

# NT PLANNING COMMISSION HEARING

## PROPOSED NT PLANNING SCHEME AMENDMENT PA2025/0395

Rezone part Lot 9375 Town of Nightcliff (422 Trower Road, Tiwi)  
Zone CN (CONSERVATION) to Zone OR (ORGANISED RECREATION)

Agenda Item Number: **4**

Meeting Date: **3 February 2026**

**Attachment A – Exhibition Material**

**Attachment B – Submissions Received**

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**Fiona Ray**  
Senior Planner  
Lands Planning

# Report to the Planning Commission

This report is prepared under section 22 of the *Planning Act 1999*, and considers the submissions made in relation to the proposal.

## 1. GENERAL INFORMATION

<b>ADDRESS:</b>	Part Lot 9375 Town of Nightcliff (422 Trower Road, Tiwi)
<b>AREA:</b>	8960 m <sup>2</sup> subject to amendment
<b>CURRENT ZONE:</b>	Zone CN (Conservation)
<b>PROPOSED ZONE:</b>	Zone OR (Organised Recreation)
<b>PROPOSED LAND USE:</b>	Darwin Surf Life Saving Club
<b>APPLICANT:</b>	Tatam Planning
<b>LAND OWNER:</b>	Crown Land Estate

## 2. LEGISLATIVE REQUIREMENTS

The Minister for Lands, Planning and Environment is responsible for determining proposals to amend the NT Planning Scheme, including the rezoning of land. The *Planning Act 1999 (the Act)* establishes requirements relating to the exhibition, consultation and reporting of proposed amendments to the NT Planning Scheme.

Under section 22(6), the Planning Commission must hold a hearing if submissions are received during the exhibition period, and the Chairperson is satisfied that a hearing would provide further useful information.

Under section 24 of the Act, the Planning Commission must provide to the Minister for Lands, Planning and Environment, a written report that addresses the issues raised in the submissions; the issues raised at the hearing and during any consultation; and any other matters the Commission considers the Minister should take into account when considering the proposal.

## 3. PROPOSAL

On 3 November 2025, application PA2025/0395 to amend the NT Planning Scheme 2020 (NTPS) was lodged by Cat Tatam of Tatam Planning Co on behalf of the landowner Crown Land Estate, Northern Territory Government.

The proposal seeks a partial rezoning of Lot 9375, commonly known as the Casuarina Coastal Reserve, from CN (Conservation) to OR (Organised Recreation), to create a single zone for the expanded lease area.

Specifically, The Territory (c/- of Crown Land Estate) has entered into an agreement with the DSLSC to grant a Crown Lease Term (CLT) over Part Lot 9375 (Administrative Lot 12719) covering the area proposed to be rezoned along with adjoining Lot 9316, which contains the site of the DSLSC clubhouse. The agreement would formalise the DSLSC's existing and longstanding use of the surrounding land. See figure 1.

The portion of Lot 9375 subject to the new agreement, was revoked from the Casuarina Coastal Reserve by gazette in 2023 but retained the Zone CN (Conservation).

As part of the lease arrangements, the following steps were identified:

- Excise an area of 8,960 m<sup>2</sup> from the Casuarina Coastal Reserve (Lot 9375) adjacent to the existing DSLSC site to establish a 40 year Crown Lease Term. This has been actioned and resulted in the creation of Administrative Lot 12719, which was proclaimed in the Government Gazette on 5 January 2023.
- Cancel the existing Crown Lease in Perpetuity 1232 over Lot 9316 and create a new leased parcel (exceeding 12 years) that incorporates both the existing DSLSC area and the additional 8960 m<sup>2</sup> excised from Lot 9375.

A separate subdivision application (PA2025/0373) was approved on 15 December 2025 to facilitate this arrangement. This will result in the creation of proposed Lot 12991 which has an area of 16,270m<sup>2</sup>.

- Rezone the additional leased area from Zone CN to Zone OR to align with the zone of the existing DSLSC site (current application).

Rezoning part lot 9375 (Administrative Lot 12719) from Zone CN to Zone OR, would remove the need to consider the Clearing of Native Vegetation overlay, allowing the Club to clear land without application and reduce their administrative load. The expanded footprint and change of zone would allow new uses to be undertaken on site at a future date. These could include commercial leisure and recreation activities, car park, childcare centre, community centre and stables.

Uses that are permitted in Zone OR may not require a development permit or trigger service authority comment. For example, the installation of lighting for sport and recreation purposes, may be undertaken without making application to Development Assessment Services.

The Parks and Wildlife Commission have advised that lights can affect nesting turtles and hatchlings and care is taken by the Commission to locate lights in the CCR away from the coast. Australian Government Guidelines were included with the submission which reinforce that artificial light is a high risk to sea turtle reproduction and survival. The Guidelines recommend that lights should be avoided near nesting beaches. As the Club is in a sensitive area and adjacent to a known turtle breeding site, a mechanism to refer works to the Parks and Wildlife Commission has been requested.



*Figure 1 Boundary of the existing Darwin Surf Lifesaving Club site shown in white. Proposed Lot 12991 encompasses Lot 9316 and is shown in yellow.*

A copy of the exhibition material, including the application is at **Attachment A**.

#### 4. SITE AND LOCALITY CONTEXT

Lot 9375 (known as Casuarina Coastal Reserve) is Crown Land managed by NT Parks and Wildlife. The Casuarina Coastal Reserve comprises valued coastal habitats between the estuaries of Rapid Creek and Buffalo Creek. In July 2024, the Northern Territory Government (NTG) declared Lots 9375 and Lot 9458 (not part of this application) a 'Park' under the *Territory Parks and Wildlife Conservation Act 1976*.

Lot 9316 is a discrete parcel encircled by Lot 9375 with an area of 8,960 m<sup>2</sup> and set back from the foredunes by approximately 15 metres. The lot is Zone OR (Organised Recreation) and is occupied by the DSLSC, which provides beach safety, lifesaving services, community education, and aquatic training. In addition to the core activities, the DSLC generates income through a sub-lease to Café de le Plage and by hiring the Club premises for events. Access to the lot is provided from Trower Road via an access easement known as Daribah Road.

A locality plan showing the site and surrounds is at Attachment A1.

#### 5. EXHIBITION OF PROPOSAL

On 17 November 2025, the delegate for Minister for Lands, Planning and Environment determined under section 13(3)(a) of the *Planning Act 1999* to continue consideration of the proposed amendment by placing it on exhibition.

The proposal was on public exhibition for a period of 28 days, in accordance with the requirements of the Act. The exhibition closing date was 19 December 2025.

#### 6. SUBMISSIONS

Below is a summary of the matters raised in the submissions, refer Attachments **B01 – B17**.

##### Public Submissions

Eleven public submissions were received from the public regarding this proposal. Submissions either objected to the proposed amendment or expressed a preference for retaining the current zoning.

A summary of the submissions is below. There were no template letters received.

Submitter	Discussion Points
Gayle Laidlaw (Attachment B01)	<ul style="list-style-type: none"><li>• Opposed to the change in Zone from CN to OR. The land is part of the Casuarina Coastal Reserve (CCR) National Park which provides protection for native vegetation and fauna.</li><li>• The Club has indicated they have no plans to do anything on the additional land so there is no reason to change the zone.</li></ul>
Graham Kirby (Attachment B02)	<ul style="list-style-type: none"><li>• Wildlife carer for 18 years. Concerned with the level of habitat destruction, land clearing and species depletion in Australia. Global cities are rehabilitating degraded bushland we are still at the stage of destruction and degrade.</li><li>• Objects to the rezoning from CN to OR based on experience as a wildlife carer and a member of Friends of Casuarina Coastal Reserve.</li><li>• Unclear from the application who initiated the proposal, the application is complex and does not promote community involvement.</li></ul>

Submitter	Discussion Points
	<ul style="list-style-type: none"> <li>• Concerned that the Club has not managed feral weeds.</li> <li>• Opposes the purpose of the application to address planning and land use anomalies by allowing further development at the expense of the natural environment.</li> <li>• The application undermines sustainable land use by promoting further development on Conservation land. Not regarded as a balanced outcome.</li> <li>• Application claims to have been made following extensive consultation but many members of the Friends of Casuarina Coastal Reserve were surprised by the proposal.</li> <li>• Benefits claimed in the Statement of Effect are considered to be subjective and contrary to 2A Objectives of the Act (a),(e), (f) and (g).</li> <li>• Disagrees that the proposal maintains the environmental integrity of Lot 9375 the Casuarina Coastal Reserve.</li> <li>• Is there an access easement from Trower Road?</li> <li>• Confused about the concurrent process and how the assessment of the planning scheme amendment can be considered separately to the subdivision.</li> </ul>
<p>Andris Bergs <b>(Attachment B03)</b></p>	<ul style="list-style-type: none"> <li>• The Surf Club sits within the Casuarina Coastal Reserve (CCR) which is a declared Park. The Reserve contains sensitive ecosystems, vulnerable flora and fauna and is at risk from weeds and pests.</li> <li>• CCR is the most visited reserve in the NT providing rest and recreation for thousands of Territorians.</li> <li>• It is noted that on 5 January 2023, Lot 12719(A) was excised from Lot 9375 to enable works to be undertaken to the Club and surrounds. Those works do not appear to have been completed e.g. stabilisation of existing deck, ramp and beach access, bituminisation of car parking area.</li> <li>• A subdivision to consolidate Lot 9316 with Lot 121719(A) to create Lot 12991 was approved by the DCA on 15 December 2025. The application stressed “...no physical development or change of existing use by the DSLSC. No impacts on ongoing land use and surrounding amenity are expected. The proposed subdivision serves only an administrative purpose and therefore will not compromise the purpose and outcome of the zone.”</li> <li>• The impact of rezoning all of lot 12991 to OR will allow a wide range of uses across the Lot in future. Those uses may negatively impact the natural values of the surrounding reserve.</li> </ul>

Submitter	Discussion Points
	<ul style="list-style-type: none"> <li>• Whilst the rezoning to Zone OR would provide a consistent zone for the site a similar result could be achieved by rezoning the site to CN.</li> <li>• The community based not for profit Club has evolved from its primary focus being water safety, training and education to providing a venue for recreation and entertainment. The land includes a popular cafe. Revenue of over \$340,000 was received from the sale of goods and services in 2024, demonstrating the success of commercial and related activities.</li> <li>• It is likely that over time the Clubs entrepreneurial focus will identify opportunities to expand into the current CN Zone for purposes beyond life-saving activities.</li> <li>• Retaining the CN Zone would allow the Club to expand exhibition, retail and dining services, subject to planning assessment.</li> <li>• Zone OR would allow additional uses. The increase in infrastructure and business would reduce visual quality, increase noise, litter and lighting.</li> <li>• Seeking documentation and outcomes of the preliminary consultation the application stated had been undertaken with Land Care and Friends of Casuarina Reserve.</li> <li>• Retaining the current Zoning of OR and CN is preferred, with the CN component managed to improve aesthetics, minimise weeds and increase wildlife attracting vegetation.</li> </ul>
<p>Deborah Hall (Attachment B04)</p>	<ul style="list-style-type: none"> <li>• Submission made on behalf of Friends of Casuarina Coastal Reserve Inc, a not-for-profit community group which works to ensure that the natural values of Casuarina Coastal Reserve (CCR) are recognised, enhanced and cared for.</li> <li>• The subject site is bounded by the CCR.</li> <li>• The CCR has more than a million visits each year by locals and visitors, for a range of purposes including socialising, citizen science activities and a wide range of outdoor pursuits.</li> <li>• The Reserve is important habitat for a wide range of species including rare and endangered and supports a wide range of plant communities.</li> <li>• The Zone outcomes for Zone CN should be carefully considered. The FCCR believes the CN Zone should be retained as it is in keeping with the broader landscape of the CCR.</li> <li>• The application does not contain compelling reasons for the change in Zone. Retaining the CN land would not appear to adversely affect the DSLSC.</li> </ul>

Submitter	Discussion Points
	<ul style="list-style-type: none"> <li>As far as FCCR are aware no members have been consulted on the proposal, contrary to the statement in the Report.</li> </ul>
<p>Ian Redmond and Gayle Laidlaw</p> <p><b>(Attachment B05)</b></p>	<ul style="list-style-type: none"> <li>Submission on behalf of Friends of Lee Point.</li> <li>The DSLSC have been operating successfully for many years with the surrounding land being in Zone CN. A rezoning is unnecessary and not supported.</li> <li>The CN Zone should be retained to ensure impacts on the CCR are minimised.</li> <li>Attached a link to <a href="https://saveleepoint.org.au/lee-point-protecting-critical-habitat-and-darwins-last-wildlife-corridor">https://saveleepoint.org.au/lee-point-protecting-critical-habitat-and-darwins-last-wildlife-corridor</a></li> </ul>
<p>Louise Harrison</p> <p><b>(Attachment B06)</b></p>	<ul style="list-style-type: none"> <li>Does not support the rezoning as it represents a further risk to the natural values of the reserve.</li> <li>Rezoning would reduce protections on the existing vegetation and wildlife and allow a broader range of uses on the land.</li> <li>The lessee should prepare a Weed Management Plan for the current leased area to demonstrate an understanding of the values and commitment to conservation of the site for current and future generations.</li> </ul>
<p>Nick Kirlew</p> <p><b>(Attachment B07)</b></p>	<ul style="list-style-type: none"> <li>Objects to the proposal. Lot 12719(A) should remain in Zone CN.</li> <li>Represents a reduction in the statutory environmental protection on the land that adjoins the Casuarina Coastal Reserve.</li> <li>Supporting documents indicate that rezoning is not required for the ongoing operation of the Club.</li> <li>The extended lease area and proposed Zone OR would extend into land that is currently vegetated and Zone CN.</li> <li>Increasing the size of the leasehold is not an administrative amendment.</li> <li>Refusal of the amendment would not prevent Surf Club operations, but approval would irreversibly change the potential use of the land.</li> <li>The declaration of the CCR as a Park should lead to increased protections,</li> <li>Clear mismatch between the proposal being characterised as minor and the administrative and legal effect of the rezoning.</li> <li>Rezoning land in Zone CN is a significant planning decision with long-term consequences and should not proceed without compelling justification.</li> </ul>

Submitter	Discussion Points
Betty Lum <b>(Attachment B08)</b>	<ul style="list-style-type: none"> <li>• Objects to the proposal.</li> <li>• Benefit of Zone CN is the retention of natural flora and habitat for threatened wildlife.</li> <li>• The coastline should be kept free from unnecessary development and possible pollution to our seas.</li> </ul>
James Courtney <b>(Attachment B09)</b>	<ul style="list-style-type: none"> <li>• Objects to the rezoning of land in Zone CN and future expansion of development beyond the existing use but not surf lifesaving activities or the DSLSC.</li> <li>• The subject land forms part of the Casuarina Coastal Reserve (CCR), a continuous coastal system of high environmental, scenic and cultural value.</li> <li>• Rezoning from CN to OR undermines the integrity of the coastal reserve system and introduces a land use classification whose purpose explicitly includes commercial and intensified recreational activities.</li> <li>• Existing CN zone permits the current recreation and community use and rezoning is unnecessary.</li> <li>• A rezoning would permanently expand development rights.</li> <li>• The process to revoke the CN land from the CCR does not remove conservation values or amend the NTPS.</li> <li>• Concerned the applicant sought to waive public exhibition.</li> <li>• The proponent relied on preliminary consultation with a limited and curated group. This gives rise to procedural unfairness as selective engagement is not public consultation.</li> <li>• DLPE has multiple roles in the process and an apparent predisposition to a particular outcome. Seeking to waive exhibition gives rise to accusations of apprehended bias.</li> <li>• The proposal fails to properly address cumulative loss of land in Zone CN, intergenerational public interest, Aboriginal cultural heritage considerations and sets a precedent for other reserves.</li> <li>• The subject land is within two kilometres and direct line of sight of one of the most significant Aboriginal sites in the NT. Sacred sites exist within a broader cultural landscape. Decisions affecting land use require heightened care.</li> <li>• Consideration of Aboriginal cultural heritage should include an assessment of direct and cumulative impact, changes in land use intensity and activity, visual, acoustic and access effects and intergenerational cultural integrity. The proposal failed to consider those matters.</li> <li>• On-site wastewater water infrastructure is aging and the Club has experienced overflow events. The issues have been raised</li> </ul>

Submitter	Discussion Points
	<p>with the NT EPA. History demonstrates that increased patronage can exceed infrastructure capacity.</p> <ul style="list-style-type: none"> <li>• Issues with wastewater management were not addressed in the Statement of Effect. The sensitive coastal location is subject to flooding and storm surge, raising concerns for environmental and public health.</li> <li>• Further consideration should be given to NT Planning Act 2A(f) <i>to promote the responsible use of land and water resources to limit the adverse effect of development on ecological processes.</i></li> <li>• Requests that the NT Planning Commission reject the amendment.</li> </ul>
<p>Grusha Leeman <b>(Attachment B10)</b></p>	<ul style="list-style-type: none"> <li>• Objects to the proposal.</li> <li>• Casuarina Coast should be protected as National Park and no more development should be tolerated.</li> <li>• Weeds are rampant and the proposal is not only unnecessary, it assumes it is acceptable to bulldoze beautiful trees in a dense forest.</li> <li>• The current Surf Club buildings and surrounds has adequate enterprises and do not need to be expanded.</li> </ul>
<p>Margaret Clinch <b>(Attachment B11)</b></p>	<ul style="list-style-type: none"> <li>• The proposal doubles the size of the DSLSC and would inhibit walking access to the Reserve and beach.</li> <li>• The application does not indicate why more land is required.</li> <li>• CCR is important for the free enjoyment of the public including enjoyment of the natural environment.</li> <li>• CN is the correct Zone. The area is unique and close to the CBD.</li> <li>• Since its formation in 1997 the dedicated volunteer Casuarina Coastal Reserve Landcare Group have worked closely with management protecting and revegetating the natural environment.</li> <li>• Increasing OR would create a precedent and conflict.</li> </ul>

### Service Authority Comments (Attachments B12 to B17)

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

Service Authority	Comments
<p>Aboriginal Areas Protection Authority</p>	<ul style="list-style-type: none"> <li>• Recommends that an application be lodged for an Authority Certificate in accordance with section 19B of the <i>Northern Territory Sacred Sites Act 1989</i> prior to undertaking works. Undertaking</li> </ul>

<p><b>(Attachment B12)</b></p>	<p>works on a Sacred Site is an offence and may be subject to penalties.</p> <ul style="list-style-type: none"> <li>• In the first instance the applicant can apply for an Abstract of records for information on known sites, but this should not be used for undertaking development activity.</li> </ul>
<p>PWC – Water Services <b>(Attachment B13)</b></p>	<ul style="list-style-type: none"> <li>• Refer to advice provided in PA2025/0373 application for subdivision.</li> <li>• Reticulated water and sewer services are currently available in the area however the proposed lot is not currently serviced. The developer must contact Power and Water to discuss any servicing requirements for the proposed subdivision.</li> <li>• Only a single water and sewer service is permitted for each individual lot. All new services are constructed by the developer, at no cost to Power and Water.</li> <li>• There is a sewer discharge pump with an allocated rated of 2 L/S (Parks and Wildlife infrastructure) which connects to the PWC system under a private arrangement. Future development on the subject lots will require a Power Water modelling review if there are increases to load into PWC’s system.</li> </ul>
<p>PWC Power <b>(Attachment B14)</b></p>	<ul style="list-style-type: none"> <li>• Power and Water has no objection to the above rezoning proposal.</li> <li>• However, the proposed Lot 12991 would have the following issues regarding power servicing compliance: Current power supply to DSLSC site is from Lot 9375. It does not meet NP020 Guidelines for developers of subdivisions and electricity infrastructure – Clause 2.3 (a) that “All newly created lots in subdivision layout shall have public road access frontage for electricity service connections. Electricity supply service to any lot through another lot is strictly prohibited.”</li> <li>• The current power supply to DSLSC site would be accepted if the proposed Lot 12991 is an Administrative Lot.</li> </ul>
<p>Land Resources Division, DLPE <b>(Attachment B15)</b></p>	<p><u>Land Resources Division</u></p> <ul style="list-style-type: none"> <li>• The <i>Weed Management Act 2001</i> applies to the occupiers of land and describes legal requirements and responsibilities to prevent the infestation and spread of declared weeds. Several declared weeds have been identified for the application area, surrounding parcels and roads. Links to relevant guidelines are provided.</li> </ul> <p><u>Heritage Branch</u></p> <ul style="list-style-type: none"> <li>• It should be noted that Administrative parcel 12719 encompasses sand dunes and foreshores and that these areas have been used as sites for Aboriginal bush burials in the past, the closest recorded burial place being within 400m of the site.</li> <li>• prior to any development in the proposed area, the proponent should be advised to contact the Heritage Branch for further advice - <a href="mailto:heritage.branch@nt.gov.au">heritage.branch@nt.gov.au</a>.</li> </ul>

	<ul style="list-style-type: none"> <li>• The Northern Territory (NT) Government’s Heritage Branch administers the <i>Heritage Act 2011</i> and provides authoritative advice about obligations under the <i>Heritage Act 2011</i>, including steps to take to manage the impact of proposed work on Aboriginal and Macassan archaeological places and objects. <ol style="list-style-type: none"> <li>1. All provisionally declared and declared heritage places and objects are protected under the Heritage Act 2011;</li> <li>2. All Aboriginal or Macassan archaeological places and objects are automatically protected - this includes places and objects not previously recorded;</li> <li>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;</li> <li>4. Ancestral remains are also protected;</li> <li>5. Underwater Cultural Heritage is protected, up to three nautical miles from the coast; and</li> <li>6. There is an obligation to notify of the discovery of Aboriginal or Macassan archaeological places or objects.</li> </ol> </li> <li>• 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.</li> </ul> <p><u>Flora and Fauna</u></p> <ul style="list-style-type: none"> <li>• Considers the risk to threatened species on site is low.</li> </ul> <p><u>Water Resources Division</u></p> <ul style="list-style-type: none"> <li>• No issues</li> </ul>
Parks and Wildlife Commission <b>(Attachment B16)</b>	<ul style="list-style-type: none"> <li>• Advised that lighting close to the coast can affect nesting marine turtles and that it is careful in locating lights in the CCR away from the coast and have built requirements for turtle-friendly lighting into scope documents managed by the Department of Infrastructure.</li> <li>• Shared guidelines on managing light spill to prevent impacts on turtles particularly those threatened under the <i>Environment Protection and Biodiversity Conservation Act 1999</i>.</li> <li>• Queried whether it would have the benefit of making comment if the DSLSC made a development application in the future.</li> <li>• Advised that activities held at the Darwin Surf Lifesaving Club need to address parking issues to restrict where possible any overflow parking that may occur within the CCR so there is minimal impact on the users of the Reserve.</li> </ul>

## Local Authority Submissions (Attachment B17)

City of Darwin (Attachment B17)
<ul style="list-style-type: none"><li>• No objections in principle</li></ul>



### 7. RECOMMENDATION

That under section 24 of the *Planning Act 1999*, the Planning Commission report to the Minister for Lands, Planning and Environment on the issues raised in submissions, issues raised at the hearing and any other matters it considers the Minister should take into account when considering the proposal.

**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](mailto: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](mailto:planning.ntg@nt.gov.au)



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



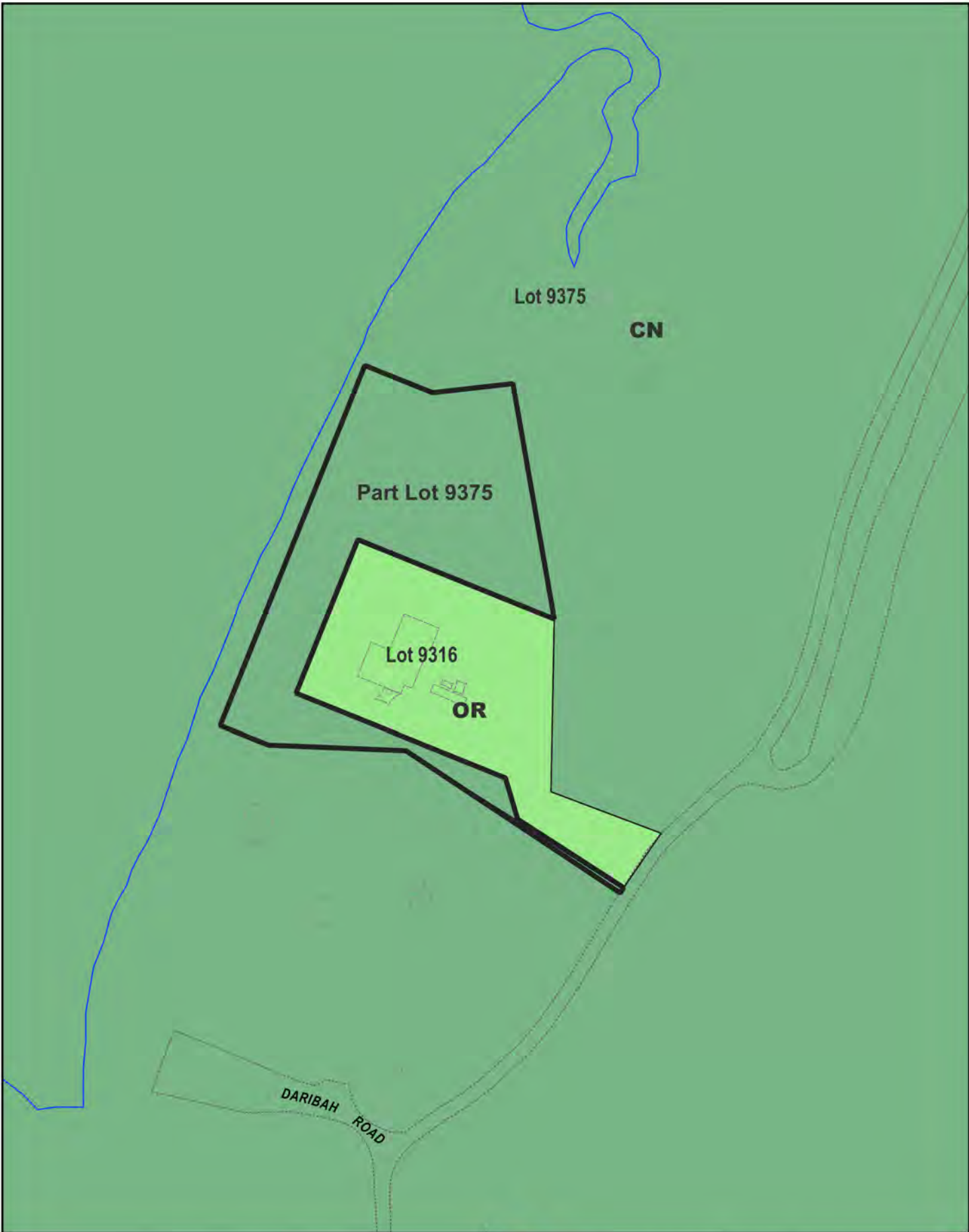
NORTHERN  
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Department of Lands, Planning and Environment

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



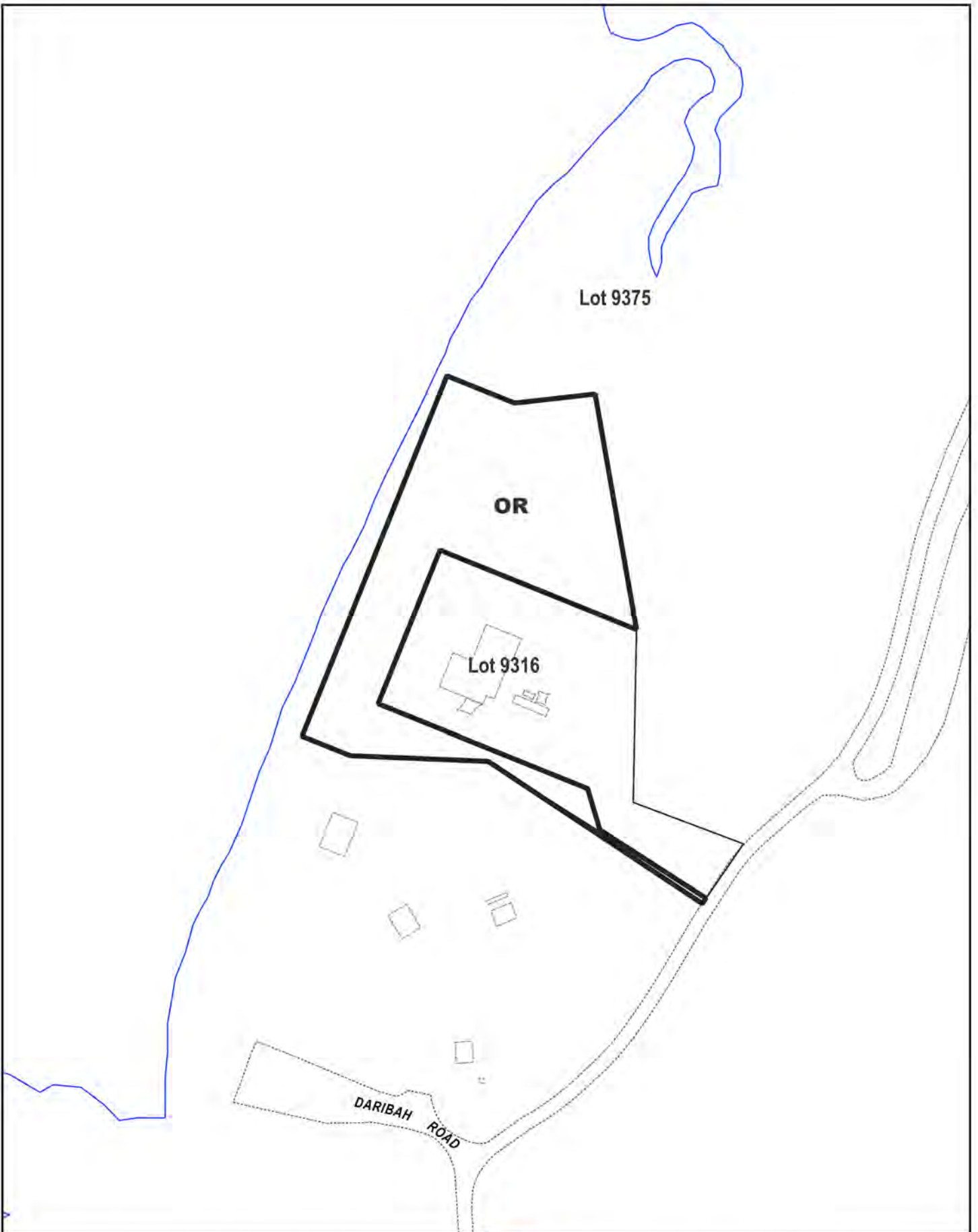
Existing NT Planning Scheme  
Amendment PA2025/0359  
Rezone Part Lot 9375  
Town of Nightcliff  
From CN (Conservation)  
to OR (Organised Recreation)



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.

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

<b>ASSESSMENT TABLE – ZONE OR – ORGANISED RECREATION</b>					
<b>Defined Use</b>	<b>Assessment Category</b>	<b>Overlays</b>	<b>General Development Requirements</b>	<b>Location Specific Development Requirements</b>	<b>Specific Development Requirements</b>
<b>Caravan Accommodation</b>	<b>Permitted</b>	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
<b>Car Park</b>	<b>Impact assessable</b>				5.5.3 General Building and Site Design
<b>Child Care Centre</b>	<b>Impact assessable</b>				5.5.3 General Building and Site Design 5.5.7 Child Care Centres
<b>Club</b>	<b>Merit assessable</b>				5.5.3 General Building and Site Design 5.8.3 Club
<b>Community Centre</b>	<b>Permitted</b>				
<b>Demountable Structures</b>	<b>Permitted</b>				5.8.7 Demountable Structures
<b>Dwelling-Caretakers</b>	<b>Merit assessable</b>				5.4.3 Building Setbacks for Residential Buildings and Ancillary Structures 5.4.12 Dwelling-Caretakers
<b>Excavation and Fill</b>	<b>Impact assessable</b>				5.8.9 Excavation and Fill
<b>Food Premises-Café/Take Away</b>	<b>Merit assessable</b>				5.5.3 General Building and Site Design 5.5.11 Food Premises
<b>Food Premises-Restaurant</b>	<b>Impact assessable</b>				5.5.3 General Building and Site Design 5.5.11 Food Premises
<b>Home Based Business</b>	<b>Impact assessable</b>				5.4.10 Home Based Business
<b>Leisure and Recreation</b>	<b>Merit assessable</b>				5.5.3 General Building and Site Design 5.8.5 Leisure and Recreation
<b>Market</b>	<b>Permitted</b>				5.8.1 Market
<b>Sex Services-Home Based Business</b>	<b>Permitted</b>				5.4.10 Home Based Businesses
<b>Shop</b>	<b>Impact assessable</b>	5.5.3 General Building and Site Design 5.5.5 Shops in Zones CV, CL, LI, GI, DV, OR and CN			
<b>Stables</b>	<b>Impact assessable</b>	5.7.2 Animal related use (Animal Boarding and Stables)			
<b>Telecommunications Facility</b>	<b>Impact assessable</b>	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.

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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.**

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### **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.**

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#### **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 8,960m<sup>2</sup> 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 16,270m<sup>2</sup>. 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.**

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### **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 8,960m<sup>2</sup> 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 16,270m<sup>2</sup>. 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

**STATEMENT OF EFFECT.**  
**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;*

**STATEMENT OF EFFECT.**  
**PLANNING SCHEME AMENDMENT – PARTIAL REZONING**  
**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 m<sup>2</sup> 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)).

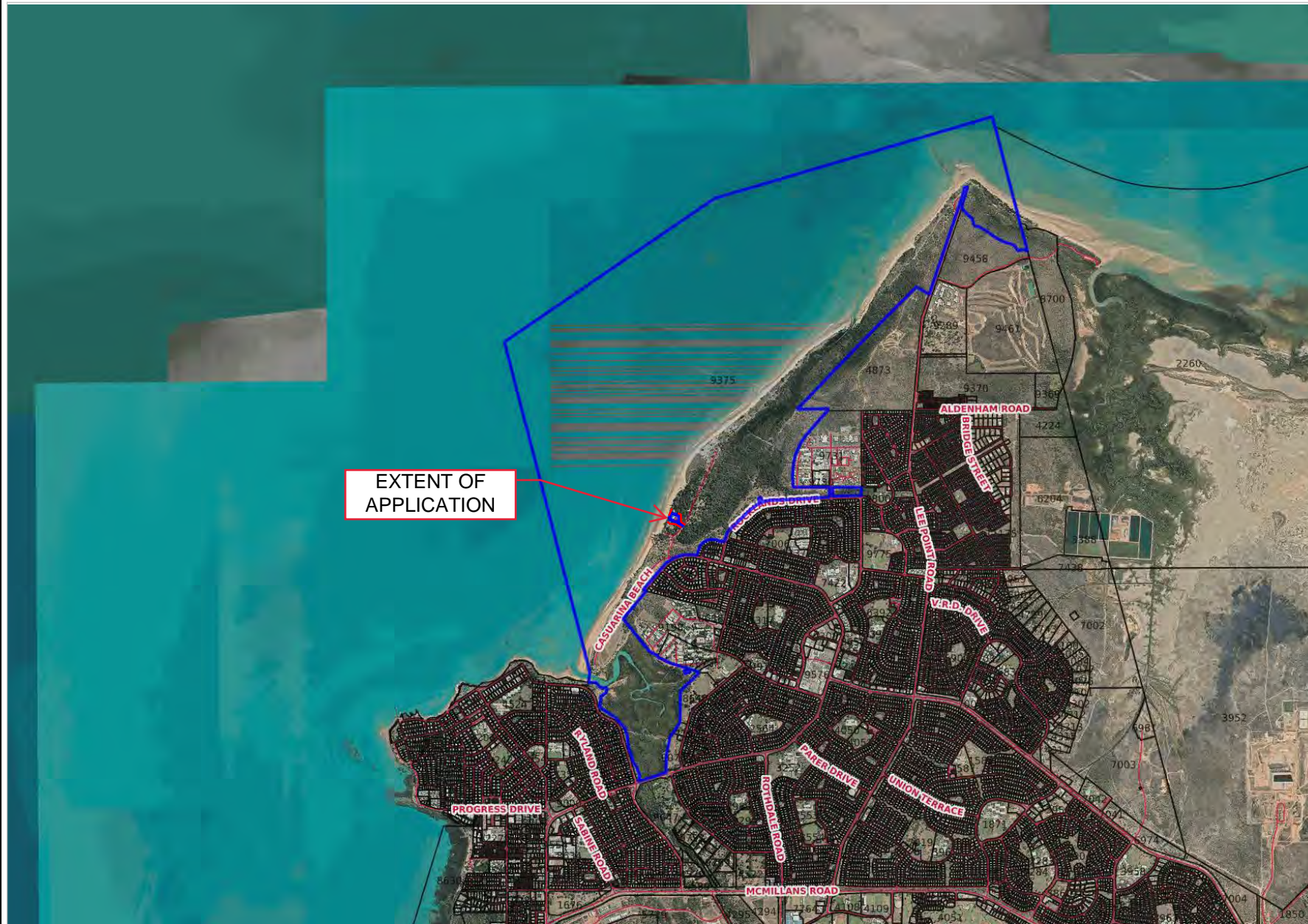
The merits of the proposed amendment are as follows:

- 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).

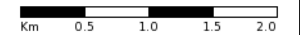
# ATTACHMENT A - SITE AERIAL

## PART LOT 9375 TOWN OF NIGHTCLIFF



### LEGEND

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



AERIAL SOURCE:

[nrmmaps.nt.gov.au](http://nrmmaps.nt.gov.au)

Geospatial Services Unit



Department of Lands,  
Planning and Environment  
© Northern Territory Government

# 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:

[nrmmaps.nt.gov.au](http://nrmmaps.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](http://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



Metres 20 40 60

AERIAL SOURCE:

[nrmaps.nt.gov.au](http://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

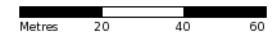


### LEGEND

#### TOWN PLANNING ZONES

-  CN - Conservation
-  OR - Organised Recreation

-  EXTENT OF PROPOSED REZONING



AERIAL & ZONING SOURCE:

[nrmmaps.nt.gov.au](http://nrmmaps.nt.gov.au)

Geospatial Services Unit

Department of Lands,  
Planning and Environment  
© Northern Territory Government

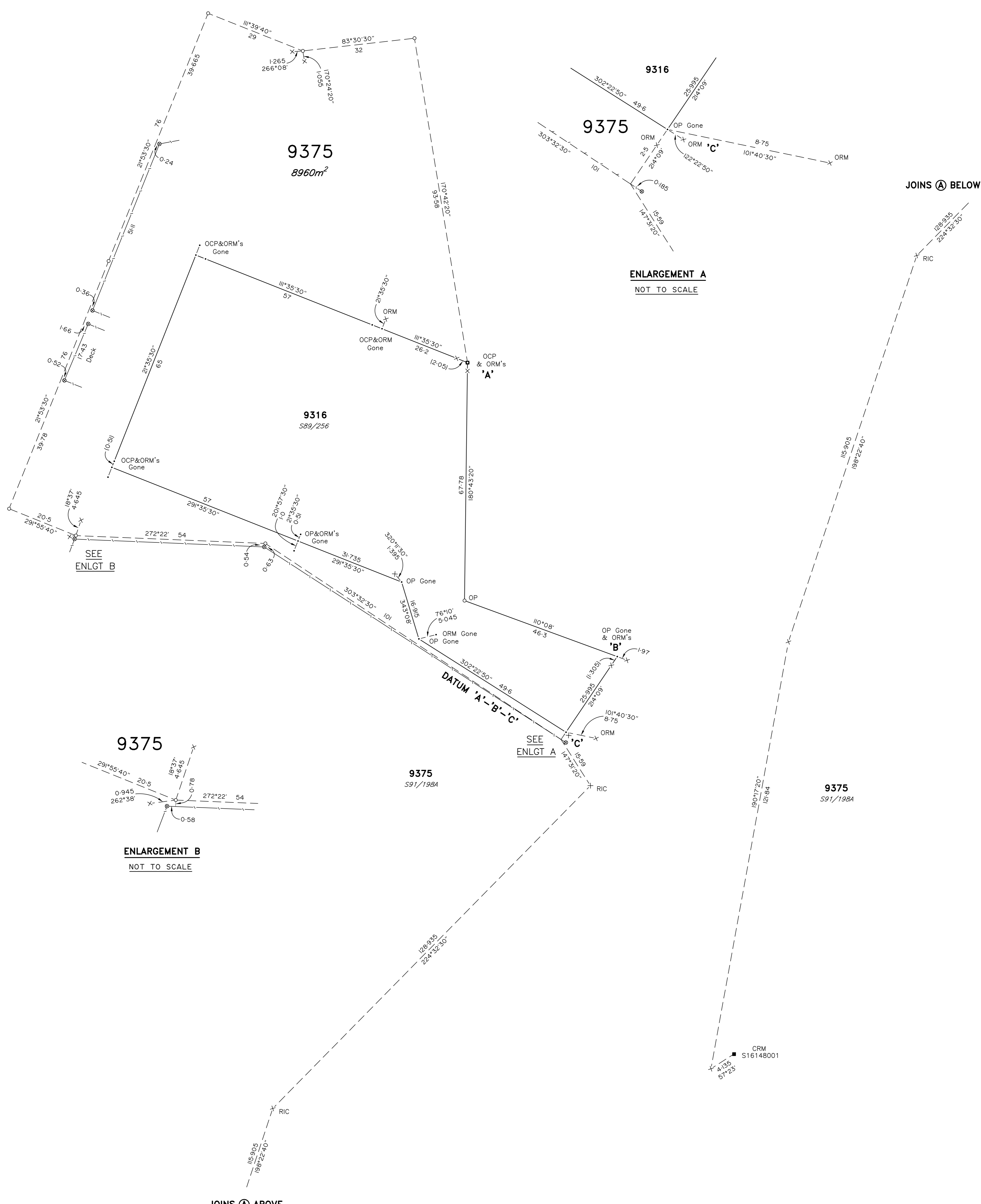


Department of Lands, Planning and Environment

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


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14.06.2024  
Cross Solutions  
2024-0285


Examined  
Cross Solutions  
17.06.2024


  
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
AZIMUTH  
Assumed from S89/256  
Observed at


**LEGEND**


Concrete Post 

Concrete Block 

Peg or Wooden Post 

Reference Mark 

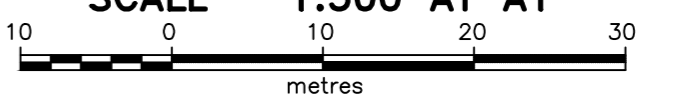
Lockspit 

Fence Post 

**PART BOUNDARIES LOT 9375**

**TOWN OF NIGHTCLIFF**

**SCALE 1:500 AT A1**

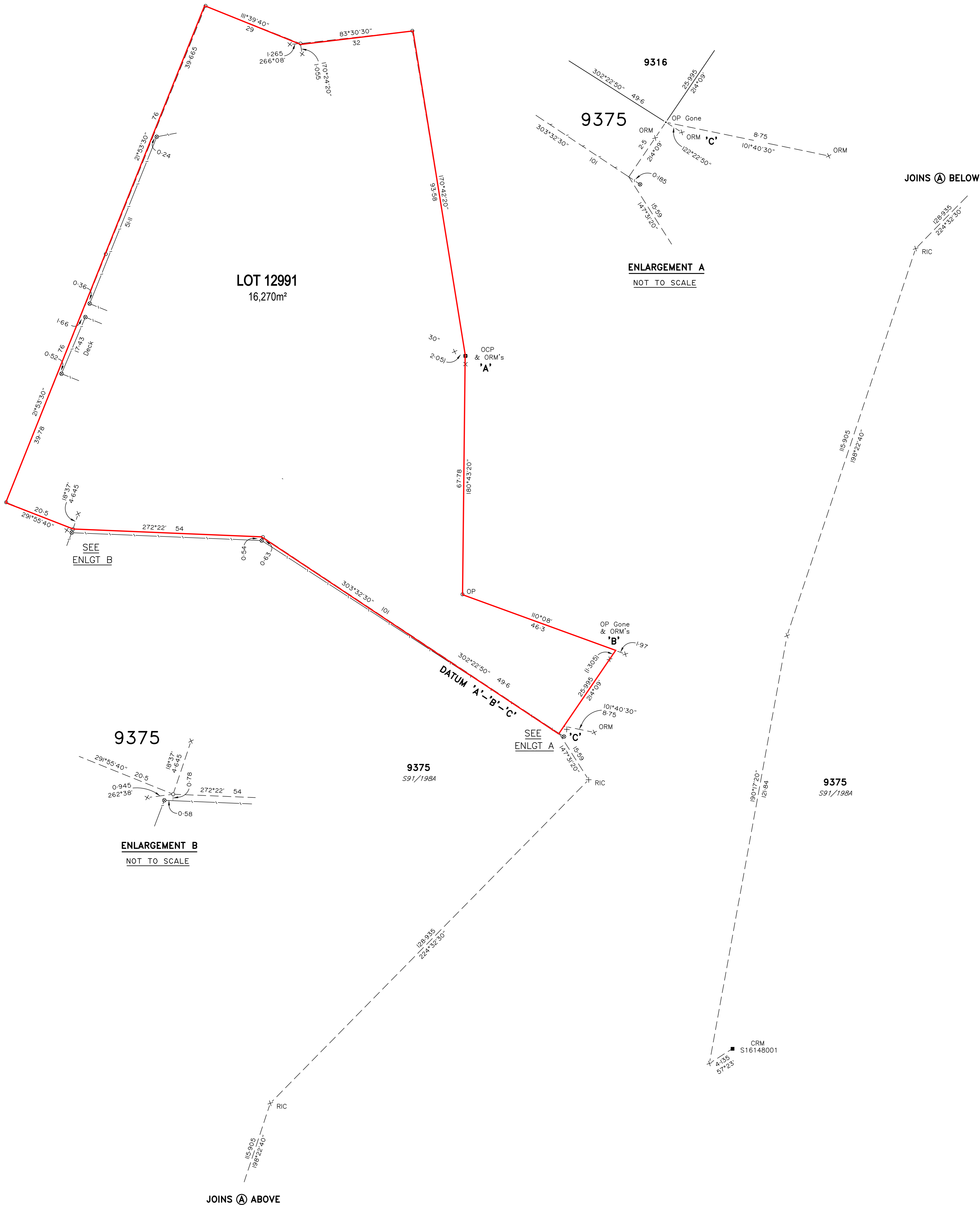


**S2024/057**



**SURVEY APPROVED**

Surveyor-General \_\_\_\_\_ Date \_\_\_\_\_



**LOT 12991**  
16,270m<sup>2</sup>

**ENLARGEMENT A**  
NOT TO SCALE

SEE  
ENLGT B

SEE  
ENLGT A

**ENLARGEMENT B**  
NOT TO SCALE

**9375**  
S91/198A

**9375**  
S91/198A

JOINS Ⓐ ABOVE

JOINS Ⓐ BELOW

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

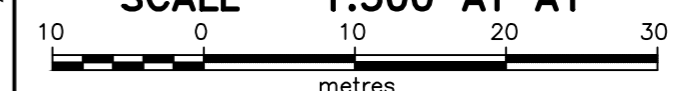
AZIMUTH  
Assumed from S89/256  
Observed at

**LEGEND**

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

**PROPOSED LOT 12991**  
**TOWN OF NIGHTCLIFF**

SCALE 1:500 AT A1





Northern Territory of Australia

# Government Gazette

ISSN-0157-8324

No. G1

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

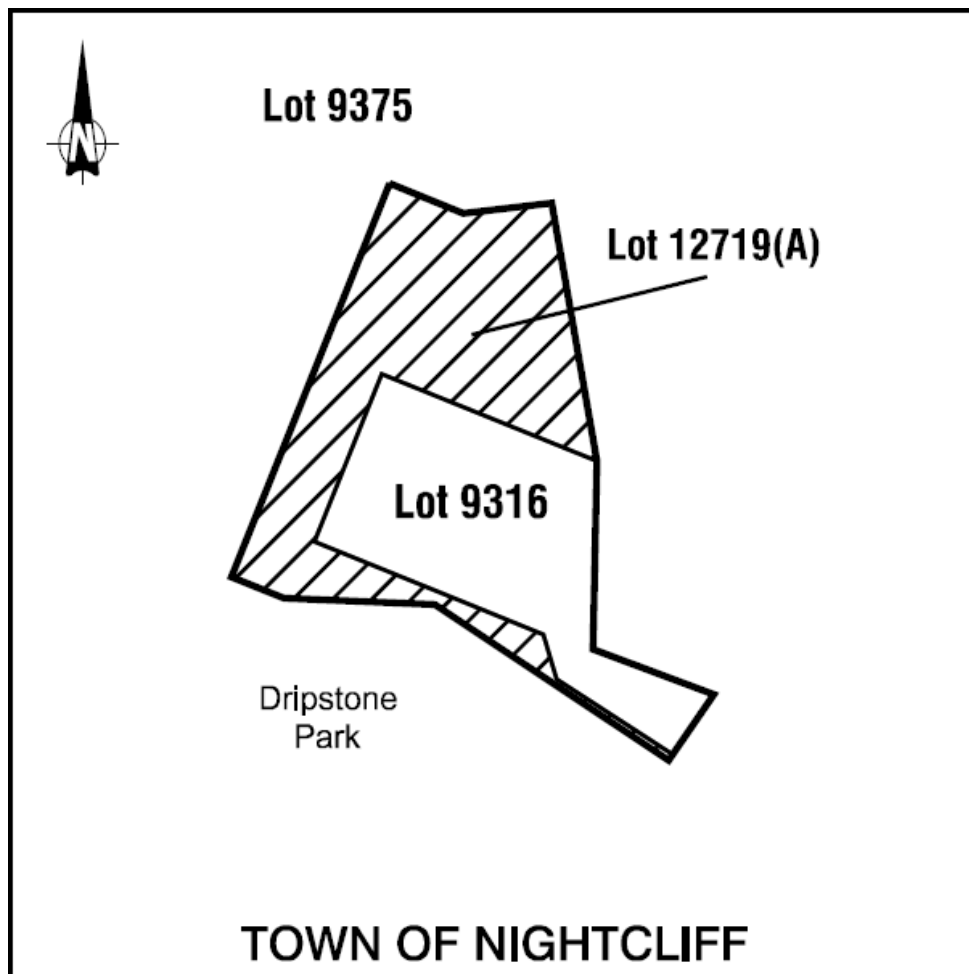
Dated 20 December 2022

## 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



48 Dorisvale Crescent,  
Tiwi, NT 0810.

Reference: PA2025/0395

To Whom it Concerns,

I wish to state that the land in question at the Surf Club MUST NOT be changed from Conservation (CN) to Organised Recreation (OR).

The land in question is part of Casuarina Coastal Reserve National Park. We must protect our native vegetation and the flora and fauna in it.

Also, the Surf Club states they have no plans to do anything with this land so there is no reason to change the zoning.

Regards

Gayle Laidlaw

0431 347 679

## **Submission opposing Application Number PA2025/0395.**

I have been a wildlife carer in Darwin for the past 18 years. Australia has the dubious distinction as a world leader in habitat destruction, land clearing and species depletion. Destroying bushland in suburban Darwin unnecessarily is very common. While other cities in the world are trying to reintroduce and rehabilitate degraded bush land we are still at the stage of destruction and degrade.

I object to the change from CN (Conservation) to OR (Organised Recreation) for the reasons below based on my experience as a wildlife carer and a member of Friends of Casuarina Coastal Reserve.

The application seems unnecessarily complex and expensive. It seems to have been commissioned by the NT Planning Dept, NT Crown Lands Estate via the consulting firm, Tatum Planning Co on behalf of a notional beneficiary, the Darwin Surf Lifesaving Club. It is unclear who initiated the proposal.

The complexity does nothing to promote community involvement. It is noted that the proposed subdivision is in fact an amalgamation of two lots with different zoning.

The subdivision was lodged at the same time as the PSA but *can be considered independently rather than concurrently*. This choice caused considerable confusion.

Surf Club consultation claims to have been extensive, but the proposal was a surprise to many members of the Friends of Casuarina Coastal Reserve. It is unclear who is the client of Tatum Consulting.

The club's stewardship of the conservation zone by the Surf Club may have attended to some coastal erosion but their management of feral weeds is not impressive.

The benefits of the rezoning Pages 8 & 9 in Statement of Effect are largely subjective. (a), (e), and (f) undermine sustainable land use by promoting development on Conservation (CN) land that was formerly safeguarded.

(h) the quality of life for future generations will depend increasingly on green, open natural spaces not our built environment and carparks. The proposal claiming to maintain the environmental integrity of Lot 9375, the CCR cannot be true. 2A (f) and (g)

Life Saving Clubs do indeed have high status of public acceptance, and we all wish their members success in their endeavours.

Nevertheless, I oppose the application because its intention appears to be to eliminate planning anomalies, allowing further development in the new area at the expense of the natural environment.

We have for too long regarded Conservation Zones as land waiting for a development. The proposed development does not provide a balanced outcome between conservation and organised recreation as claimed it destroys one to the benefit of the other.

Re: page 6. 3.2 para 2. PROPOSED ZONING. *It is proposed to retain the existing access easement from Trower Road to the DSLSC.*

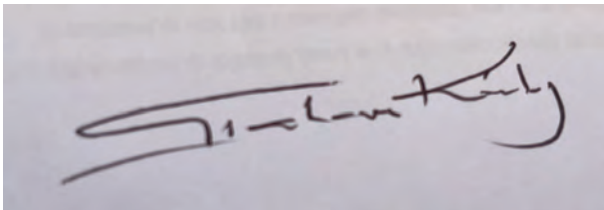
Does such an easement exist?

I cannot understand how a lease in perpetuity would be exchanged for a lease of 12 years plus! And what does 12 years plus mean?

Yours in good faith

Graham Kirby

Nightcliff Mob: 0427398861

A photograph of a handwritten signature in black ink on a light-colored background. The signature is written in a cursive, somewhat stylized script and appears to read "Graham Kirby".

## **PA2025/0395 – PLANNING SCHEME AMENDMENT**

### **PART REZONING FROM ZONE CN (CONSERVATION) TO ZONE OR (ORGANISED RECREATION)**

Thank you for giving me the opportunity to provide comments on this proposal. I am writing as an individual – not on behalf of any organisation.

It is both appropriate, and appreciated, that the Minister did not agree with the proponent's view that the proposed amendment is insignificant and did not approve the request that the Minister waive public exhibition.

The Surf Club sits within the Casuarina Coastal Reserve (a declared Park) that has sensitive ecosystems, vulnerable flora and fauna, is at risk from weed and pest invaders, and is impacted by wild-fire. It also remains the most visited reserve in the NT providing rest and recreation to thousands of Territorians and visitors (human and other animal).

It is a special place worthy of protection and considerate use.

#### **Excision of Lot 12719(a)**

It is noted that in the 5 January 2023 Northern Territory of Australia Government Gazette the Administrator proclaimed the excision of Lot 12719(a) from Lot 9375. This followed an application in June 2021 for the grant of this land from Darwin Surf Life Saving Club NT for community infrastructure (specifically – boundary rationalisation and stabilisation of existing deck, ramp and beach access, widening of internal access road and bituminisation of car parking area; works that to date do not appear to have been completed).

#### **Subdivision application**

Recently a subdivision application sought approval to consolidate Lot 9316 with Lot 12719(a) to create a new 16,270m<sup>2</sup> Lot 12991. It is noted that the Development Consent Authority (DCA) Agenda Item relating to this application stressed “... *no physical development or change of existing use by the Darwin Surf Life Saving Club (DSLSC). No impacts on ongoing land use and surrounding amenity are expected... The proposed subdivision serves only an administrative purpose and therefore will not compromise the purpose and outcome of the zone. No physical works or changes to the existing use are proposed as part of this application.*”

The subdivision application was approved by the DCA on 15 December 2025.

#### **Rezoning application**

This rezoning application requests change of Part Lot 9375 (called lot 12719(a) in the subdivision application) from CN to OR. Which would mean that all of the newly consolidated Lot 12991 would be zoned OR.

While the application to subdivide noted that this was for administrative efficiency and there were no proposals to impact land use – this rezoning application gives no such assurances.

## Considerations

This rezoning application may also only be for administrative convenience and there are no developments presently being considered for the CN zoned area.

However, rezoning all of Lot 12991 to OR will allow a wide range of uses across the whole Lot in the future – changes which might negatively impact on the natural values of the surrounding Reserve.

I have a number of specific concerns:

### 1. Why rezone?

The proponent states in this application that “... *the subdivision can occur without 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 Zone OR (Organised Recreation) [P7] ... 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 [P10] ... 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 [P12].*”

So it appears there is no persuasive reason to rezone other than to formalise existing developments – which raises the question of whether the storage containers and overflow carpark comply with the CN zoning.

Furthermore, while not a formal part of this rezoning application, additional explanation of intent is included in Tatam Planning Company’s 4/12/25 letter to the DCA where it was stated that: “*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-focussed zoning... 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.*”

Again, if nothing is to change regarding use of the site, and recognising the important environmental considerations of the Club’s location, **rezoning the whole new Lot to CN would equally regularise land tenure.**

It is clear that this community-based not-for-profit Club has evolved from an organisation focussed on water safety, training and community education to now provide a venue for recreational and entertainment activities. These include a very popular café and a wonderful site for community gatherings. Revenue of over \$340,000 from the sale of goods and services in 2024 demonstrates the success of its commercial and related activities.

It is understood that this application *does not authorise intensified works on the foredune or within the site* but it is likely that over time the Club's entrepreneurial focus will identify opportunities to expand into the current CN zone for purposes beyond improving its life-saving related activities.

## 2. Zone OR implications

Zone CN allows the Club to continue its current activities and where permitted after an impact or merit assessment, expand into exhibition, retail, and dining services. Coupled with careful management of the grounds these could be provided in ways that enhance or conserve the natural features and maintain the scenic value and visual quality of the area... developments sensitive to the location.

Zone OR on the other hand, following impact or merit assessments, may allow a much wider range of developments and activities which potentially conflict with the reserve. Alone or collectively additional car parks, a child care centre, a club, a community centre, commercial leisure/recreation businesses, and stables would increase vehicle numbers accessing the site, the number of people employed on site and the number and types of clients using services. This increase in infrastructure and busyness would reduce the visual quality of the area, increase noise, litter and lighting. It would stand in stark contrast to the quiet natural features of part of the Lot and the neighbouring reserve – features that attract growing numbers of members/visitors/clients now.

## 3. Weed management.

Along with all landowners in the NT, the Club is required to comply with the NT *Weeds Management Act 2001*. While this Act focusses on declared weeds considerable volunteer, NT Parks & Wildlife and Commonwealth-funded efforts are also being applied to un-declared weeds which threaten the Reserve by smothering and replacing native vegetation, creating fire risk or otherwise impacting on natural diversity and amenity.

One such undeclared weed is Ivy Gourd [*Coccinia grandis*] which is already widespread across parts of the Reserve, City of Darwin Parks and residential gardens with infestations being tackled on a number of fronts. I was pleased to read that the Club was working to manage this weed, however the reported local eradication may be premature as re-infestation is an ongoing challenge, and new plants have been spotted on Club land.

## 4. Consultations?

It is stated that *"preliminary consultation has been undertaken in relation to the rezoning and associated subdivision ... application with DSLSC, Land Care [not known if Landcare NT and/or individual Landcare group/s] and Friends of Casuarina 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. [P8]"*

It would be informative to know with whom the proponent consulted, the nature of these consultations and most importantly the outcomes of these consultations, specifically the views of those consulted, and any changes to the Club's plans which may have resulted from these discussions.

### **Conclusion**

This Club sits within a very special Darwin asset. Rezoning the whole Lot as OR creates a real risk that developments, whether new infrastructure or activities, aimed to expand services and commercial opportunities could jeopardise the natural values of adjoining parkland or public amenity.

Formalising existing development, providing certainty, ensuring more appropriate integration of this Lot with the surrounding Reserve, and enabling all users of the facility to continue to enjoy the natural beauty of the location (a major reason many people visit) could be achieved by rezoning the whole Lot CN (with provision for existing structures and uses).

While this is not suggested, **it is clear that zoning the whole Lot OR presents unacceptable longer-term risks.**

**So, retaining the current zoning arrangements is preferred – the OR part for maintaining and building appropriate water safety and recreational opportunities; and the CN part managed to improve aesthetics, minimise weeds, and increase local wildlife-attracting vegetation – both parts providing the very valuable services and space the Club offers the Darwin community and visitors.**



Andris Bergs  
16.12.2025



## **Friends of Casuarina Coastal Reserve Inc**

Proposal to Amend the NT Planning Scheme to Rezone part of Lot 9375 Town of Nightcliff (422 Trower Road, Tiwi NT) from Zone CN (Conservation) to Zone OR (Organised Recreation)

PA2025/0395

### **Introduction**

Friends of Casuarina Coastal Reserve Inc. (FCCR) is a not-for-profit community group which works to ensure that the natural values of Casuarina Coastal Reserve (CCR) are recognised, protected, enhanced and cared for by advocating for its ecology, promoting respect for its values and acting with others who share these aims.

The proposed rezoning by the Darwin Surf-Lifesaving Club (PA2025/0395) is of interest to FCCR because the area is bounded by Casuarina Coastal Reserve on all sides. The DSLSC has occupied much of the site for many years, so the history of its land management is relevant to this application.

Casuarina Coastal Reserve has more than a million visits per annum and is the most popular park in the Northern Territory. Locals and visitors to the Top End visit it for socialising, citizen science activities and a very wide range of outdoor pursuits. The Surf Club is in the fortunate position of being the only recreational club within the Reserve. We acknowledge that the community benefits significantly from its activities and its facilities.

The Reserve is an important habitat for a wide range of native plants, animals, reptiles, birds and invertebrates. Rare and endangered species that are found at the Reserve include the critically endangered Far Eastern Curlew and the critically endangered Great Knot, *Cycas armstrongii*, and the Black-footed Tree rat. Three species of marine turtles are known to nest on the beach near the Surf Club. The plant communities in the Reserve include monsoon vine forest, mangroves, eucalypt woodland and coastal dunes. Some of the best sea grass meadows in Darwin Harbour are in the Reserve beside Casuarina Beach.

Human impact on the natural values of Casuarina Coastal Reserve is of great concern to FCCR. Humans have the capacity to enhance and sustain the natural values of the Reserve and to degrade it. The DSLSC could be a very good 'neighbour' to the Reserve.

### **The Proposal**

The aerial photograph displaying the Locality Plan shows a denuded foreshore and a large, cleared section in the northern portion of the DSLSC's Lot [zoned Conservation (CN)]. Beyond DSLSC's boundary the Casuarina Coastal Reserve has large trees along the coast and vegetation cover behind the dunes.

This section of DSLSC's site in question is currently zoned (CN) and the proposal is that it be changed to Organised Recreation (OR). The introductory statement for the proposal states that 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.'

Casuarina Coastal Reserve is appropriately Zoned as CN and is known and highly valued for its ecological, cultural and social significance.

The Zone Outcomes for CN are worth considering

1. 'Conservation space responds to and conserves the recognised environmental values of the land.'
2. 'Development...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...'
6. The location, design and management of development should 'conserve ecologically important areas', 'maintain the scenic value and visual quality of the area', 'minimise soil erosion and adverse impacts on water quality.'

Although the Defined Uses for CN and OR overlap significantly OR has a very different emphasis. The DSLSC's purpose and primary activities fit neatly within the description for OR. However, FCCR believes that retaining the CN Zoning for the current portion of the Lot is in keeping with the values of the broader landscape of Casuarina Coastal Reserve.

As near neighbours of the Reserve, the DSLSC can support and enhance its natural values. Activities such as restoring the foredune vegetation would benefit insects, reptiles and birds. The Club has done some good work to reduce its infestation of Ivy Gourd, but this will need to be ongoing as birds spread the seed. A current Commonwealth funded program is reducing Ivy Gourd along Daribah Road, but this could be undermined if the DSLSC does not continue to do its part. The entrance to the Club is fringed by Fishtail Palms, another invasive

plant which has seeded into the Reserve, eradication of these palms is another opportunity for DSLSC to support and enhance the natural values of the Reserve.

The application states that the proposal to rezone a portion of the Lot to OR will not impact on the ability of the Casuarina Coastal Reserve to meet the objectives of the 'Mangrove/Conservation' land use structure under the Darwin Regional land Use Plan, which includes:

- Retaining the region's natural landscapes, vegetation and habitats
- Minimising detrimental impacts from development in the harbour catchment and on its foreshore, and
- Recognising the role of urban green space.

Casuarina Coastal Reserve is already under significant pressure from human activities and changes in the DSLSC area have the potential to impact negatively or positively on the natural values of the Reserve. The application states that the proposed amendment will 'advance the Plan's environmental and social objectives' and 'enhance the overall management and accessibility of the Darwin foreshore', however there are no details about how this will occur.

This application does not provide compelling reasons for changing the Zoning from CN to OR, it seems that the CN Zone could remain CN and not adversely affect the DSLSC.

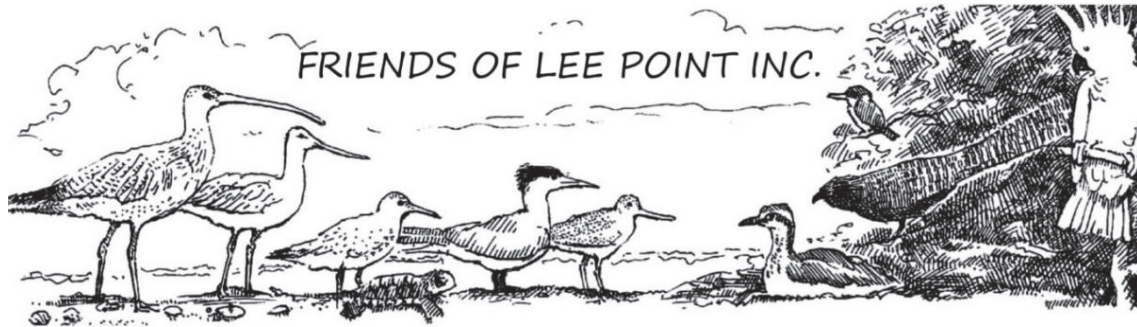
FCCR is strongly of the opinion that Casuarina Coastal Reserve has important natural values which require protection. Retaining CN Zoning for this land is acknowledgement that the bush is an important social and ecological asset. We disagree with the proponent's statement that the proposed partial rezoning will not introduce negative impacts on the surrounding areas.

The proponent cites consultation with Friends of Casuarina Reserve (presumably the same organisation as Friends of Casuarina Coastal Reserve Inc), but no details are provided. To my knowledge the Committee of FCCR has not met or corresponded with the author of this proposal.

Thank you for considering our submission. Please contact us at [info@fccr.org.au](mailto:info@fccr.org.au) if you need any further information and let us know about the DCA hearing for this application.



Deborah Hall  
Convener  
On behalf of Friends of Casuarina Coastal Reserve Inc.  
M: 0400546818



16 December 2025

NT Planning Commission  
GPO Box 1680  
DARWIN NT 0801

**Re: Submission on rezoning land adjacent to Darwin Surf Life Saving Club - PA 2025/0395**

Friends of Lee Point do not support rezoning Lot 12719(A) from Conservation (CN) to Organised Recreation (OR).

In 2024, Casuarina Coastal Reserve (CCR) was officially declared a park and expanded in area. Lot 12719(A) and the adjacent Darwin Life Saving Surf Club (Lot 9316) are surrounded by CCR. The lots are also near Darwin's last wildlife corridor\*.

Darwin Surf Life Saving Club has been operating successfully for many years with the surrounding land zoned CN. As such, the proposed rezoning is unnecessary.

The CN zoning on Lot 12719(A) must be retained to ensure impacts on CCR are minimised.

Yours faithfully

Ian Redmond  
on behalf of Friends of Lee Point Inc.

Gayle Laidlaw

David Percival

Contact: Ian Redmond, [friendsofleepoint@gmail.com](mailto:friendsofleepoint@gmail.com), 0427796470

\*Link - [Protecting critical habitat and Darwin's last wildlife corridor](#)

**PA2025/0395 – Planning Scheme Amendment Application**

To whom it may concern

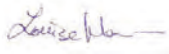
Thank you for the opportunity to comment on the proposed Part rezoning of the Surf Club lease from Zone CN (Conservation) to Zone OR (Organised Recreation) of the Darwin Surf Club lease in Casuarina Coastal Reserve.

I do not support this rezoning because it presents a further risk to the natural values of the Reserve, which are already under stress. Rezoning would reduce protections on the existing native vegetation and wildlife, and allow a broader range of uses on the land.

Casuarina Coastal Reserve is a high-visitation and much-loved reserve, especially by Darwin residents. NT Parks and Wildlife do not have sufficient resources to manage the threats to the reserve's natural values.

The current lessee has not demonstrated an appreciation of these values, nor an understanding of the weed risks. The lessee should, as a minimum, prepare and implement a Weed Management Plan for the current leased area. This would help to demonstrate an understanding of the values and commitment to conservation of the site and Reserve, for current and future generations of Darwin residents.

Regards



L. Harrison

19 Dec 2025

From: [Nicholas Kirlew](#)  
To: [Das NTG](#)  
Subject: Planning Scheme Amendment PA2025/0395 - Proposed Rezoning of Lot 12719(A), Town of Nightcliff  
Date: Thursday, 18 December 2025 3:41:16 PM

---

**CAUTION:** This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hello DAS,

Please see below:

As a note, this and the previous rezone were poorly presented and can be seen to have disadvantaged members of the community as to being able to put time into commenting on the lot consolidation and rezone.

## **SUBMISSION**

### **Planning Scheme Amendment PA2025/0395**

### **Proposed Rezoning of Lot 12719(A), Town of Nightcliff**

### **Darwin Surf Life Saving Club**

#### **Purpose of submission**

This submission objects to Planning Scheme Amendment PA2025/0395, which proposes to rezone Lot 12719(A), Town of Nightcliff from Conservation (CN) to Organised Recreation (OR).

#### **Loss of Conservation zoning**

The proposed rezoning represents a permanent reduction in statutory environmental protection on land that adjoins and is surrounded by the Casuarina Coastal Reserve. The documentation provided in support of the application does not demonstrate that this loss of Conservation zoning is necessary, justified, or in the public interest.

#### **Current zoning and statutory protections**

Lot 12719(A) is currently zoned Conservation under the NT Planning Scheme. This zoning provides the strongest available statutory protection for vegetation, habitat, and ecological function on the site. The application seeks to replace this zoning with Organised Recreation, a zone that anticipates and enables a broader range of uses and associated infrastructure. Once Conservation zoning is removed, the higher threshold for protecting vegetation and natural values is permanently lost, regardless of any statements about current intentions.

#### **Lack of demonstrated need**

The supporting documents confirm that the rezoning is not required for the ongoing operation of the Darwin Surf Life Saving Club. The Club has operated successfully for many years on its existing lot, which is already zoned Organised Recreation, while the adjoining land has remained zoned Conservation. No evidence is provided in the Statement of Effect that the current zoning framework has constrained the Surf Club's activities or prevented it from meeting its operational needs. In the absence of demonstrated need, rezoning Conservation land cannot be justified.

#### **Extent of rezoning beyond existing use**

The rezoning is not confined to the existing built footprint of the Surf Club. The Site Aerial and Proposed Zoning maps show that Organised Recreation zoning would extend into land that is currently vegetated and zoned Conservation. The proposed zoning boundary aligns with a newly defined, enlarged lot rather than reflecting existing disturbance. This confirms that the proposal does not merely recognise existing use, but instead redefines the planning purpose of additional land.

#### **Creation of a larger consolidated lot**

The documentation also shows that the rezoning is directly linked to the creation of a new, larger consolidated lot. The proposed subdivision would combine the existing Surf Club lot with Lot 12719(A) to create a single parcel, Lot 12991, with a total area of approximately 16,270 square metres. The Site Aerial explicitly states that the existing Surf Club lease will be extinguished and replaced by a new lease area created by the application. This is a structural change to the planning and tenure framework, not an administrative adjustment. Planning decisions are made against current lots and leases, and the rezoning would establish a new baseline that expands the area assessed as appropriate for Organised Recreation uses.

#### **Reliance on non-binding assurances**

The application relies heavily on assurances that there are no current plans to further develop the land. These assurances are not binding and do not form part of the statutory planning framework. Planning decisions must be assessed on the basis of what the zoning allows, not on present intentions. Once rezoned to Organised Recreation, future proposals will be assessed under that zone's objectives and outcomes, without the need to revisit the principle of removing Conservation protection.

#### **Rezoning as the gatekeeper decision**

The rezoning functions as the gatekeeper decision for the expanded land use outcome. If the rezoning is approved, the Conservation land is permanently converted to Organised Recreation and incorporated into an enlarged OR-zoned lot. If the rezoning is not approved, the existing arrangement remains in place, with the Surf Club continuing to operate on its current Organised Recreation lot and Lot 12719(A) retaining Conservation zoning. Refusal of the rezoning would not prevent the Surf Club from operating, but approval would irreversibly change the planning framework.

#### **Strengthened conservation context**

The conservation context of the site has strengthened in recent years. Casuarina Coastal Reserve was formally declared a park and expanded in 2024. Lot 12719(A) and the Surf Club site are surrounded by reserve land and lie near one of Darwin's last remaining wildlife corridors. In this context, the threshold for removing Conservation zoning should be higher, not lower. The application does not adequately address cumulative impacts on reserve integrity, habitat connectivity, or long-term ecological function.

#### **Significance of the proposed change**

The proposal is framed in the supporting material as minor and administrative, yet it seeks a permanent change to statutory zoning controls. There is a clear mismatch between how the proposal is characterised and the legal effect it would have. Rezoning Conservation

land to Organised Recreation is a significant planning decision with long-term consequences, and it should not proceed without compelling justification.

### **Conclusion**

For these reasons, this submission objects to Planning Scheme Amendment PA2025/0395 and submits that Lot 12719(A) should remain zoned Conservation. Retaining Conservation zoning protects the integrity of the Casuarina Coastal Reserve, maintains appropriate statutory safeguards for vegetation and habitat, and does not impede the ongoing operation of the Darwin Surf Life Saving Club.

### **REFERENCES**

Northern Territory Planning Scheme, Zoning Maps – Part Lot 9375, Town of Nightcliff (Current Zoning).

Northern Territory Planning Scheme, Zoning Maps – Part Lot 9375, Town of Nightcliff (Proposed Zoning).

Planning Scheme Amendment PA2025/0395, Statement of Effect, Darwin Surf Life Saving Club, October 2025.

Attachment A – Site Aerial, Part Lot 9375, Town of Nightcliff.

Attachment B – Current Site Zoning, Part Lot 9375, Town of Nightcliff.

Attachment C – Proposed Zoning, Part Lot 9375, Town of Nightcliff.

Attachment D – Proposed Subdivision Plan, Lot 12991, Town of Nightcliff.

Northern Territory Government Gazette No. G1, 5 January 2023, Proclamation under the Crown Lands Act 1992 revoking part of Reserve No. 1677.

Friends of Lee Point, Planning Notice Commentary on PA2025/0395, Proposed Rezoning of Lot 12719(A).

Regards,

Nick Kirlew

Convener PLAN: the Planning Action Network Inc

0447 499 794

Email: [nick@planinc.org.au](mailto:nick@planinc.org.au)

Web: <https://www.planinc.org.au>

19<sup>th</sup> December 2025

The Lands, Planning and Development  
Assessment Services  
Northern Territory Government

Dear Sir/Madam,

PA 2025-0395 Planning Scheme Amendment

Proposed Amendment - Part rezoning from Zone CN (Conservation) to Zone OR  
(Organised Recreation)  
Lot 09375 Town of Nightcliff  
422 Trower Rd Tiwi

I refer to the above proposed amendment. I fully object to this amendment.

The area that you propose to rezone has been a Conservation zone for so long and must not be changed.

The benefits of it being left as a conservation zone means there will be more natural flora for locals and tourists to enjoy. Also it is crucial that we retain as much natural habitat for our threatened wildlife to survive.

Our natural coastline is the most beautiful part of Darwin, please, let's keep it free from unnecessary additional development and possible pollution to our seas.

Yours sincerely,  
Betty Lum  
lum.betty@yahoo.com.au

# SUBMISSION TO THE NT PLANNING COMMISSION

## Objection to Proposed Planning Scheme Amendment

PA2025/0395 – Rezoning Part Lot 9375, Town of Nightcliff  
From CN (Conservation) to OR (Organised Recreation)

**Submitted by:** James Courtney  
PO Box 217, Darwin, 0801, NT  
james@talkitup.com.au  
**Date:** 19.12.2025

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### 1. Introduction

I make this submission **objecting to** Proposed Planning Scheme Amendment PA2025/0395, which seeks to rezone part of Lot 9375, Town of Nightcliff (422 Trower Road, Tiwi) from **Zone CN (Conservation) to Zone OR (Organised Recreation)**.

This submission is **not an objection to surf lifesaving activities** or to the Darwin Surf Life Saving Club (DSLSC). Rather, the submission objects to:

- the permanent weakening of conservation zoning on public coastal land;
- the expansion of future development rights beyond existing use;
- serious **procedural unfairness** in the amendment process;
- and an apparent **systemic attempt to avoid public scrutiny**.

### 2. The Site Forms Part of a Significant Coastal Conservation System

The subject land forms part of the **Casuarina Coastal Reserve**, a continuous coastal system of high environmental, scenic and cultural value. The Statement of Effect itself acknowledges that the Darwin Foreshore and Casuarina Coastal Reserve are valued for their natural features and cultural importance.

[122150379 TPCJ0167 - PSA Rezoning Report - Darwin Surf Life Saving Club](#)

Rezoning any portion of this land from **CN (Conservation) to OR (Organised Recreation)** undermines the integrity of this coastal reserve system and introduces a land-use classification whose purpose explicitly includes commercial and intensified recreational activities

[122316620 Explanatory document](#)

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### 3. CN Zoning Already Accommodates Existing and Reasonable Use

A fundamental weakness in the Applicant's justification for rezoning is that **CN zoning already permits development that supports recreation and community use**, provided it is sensitive to conservation values.

Zone CN allows:

- community facilities;
- food and beverage uses;
- recreation-related infrastructure;
- buildings and works where impacts are minimised

[122316620 Explanatory document](#)

The Statement of Effect further confirms that:

- no physical works are dependent on the rezoning; and
- subdivision can occur independently of zoning change

[122150379 TPCJ0167 - PSA Rezoning Report - Darwin Surf Life Saving Club](#)

Accordingly, **rezoning is unnecessary** to support the existing or reasonable future operation of the DSLSC.

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### 4. Rezoning Permanently Expands Development Rights

Zone OR permits a materially broader range of uses, including:

- clubs;
- markets;
- shops;
- food premises;
- child care centres;
- leisure and recreation use

[122316620 Explanatory document](#)

Once rezoned, these rights attach to the land **in perpetuity**, regardless of current intentions. This creates a classic **planning ratchet effect**, whereby conservation land is incrementally repurposed without a realistic prospect of reversal.

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## 5. Reliance on Reserve Revocation Is Legally Misplaced

The proposal relies heavily on the 2023 partial reserve revocation of Lot 12719(A)

[122150393 Attachment E - Government Gazette Reserve Revocation](#)

However:

- reserve revocation under the Crown Lands Act does **not** amend the NT Planning Scheme;
- it does **not** remove conservation values;
- and it does **not** extinguish public rights to scrutinise zoning change.

Each statutory decision must stand on its own merits. Prior executive action cannot pre-empt or displace the Planning Act's procedural safeguards.

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## 6. Attempted Avoidance of Public Exhibition

The Statement of Effect contains an extraordinary request that the Minister **waive public exhibition**, asserting that the amendment is “not so significant as to require exhibition”

[122150379\\_TPCJ0167 - PSA Rezoning Report - Darwin Surf Life Saving Club](#)

This request reveals an **explicit attempt to avoid public scrutiny** of a permanent planning scheme amendment affecting coastal conservation land.

Public exhibition is not a discretionary courtesy. It is a **core statutory safeguard** designed to ensure transparency, accountability, and community participation in decisions of lasting public consequence. The proponent's contention that the Application is ‘not so significant’ is highly biased and unreliable.

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## 7. Procedural Unfairness: Selective Consultation Is Not Public Consultation

The proponent relies on a “preliminary consultation” with a limited, curated group — including the **direct beneficiary of the rezoning** — as justification for avoiding exhibition.

[122150379\\_TPCJ0167 - PSA Rezoning Report - Darwin Surf Life Saving Club](#)

This approach gives rise to **procedural unfairness**:

- Selective stakeholder engagement is not public consultation.
- The broader community was denied notice and opportunity to be heard on this matter.

- Planning schemes bind present and future communities and cannot be amended through closed processes.

This alone exposes the amendment to challenge.

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## 8. Apprehended Bias and Improper Purpose

In this matter, the Department of Lands, Planning and the Environment appears as:

- land manager;
- proponent;
- consultation gatekeeper;
- and participant in the decision-making pathway.

When an agency in this position seeks to avoid exhibition of its own proposal, a reasonable observer could apprehend **predisposition toward a particular outcome**, giving rise to accusations of **apprehended bias**.

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## 9. Failure to Consider Mandatory Relevant Matters

In seeking to waive exhibition, the proposal fails to properly address relevant considerations, including:

- cumulative loss of conservation zoning along the Casuarina coastline;
- intergenerational public interest;
- precedent effects for other reserves;
- and Aboriginal cultural heritage considerations (addressed below).

This constitutes a **failure to consider relevant matters**.

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## 10. Heightened Scrutiny Is Required, Not Waiver

Paradoxically, the attempt to avoid exhibition is itself a compelling reason why **full public scrutiny is essential**.

Where a proposal:

- weakens conservation controls;
- expands future development rights;
- affects public land;
- and seeks to bypass public input,

the appropriate response is **heightened transparency**, not an administrative shortcut.

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## 11. Aboriginal Cultural Heritage, Sacred Site Proximity, and Cultural Landscape Integrity

The subject land lies **within two kilometres, and in direct line of sight, of one of the most significant Aboriginal sacred sites in the Northern Territory**.

In the NT context, sacred sites exist within **broader cultural landscapes**, not as isolated points. Planning decisions affecting land within such landscapes must be approached with heightened care.

The Statement of Effect fails to meaningfully identify, assess, or weigh the implications of rezoning conservation land in proximity to a highly significant sacred site.

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### 11.1 Mandatory Consideration of Cultural Landscape Integrity

Aboriginal cultural heritage — including the **setting, context and cultural landscape surrounding sacred sites** — is a mandatory relevant consideration in NT planning decisions.

This obligation includes consideration of:

- indirect and cumulative impacts;
- changes in land-use intensity and activity;
- visual, acoustic and access effects;
- and intergenerational cultural integrity.

The proposal demonstrates a **failure to consider these relevant matters**.

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### 11.2 Rezoning Increases Cultural Heritage Risk

Rezoning from **CN** to **OR**:

- broadens permissible uses;
- enables intensified and commercial activity;
- reduces conservation primacy;
- limits future constraint capacity.

Assessment must focus on **planning consequences**, not current use alone.

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### 11.3 Heightened Consultation Expectations Apply

In circumstances involving proximity to a highly significant sacred site, **heightened standards of consultation and transparency apply**.

The attempt to waive public exhibition in this context is particularly troubling, depriving Aboriginal custodians and the wider community of meaningful opportunity to engage.

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### 11.4 Intergenerational Equity

Cultural heritage is inherently intergenerational. Planning decisions affecting culturally significant landscapes must protect future generations' ability to maintain cultural connections to Country.

Avoiding exhibition undermines intergenerational equity and public trust.

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### 11.5 Conclusion on Cultural Heritage

The absence of meaningful consideration of sacred site proximity further renders the amendment **procedurally deficient**.

At a minimum, full public exhibition is required.

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## 12. Systemic Governance Failure

This proposal exemplifies a broader pattern in which:

- government acts as both proponent and assessor;
- amendments are framed as “minor” to reduce scrutiny;
- conservation zoning is eroded incrementally;
- public participation is treated as an inconvenience.

Such practices risk transforming the planning system from public-interest regulation into administrative self-dealing.

### 12A – Environmental Risk and Wastewater Infrastructure Constraints

**Historical experience at the site demonstrates that increased intensity of use can place pressure on on-site wastewater infrastructure in a sensitive coastal environment.**

Following the commencement of food service activity at the surf lifesaving facility, issues emerged with aging septic infrastructure, including overflow events. These concerns were raised with the NT EPA.

Regardless of subsequent regulatory action, this history is relevant to the current proposal because it demonstrates that

- increased patronage and food service activity can exceed existing infrastructure capacity;
- wastewater management, with serious and material environmental and public health considerations, is already inadequate at this site;
- and expanded permissible uses under Zone OR would elevate, rather than reduce, this risk.

The Statement of Effect does not demonstrate that wastewater capacity, upgrade requirements, or cumulative environmental risk have been adequately assessed in the context of rezoning.

In a coastal setting subject to flooding and storm surge overlays, rezoning that facilitates intensified use without a transparent infrastructure assessment is inconsistent with precautionary planning principles.

## 13. Conclusion

For the reasons set out above, the proposed amendment:

- is unnecessary;
- weakens conservation protections;
- is procedurally unfair;
- fails to consider mandatory relevant matters; undermines Aboriginal cultural heritage governance;
- creates serious public health and environmental danger through inadequate wastewater infrastructure at the site.

I respectfully request that the NT Planning Commission recommend that the amendment be **rejected**.

In the alternative, the amendment must be subjected to **full public exhibition** and transparent reassessment consistent with the purpose and objectives of the *Planning Act (1999)* including, s 2A (f) “to promote the responsible use of land and water resources to limit the adverse effects of development on ecological processes.”

## Amit Magotra

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**From:** Grusha Leeman <grushaleeman@gmail.com>  
**Sent:** Friday, 19 December 2025 11:29 PM  
**To:** Planning NTG  
**Subject:** Re PROPOSAL TO AMEND NT PLANNING SCHEME PA2025/0395

**CAUTION:** This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Good day

Casuarina Coast should be properly protected as a National Park and no more development should be tolerated.

The sea is rising.

The weeds are rampant and this proposal is not only unnecessary, it assumes it is acceptable to bulldoze beautiful trees in a dense forest.

The current Surf Club buildings and surrounds has adequate enterprises and do not need to be expanded. I object entirely to this proposed change.

 we will protect NT

**Grusha Leeman**

**0426 871 426**

**From:** [Margaret Clinch](#)  
**To:** [Das NTG](#)  
**Subject:** PA2025/0395 Planning Scheme Amendment-Lot093735 Nightcliff-472 Trower Road, Tiwi  
**Date:** Friday, 19 December 2025 10:26:05 PM

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19.12.2025

Manager,  
Development Assessment Services,  
Department of Lands, Planning, and Environment,  
Cavenagh Street,  
Darwin, NT

Dear Sir/Madam,

It is quite shocking to see an application suggesting that a new lot area should be rezoned out of the Casuarina Coastal Reserve.

This land is foreshore land, and part of the Crown Land Estate.

The proponent agents Tatam Planning Co.(a relative newcomer to Darwin planning) began their application by stating that the Minister for Planning had accepted an application to allow a Planning Scheme Amendment.

This application was for the purpose of rezoning this part of the Casuarina Coastal Reserve from its existing proper CN (CONSERVATION ZONING) to the poor alternative of OR (ORGANISED RECREATION).

The proponents are mistaken if they believe that this land is not part of the Casuarina Coastal Reserve. This is a significant managed reserve, which covers a huge area, and one of the most visited parklands in the NT.

1. The proposal would not only double the size of the holdings of the Darwin Life Saving Club but would inhibit walking access to the Reserve near both road and beach.

It has been noted that the Club allows entry only to members, including parking. Nothing in the application has shown us why the club wishes to take more land.

2. Casuarina Coastal Reserve is important, not only for the free enjoyment of the public in so many ways, including the enjoyment of the natural environment.

Because of this CN (CONSERVATION) is the CORRECT ZONING for the area.

3. Since its formation in 1997, the dedicated volunteer Casuarina Coastal Reserve Landcare Group (CCRLG) has long been a major force in the reserve.

They work closely with the management, protecting and revegetating the natural environment, and also using exciting new ideas.

4. Bird watching by amateur birdies, and professional ones also shared in this natural environment of this area.

5. THIS IS UNIQUE SO CLOSE TO THE CBD, IT IS CLEARLY OBVIOUS THAT THE PROPER ZONING HERE IS CONSERVATION IN LINE WITH NT PLANNING.

6. INCREASING THE OR (ORGANISED RECREATION) WOULD CREATE A PRECEDENT AND CONFLICT.

Regards

M A CLINCH

PLan:the Planning Action Network  
margaret.clinch@bigpond.com

08-89271999  
57 Ellengowan Drive,  
Brinkin, 0810



**Aboriginal Areas  
Protection Authority**  
protecting sacred sites across the territory

Planning NTG  
[Planning.ntg@nt.gov.au](mailto:Planning.ntg@nt.gov.au)

Dear Planning NTG

**PA2025/0395 – Lot 0975 Town of Nightcliff – Part rezoning from Zone CN to Zone OR**

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

The Aboriginal Areas Protection Authority (AAPA) **recommends that Miss Cat Tatum 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 0975 Town of Nightcliff 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](#).

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**  
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[www.aapant.org.au](http://www.aapant.org.au)  
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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 Amit Magotra

**RE: PA2025/0395 - Lot 09375 Town of Nightcliff - 422 Trower Rd, Tiwi NT - Part rezoning from Zone CN (Conservation) to Zone OR (Organised Recreation)**

In response to the above proposal for development application purposes, Power and Water Corporation (Water Services) advise the following with reference to water and sewer enquiries:

- It is noted that this rezoning application is in relation to the development application PA2025/0373 "subdivision to provide for a new lot that encompasses all existing facilities, improvements, and associated access for the Darwin Surf Life Saving Club". Power and Water would advise all previous comments submitted with PA2025/0373 remain applicable.

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

Yours sincerely

*Craig Thomas*

Craig Thomas  
**Services Development**

19 December 2025

cc: Cat Tatam  
email: [cat@tatamplanningco.com.au](mailto:cat@tatamplanningco.com.au)

**Phone** 1800 245 092

**Web** [powerwater.com.au](http://powerwater.com.au)

Record No: D2025/425172

Container No: NE550/9375

Your Ref: PA2025/0395

Amit Magotra  
Development Assessment Services  
GPO Box 1680  
Darwin NT 0801

Dear Amit

**Re: Part Lot 9375 (422) Trower Road Tiwi Town of Nightcliff**

In response to your letter of the above proposal for the purpose of part rezoning from Zone CN (Conservation) to Zone OR (Organised Recreation) for proposed Lot 12991 (Darwin Surf Life Saving Club, DSLSC), Power and Water Corporation (PWC) advises the following with reference to electricity enquiries:

1. Power and Water has no objection to the above rezoning proposal.
2. However, the proposed Lot 12991 would have the following issues regarding power servicing compliance:
  - Current power supply to DSLSC site is from Lot 9375.
  - It does not meet NP020 Guidelines for developers of subdivisions and electricity infrastructure – Clause 2.3 (a) that “All newly created lots in subdivision layout shall have public road access frontage for electricity service connections. Electricity supply service to any lot through another lot is strictly prohibited.”
3. The current power supply to DSLSC site would be accepted if the proposed Lot 12991 is an Administrative Lot.

If you have any further queries, please contact the undersigned on 8924 5729 or email:  
[PowerDevelopment@powerwater.com.au](mailto:PowerDevelopment@powerwater.com.au)

Yours sincerely



Thanh Tang  
**Manager Distribution Development**

26 November 2025

**From:** Danielle Sawyer <[Danielle.Sawyer@nt.gov.au](mailto:Danielle.Sawyer@nt.gov.au)>  
**Sent:** Tuesday, 20 January 2026 3:49 PM  
**To:** Fiona Ray <[Fiona.Ray@nt.gov.au](mailto:Fiona.Ray@nt.gov.au)>  
**Subject:** RE: PA2025/0395 Rezoning Part Lot 9375, Town of Nightcliff from Zone CN to Zone OR (Organised Recreation)

Hi Fiona,

I have made enquiries about your question and the answer is yes, lights can affect nesting turtles and hatchlings. We are careful in locating lights in CCR away from the coast and have built requirements for turtle-friendly lighting into scope documents managed by Dept Infrastructure.

Here are some guidelines that we utilise in this regard:

[Marine turtle watching community guidelines](#)

[Reducing the effect of light pollution on wildlife - Turtles - DCCEEW](#)

Should the DSLC wish to apply for development permits etc I would presume we would be given the benefit of the right to make comment and be consulted etc at the time.

**Kind regards**

**Danielle Sawyer**

Land Administration Officer, Park Development  
Executive Officer Conservation Land Corporation  
Registrar of Conservation Officers

Park Development and Strategic Projects / Parks and Wildlife Commission  
Department of Tourism and Hospitality  
Northern Territory Government

Level 4, Goyder Building, 25 Chung Wah Terrace, Palmerston NT 0830  
PO Box 496, Palmerston NT 0831

P: **+61 8 8999 3483**

E: [danielle.sawyer@nt.gov.au](mailto:danielle.sawyer@nt.gov.au)

E: [Conservation.LandCorp@nt.gov.au](mailto:Conservation.LandCorp@nt.gov.au)

E: [PWCNT.CORegistrar@nt.gov.au](mailto:PWCNT.CORegistrar@nt.gov.au)

W: [Parks and Wildlife Commission](#)



**Our Purpose:** Together, with community and industry, we PROTECT, CREATE and PROMOTE vibrant places of natural wonder, cultural richness and unique experiences valued by all.

**Our Values:** we do what we say | we play as a team | we embrace difference | we go for best



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The NT Government acknowledges the Aboriginal people and cultures of the land and country on which we work and live. We acknowledge the ongoing connection to culture, land, sea and community and pay our respects to Elders past and present and to emerging leaders.

 Please consider the environment before printing this email

**From:** [Danielle Sawyer](#) on behalf of [Parkplanning PWCNT](#)  
**To:** [Fiona Ray](#)  
**Cc:** [Parkplanning PWCNT](#)  
**Subject:** RE: PA2025/0395 Rezoning Part Lot 9375, Town of Nightcliff from Zone CN to Zone OR (Organised Recreation)  
**Date:** Thursday, 15 January 2026 9:20:37 PM  
**Attachments:** [image003.png](#)  
[image004.gif](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)  
[image008.png](#)  
[image009.png](#)  
[image010.gif](#)

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Good afternoon Fiona,

In relation to the Rezoning application for Part Lot 9375 town of Nightcliff, the Parks and Wildlife Commission has the following comment:

The Parks and Wildlife Commission has no concerns in relation to the proposed Planning Scheme Amendment Application.

However it advises that any activities that may be held at the Darwin Surf Life Saving Club will need to address parking issues, particularly at times of increased activity, to restrict where possible any overflow parking that may occur within the Casuarina Coastal Reserve so there is minimal impact on access to users of the Reserve.

Kind regards

**Danielle Sawyer**

Land Administration Officer, Park Development  
Executive Officer Conservation Land Corporation  
Registrar of Conservation Officers

Park Development and Strategic Projects / Parks and Wildlife Commission  
Department of Tourism and Hospitality  
Northern Territory Government

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E: [PWCNT.CORegistrar@nt.gov.au](mailto:PWCNT.CORegistrar@nt.gov.au)

W: [Parks and Wildlife Commission](#)



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The NT Government acknowledges the Aboriginal people and cultures of the land and country on which we work and live. We acknowledge the ongoing connection to culture, land, sea and community and pay our respects to Elders past and present and to emerging leaders.



---

**From:** Fiona Ray <Fiona.Ray@nt.gov.au>

**Sent:** Tuesday, 13 January 2026 3:52 PM

**To:** Parkplanning PWCNT <parkplanning@nt.gov.au>; DevelopmentAssessment DLPE <DevelopmentAssessment.DLPE@nt.gov.au>

**Cc:** Maria Wauchope <Maria.Wauchope@nt.gov.au>

**Subject:** PA2025/0395 Rezoning Part Lot 9375, Town of Nightcliff from Zone CN to Zone OR (Organised Recreation)

Hello,

I offer my sincere apologies in advance. PA2025/0395 is an application to rezone Part Lot 9375 from Zone CN (Conservation) to Zone OR (Organised Recreation). The application was advertised from 21/11/25 to 19/12/25. I have checked the Service Authorities list and it appears that your agency was not included, I hope to rectify the omission.

The subject land surrounds the Darwin Surf Lifesaving Club and was excised from the Casuarina Coastal Reserve in 2023 to increase the area to be leased by Crown Land Estate to the Darwin Surf Lifesaving Club.

Rezoning the land from Zone CN (Conservation) to OR (Organised Recreation) will increase the range of uses that can be established on the land and remove reference to the Clearing of Native Vegetation Overlay.

I have added you to the submitter list but ILIS may not automatically send the application as the submission period has closed. So the application documents are attached and are visible under PA2025/0395. The Planning Commission will be considering the application on 3 February and I would ideally like to finalise the report by 20 Jan. Apologies for the tight timeframe. Please let me know if further time is required to respond.

Kind regards

**Fiona Ray**

Senior Planner  
Lands Planning  
Department of Lands, Planning and Environment  
Northern Territory Government

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20 January 2026

Ms Fiona Ray  
Department of Lands, Planning and Environment  
GPO Box 1680  
DARWIN NT 0801

E [DevelopmentAssessment.DLPE@nt.gov.au](mailto:DevelopmentAssessment.DLPE@nt.gov.au)

T 08 8999 4446

Our Ref: DLPE2026/0020  
Your Ref: PA2025/0395

Dear Ms Ray

**Re: PA2025/0395 Part rezoning from Zone CN (Conservation) to Zone OR (Organised Recreation)**

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

### Land Resources Division

#### **Weed Management Branch**

A desktop assessment of the Northern Territory (NT) Weeds Database for the application area, surrounding parcels and roads has revealed current and or previous data records of the following weed species:

Common Name	Botanical Name	Declared
Pond Apple	<i>Annona glabra</i>	Class A
Gamba grass	<i>Andropogon gayanus</i>	Class B
Perennial mission Grass	<i>Cenchrus polystachios</i>	Class B
Olive hymenachne	<i>Hymenachne amplexicaulis</i>	Class B
Mossman river grass	<i>Cenchrus echinatus</i>	Class B
Chinee Apple	<i>Ziziphus mauritiana</i>	Class A
Neem	<i>Azadirachta indica</i>	Class B
Senna - Candle bush	<i>Senna alata</i>	Class B
Common lantana	<i>Lantana camara</i>	Class B
Senna - sicklepod	<i>Senna obtusifolia</i>	Class B
Hyptis	<i>Hyptis suaveolens</i>	Class B
Star burr	<i>Acanthospermum hispidum</i>	Class B
Lions tail	<i>Leonotis nepetifolia</i>	Class B

Common Name	Botanical Name	Declared
Flannel weed	<i>Sida cordifolia</i>	Class B
Spinyhead sida	<i>Sida acuta</i>	Class B

All land in the NT is subject to the *Weeds Management Act 2001* (WM Act). The WM Act describes the legal requirements and responsibilities that apply to all persons, owners and occupiers of land regarding declared and potential weeds. General duties described in Division 1 of the WM Act include the requirement for owners or occupiers of land to take all reasonable measures to prevent land being infested with a declared weed and to prevent a declared weed from spreading.

Gamba grass and neem are each subject to a statutory weed management plan. Management obligations outlined in these plans is legally binding on all owners and occupiers. Management requirements and copies of the statutory weed management plans are available online<sup>1</sup>.

Pond apple is a declared weed, Class A and is listed in the Darwin Regional Weeds Strategy 2021-2026 as a Category 1 – priority weed for eradication.

Guidelines for the prevention of weed spread are outlined in '*Preventing Weed Spread is Everybody's Business*<sup>2</sup>', which highlights the areas of risk for all activities associated with weed spread. The document details the pathways through which weeds are spread and provides actions to reduce weed spread. Proponents seeking to develop land for any purpose should address these actions.

Further information regarding weed management requirements are available online<sup>3</sup>, or alternatively contact the Weed Management Branch for further advice on (08) 8999 4567.

## **Environment and Heritage Division**

### **Heritage Branch**

There are two declared heritage places within Lot 9375, Town of Nightcliff. These relate to World War II history.

There are recorded Aboriginal archaeological places or objects within Lot 9375, Town of Nightcliff.

It should be noted that Lot 12719(A) encompasses sand dunes and foreshores and that these areas have been used as Aboriginal burial sites in the past, the closest recorded burial place being within 400m of the proposed subdivision.

Although the declared heritage places and Aboriginal archaeological places and objects are located outside the administrative boundary of Lot 12719(A), it should be noted that prior to any development in the proposed subdivision area, the proponent should be advised to contact the Heritage Branch for further advice - [heritage.branch@nt.gov.au](mailto:heritage.branch@nt.gov.au).

### **Context of Heritage Branch Advice**

The Northern Territory (NT) Government's Heritage Branch administers the *Heritage Act 2011* and provides authoritative advice about obligations under the *Heritage Act 2011*, including steps

<sup>1</sup> <https://nt.gov.au/environment/weeds/weed-management-planning>

<sup>2</sup> [https://denr.nt.gov.au/\\_data/assets/pdf\\_file/0011/257987/preventing-weed-spread.pdf](https://denr.nt.gov.au/_data/assets/pdf_file/0011/257987/preventing-weed-spread.pdf)

<sup>3</sup> <http://www.nt.gov.au/environment/weeds>

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.

Further information can also be found on the Heritage Branch website<sup>4 5</sup>:

### **Flora and Fauna Division**

The area in question has already been cleared, and the application is to formalise existing land use. Therefore, the risk to threatened species and biodiversity is low.

### **Water Resources Division**

There are no issues of concern requiring comment within the responsibilities of Water Resources Division associated with the proposed rezoning.

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<sup>4</sup> <https://nt.gov.au/property/building/heritage-properties/heritage-properties-building-works-and-development>

<sup>5</sup> <https://nt.gov.au/leisure/arts-culture-heritage/visit-a-cultural-or-heritage-site/aboriginal-heritage-information>

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

Yours sincerely

A handwritten signature in blue ink, appearing to read 'M Wauchope', is positioned above the printed name.

Maria Wauchope  
Executive Director Land Resources



Civic Centre  
Harry Chan Avenue  
Darwin NT 0800

GPO Box 84  
Darwin NT 0801

P 08 8930 0300  
E [darwin@darwin.nt.gov.au](mailto: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: PA2025/0395

Dear Sir/Madam

**Parcel Description:** Lot 9375, Town of Nightcliff  
422 Trower Road, Tiwi

**Proposed Development:** Planning Scheme Amendment to Part rezone from  
Zone CN (Conservation) to Zone OR (Organised  
Recreation)

Thank you for the Planning Scheme Amendment (PSA) referred to this office on 21 November 2025 concerning the above.

City of Darwin has no objections in principle to the proposed PSA.

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](mailto:darwin@darwin.nt.gov.au)

Yours sincerely

Signed by:  
  
5A8AC558A1A19D92

**ALICE PERCY**  
**GENERAL MANAGER INNOVATION**

