) to Zone MR (Medium Density Residential) and Zone HR (High Density Residential).

I am pleased to advise that Transport and Civil Infrastructure (TCI), Department of Logistics and Infrastructure (DLI) has no objections in principle to the above mentioned rezoning of Lot 4360.

This response does not provide any endorsement to the proposed future subdivision development of the land or the access provisions. These issues shall be subject to formal assessment on lodgement of a development application for the subdivision/ development of the land.

Note that the developer will be liable for costs to upgrade the surrounding road network infrastructure and / or stormwater drainage infrastructure within, or impacting upon, Northern Territory Government (NTG) controlled road reserves to cater for the development or land use following the rezoning of the land.

Should you wish to discuss the above mentioned further, please contact TCI on telephone 8999 4412.

Please quote TCI Project No 2015-0120 in all correspondence.

Yours sincerely



Claire Brown
General Manager, Transport and Civil Infrastructure

27/11 / 2025

22 December 2025

E DevelopmentAssessment.DLPE@nt.gov.au

Mr Fletcher Wills
Development Assessment Services
Department of Lands, Planning and Environment
GPO Box 1680
DARWIN NT 0801

T 08 8999 4446

Our Ref: DLPE2025/0327

Your Ref: PA2025/0376

Dear Mr Wills

Re: PA2025/0376 Rezone from Zone GI (General Industry) to Zone MR (Medium Density Residential) and Zone HR (High Density Residential)

The above application has been assessed by relevant divisions within the department, and the following comments are provided:

Environmental Regulation Division

Environment Operations

Based on the information provided, the proposal does not appear to trigger the licensing requirements of an Environment Protection Approval (EPA) under the *Waste Management and Pollution Control Act 1998* (NT) (WMPC Act).

It is noted that the Final Condition Report¹ for 12 Dinah Beach Road has advised that soil and groundwater clean-up to the extent practicable has been achieved, and that the site can be used for the proposed residential use. It advises that further active remediation at the site is not warranted and that residual contamination can be managed with suitable controls. It is recommended that this report and its suggested controls are read prior to any development.

All persons are required to comply with the General Environmental Duty under section 12 of the WMPC Act. Activities that require authorisation are listed in Schedule 2 of the WMPC Act. Guidelines to assist proponents to avoid environmental impacts are available on the Northern Territory Environment Protection Authority (NT EPA) website².

The WMPC Act, administered by the NT EPA, is separate to and not reduced or affected in any way by other legislation administered by other departments or authorities. The NT EPA may take enforcement action or issue statutory instruments should there be non-compliance with the WMPC Act.

There are statutory obligations under the WMPC Act that require all persons to take all measures that are reasonable and practicable to prevent or minimise pollution or environmental harm and reduce the amount of waste. The proponent is responsible for ensuring their activities comply with the WMPC Act.

¹ <https://ntepa.nt.gov.au/your-business/public-registers/environmental-audits/contaminated-list/mobil-oil-australia-ltd>

² <https://ntepa.nt.gov.au/publications-and-advice/environmental-management>

The proponent is advised to take notice of this non-exhaustive list of environmental issues that should be considered to help satisfy General Environmental Duty:

1. **Dust:** The proponent must ensure that nuisance dust and/or nuisance airborne particles are not discharged or emitted beyond the boundaries of the premises.
2. **Noise:** The proponent must ensure that noise levels from the premises comply with the latest version of the NT EPA Northern Territory Noise Management Framework Guideline³.

If the proposal is situated where there are existing activities nearby that may already generate noise, please see the NT EPA advice on Recommended Land Use Separation Distances⁴.

3. **Erosion and Sediment Control (ESC):** The proponent must ensure that pollution and/or environmental harm do not result from soil erosion.

ESC measures must be employed prior to and throughout the construction stage of the development. Larger projects should plan, install and maintain ESC measures in accordance with the current International Erosion Control Association (IECA) Australasia guidelines⁵.

Where sediment basins are required by the development, the NT EPA recommends the use of at least Type B basins, unless prevented by site specific topography or other physical constraints.

Basic advice for small development projects is provided by the NT EPA document: Guidelines to Prevent Pollution from Building Sites⁶ and Keeping Our Stormwater Clean⁷.

4. **Storage:** Where an Environmental Protection Approval or Environmental Protection Licence is required, the proponent must act in accordance with that authorisation.

If an Environment Protection Approval or Environment Protection Licence is not required, the proponent must store liquids only in secure bunded areas in accordance with VIC EPA Publication 1698: Liquid storage and handling guidelines⁸. Where these guidelines are not relevant, the storage must be at least 110% of the total capacity of the largest vessel in the area.

5. **Site Contamination:** If the proposal relates to a change of land use or if the site is already contaminated, including as a result from historical activities such as cyclones, a contaminated land assessment may be required in accordance with the National Environment Protection (Assessment for Site Contamination) Measure (ASC NEPM). The proponent is encouraged to refer to the information provided on the NT EPA website⁹ and the NT Contaminated Land Guidelines¹⁰.

6. **Waste Management - Import and Export of Fill:** The proponent must ensure all fill imported or exported as part of the activity must be certified virgin excavated natural material (VENM) in accordance with the NSW EPA guidelines¹¹.

³ https://ntepa.nt.gov.au/_data/assets/pdf_file/0004/566356/noise_management_framework_guideline.pdf

⁴ https://ntepa.nt.gov.au/_data/assets/pdf_file/0006/453192/guideline_recommended_land_separation_distances_oct.pdf

⁵ <https://www.austieca.com.au/publications/best-practice-erosion-and-sediment-control-bpesc-document>

⁶ https://ntepa.nt.gov.au/_data/assets/pdf_file/0010/284680/guideline_prevent_pollution_building_sites.pdf

⁷ https://ntepa.nt.gov.au/_data/assets/pdf_file/0006/284676/guideline_keeping_stormwater_clean_builders_guide.pdf

⁸ <https://www.epa.vic.gov.au/about-epa/publications/1698>

⁹ <https://ntepa.nt.gov.au/your-environment/contaminated-land>

¹⁰ https://ntepa.nt.gov.au/_data/assets/pdf_file/0020/434540/guideline_contaminated_land.pdf

¹¹ <https://www.epa.nsw.gov.au/your-environment/waste/classifying-waste/virgin-excavated-natural-material>

All imported fill material must be accompanied by details of its nature, origin, volume, testing and transportation details. All records must be retained and made available to authorised officers upon request. The proponent should also consider the following NT EPA fact sheet: *Illegal Dumping - What You Need to Know*¹².

7. **Odour or Smoke:** The proponent must ensure that nuisance odours or smoke are not emitted beyond the boundaries of the premises.

If the proposal is situated where there are existing activities nearby that may already generate odour or smoke, please see the NT EPA advice on Recommended Land Use Separation Distances¹³.

8. **Water:** The proponent must ensure stormwater is not polluted, refer to water management in the NT EPA guidelines to Prevent Pollution from Building Sites¹⁴.

If this activity requires the discharge of waste to water or could cause water to be polluted then a waste discharge licence under the *Water Act 1992 (NT)* may be required. Please refer to the Guidelines¹⁵.

Lands and Planning Division

Crown Land Estate

The capacity of enabling infrastructure and trunk drainage located in the adjacent Crown land will need to be considered as a key consideration when proposing to develop the land in accordance with the proposed zones.

Environment and Heritage Division

Heritage Branch

A search has found that there are no nominated, provisionally declared or declared heritage places or objects within Lot 4360 Town of Darwin. However, the adjacent properties (Lots 5027, 5193, and 5940 Town of Darwin) have previously been nominated for heritage listing due to their significance and intact features relating to the North Australian Railway. There is a possibility that archaeological materials relating to the North Australian Railway or colonial period of Darwin may be identified during construction. While these materials are not protected under the *Heritage Act 2011*, they are of high significance to the history of the Northern Territory (NT). The proponent should consider an unexpected finds protocol and worker inductions be developed for the construction phases of this project, and to establish an exclusion zone around identified materials and contact the Heritage Branch immediately.

The search has found that there are no known Aboriginal or Macassan archaeological places and objects within NT Lot 4360 Town of Darwin. However, the likelihood of unrecorded Aboriginal or Macassan archaeological places has been assessed as possible. The area surrounding Horse Creek has a long history of being used by Aboriginal people, and there is a possibility that protected subsurface archaeological deposits remain intact, particularly in the southern portion of the lot. It is recommended that an unexpected finds protocol and worker inductions be developed for the construction phases of this project, and to establish an exclusion zone around identified materials and contact the Heritage Branch immediately.

¹² https://ntepa.nt.gov.au/_data/assets/pdf_file/0008/285740/factsheet_illegal_dumping_what_you_need_know.pdf

¹³ https://ntepa.nt.gov.au/_data/assets/pdf_file/0006/453192/guideline_recommended_land_separation_distances_oct.pdf

¹⁴ https://ntepa.nt.gov.au/_media/waste-and-pollution/pdf/guidelines/guideline_prevent_pollution_building_sites.pdf

¹⁵ https://ntepa.nt.gov.au/_data/assets/pdf_file/0005/950603/guidelines-waste-discharge-licensing.pdf

Context of Heritage Branch Advice

The NT Government's Heritage Branch administers the *Heritage Act 2011* and provides authoritative advice about obligations under the *Heritage Act 2011*, including steps to take to manage the impact of proposed work on Aboriginal and Macassan archaeological places and objects.

It is important that advice given by the Heritage Branch is followed. A failure to follow advice received from the Heritage Branch may be considered as evidence in an investigation if damage occurs to a declared heritage place, an Aboriginal or Macassan archaeological place or object.

Relevant parts of the NT *Heritage Act 2011*

1. All provisionally declared and declared heritage places and objects are protected under the *Heritage Act 2011*;
2. All Aboriginal or Macassan archaeological places and objects are automatically protected - this includes places and objects not previously recorded;
3. Places and objects include an artefact or thing given shape by a person - examples include stone tools, stone arrangements, fish traps, rock art, modified trees, and shell middens;
4. Ancestral remains are also protected;
5. Underwater Cultural Heritage is protected, up to three nautical miles from the coast; and
6. There is an obligation to notify of the discovery of Aboriginal or Macassan archaeological places or objects.

Conditions of advice

This advice is based on the description of the works provided to the Heritage Branch. If the work expands or changes significantly seek further advice.

In preparing this advice, the Heritage Branch has referred to the NT Heritage Register and the Heritage Branch archaeological database which includes information about Aboriginal and Macassan archaeological places and objects in the NT. However, the database only includes information about known archaeological places. The fact that there are no known archaeological places recorded may be because no archaeological surveys have been conducted in that particular area and is not necessarily an indication they do not exist.

Should you have any further queries regarding these comments, please contact the Development Coordination Branch by email DevelopmentAssessment.DLPE@nt.gov.au or phone (08) 8999 4446.

Yours sincerely



Maria Wauchope
Executive Director Land Resources