NORTHERN TERRITORY OF AUSTRALIA

Planning Act - sections 54 and 55

DEVELOPMENT PERMIT

DP18/0409

DESCRIPTION OF LAND THE SUBJECT OF THE PERMIT

Lot 04873
Town of Nightcliff
577 LEE POINT RD, LEE POINT

APPROVED PURPOSE

To use and develop the land for the purpose of a subdivision to create 513 lots in two stages, in accordance with the attached schedule of conditions and the endorsed plans.

development permit

VARIATIONS GRANTED

Clause 11.2.3 (Lot Size and Configuration in Residential Subdivisions) of the Northern Territory Planning Scheme.

BASE PERIOD OF THE PERMIT

Subject to the provisions of sections 58, 59 and 59A of the Planning Act, this permit will lapse two years from the date of issue.

D. Parkes

Dawn Parkes
2018.11.30
14:38:09
+09'30'

DAWN PARKES
Delegate
Development Consent Authority

30 November 2018

DEVELOPMENT PERMIT

DP18/0409

SCHEDULE OF CONDITIONS

CONDITIONS PRECEDENT

1. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), amended plans are to be submitted showing:
   (a) A 7m carriageway included within the 15m local road reserve, to the requirements of the City of Darwin.
   (b) The removal of the lake, or otherwise the written consent of the City of Darwin and Medical Entomology, Department of Health for this feature.
   (c) The minor boundary changes submitted during assessment of the application.
   The above is to be completed to the satisfaction of the consent authority.

2. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), the proponent is to develop and commence implementation of a monitoring program to quantify impacts on shorebirds. The program is to be developed on the advice of the Flora and Fauna division, Department of Environment and Natural Resources, Wildlife and Heritage division, Department of Tourism and Culture, to the satisfaction of the consent authority.

3. Prior to the endorsement of plans and prior to the commencement of works (including site preparation, the proponent is to prepare a Construction and Environmental Management Plan. The Plan is to address waste management, traffic control, haulage routes, stormwater drainage, and how Council land will be managed during construction, to the requirements of the City of Darwin.
   The Plan is also to address dust, noise and vibration impacts, and waste management, and include processes for:
   - communicating anticipated impacts of construction to stakeholders;
   - the reporting of, and responding to complaints; and
   - identifying when there are unexpected and unacceptable impacts to stakeholders and amending construction practices as appropriate, on the advice of the Environment division, Department of Environment and Natural Resources. The Plan must demonstrate compliance with NT EPA Noise Guidelines for Development Sites, and the NT EPA Noise Management Framework Guideline, and is also to include scope for regular review and updates and include the schedule for construction stages.

   The above is to be completed to the satisfaction of the consent authority.

4. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), the design and specifications of the on-site collection of stormwater and its discharge into the City of Darwin stormwater drainage system or another location shall be submitted to and approved by the City of Darwin, Medical Entomology, Department of Health, and the Park Development division, Department of Tourism and Culture, to the satisfaction of the consent authority.
   The stormwater design should be completely free draining to avoid the potential for mosquito breeding during low flow periods. All discharge drains to the conservation reserve must be fitted with concrete low flow inverts that terminate at a free draining tidal area.

Access to, and maintenance of the discharge drains in the Casuarina Coastal Reserve must be clarified and accepted by the Park Development division, Department of Tourism and Culture, and Medical Entomology, Department of Health.

5. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), a landscape plan is to be prepared and must be generally in accordance with the landscape concept submitted with the application but modified as follows:
   (a) The plan is to address landscaping details for all proposed road reserves and public areas, to the approval of the City of Darwin.
   (b) The plan is to include, and confirm the location of the 50m open wind buffer to the western edge of the monsoon forest boundary (or the edge of the escarpment if this is closer). The 50m open wind buffer is to comprise tall-growing, long-lived, hardy native trees, with a mature tree crown coverage of approximately 10% only, on the advice of Medical Entomology, Department of Health.
   (c) The plan is to include the location and design of trails through the conservation area, to the approval of the Park Development division, Department of Commission.
   (d) The plan is to demonstrate that mature trees in the Casuarina Coastal Reserve have been preserved, on the advice of the Aboriginal Areas Protection Authority.
   The above is to be completed to the satisfaction of the consent authority.

6. Prior to the commencement of works, an Erosion and Sediment Control Plan (ESCP) is to be submitted to and approved by the consent authority of the advice of the Rangelands division, Department of Environment and Natural Resources. The ESCP must be developed by a Certified Professional in Erosion and Sediment Control (CPESC) and should detail methods and treatments for minimising erosion and sediment loss from the site during both the clearing and establishment phases of the development. Information regarding erosion and sediment control and ESCP content is available at www.austieca.com.au and the NTG website: https://nt.gov.au/environment/soil-land-vegetation. The ESCP should be emailed for assessment to: developmentassessment.denr@nt.gov.au.

7. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), a site earthworks plan indicating finished levels of all proposed lots is to be submitted to and approved by the City of Darwin to the satisfaction of the consent authority. All cut and fill works are to be designed to eliminate the need for excessive cut/fill/retaining wall works for the proposed lots.

8. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), traffic management details including amendments to the proposed road configurations to meet the relevant subdivision and development guidelines are to be provided to the requirements of the City of Darwin, to the satisfaction of the consent authority.

9. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), public transport details including bus stop locations and designs, and a route that considers the staging of the development are to be provided to the requirements of Transport and Civil Services, Department of Infrastructure, Planning and Logistics, to the satisfaction of the consent authority.

10. Prior to the commencement of works, a proposed zoning plan must be submitted to and approved by the consent authority. The zoning plan must be consistent with the description given in the application.

GENERAL CONDITIONS

11. The works carried out under this permit shall be in accordance with the drawings endorsed as forming part of this permit.

12. The development must proceed in the order of stages as shown on the endorsed plan unless otherwise agreed in writing by the consent authority.

13. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage facilities, electricity services and telecommunication services to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.

14. All existing and proposed easements and sites for existing and required utility services must be vested in the relevant authority for which the easement or site is to be created on the plan of subdivision submitted for approval by the Surveyor General.

15. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority to the satisfaction of the consent authority.

16. All proposed roads to be created on the plan of subdivision submitted for approval by the Surveyor General must be dedicated to the relevant Northern Territory or local government authority.

17. The monitoring program to quantify impacts on shorebirds is to be implemented on the advice of the Flora and Fauna division, Department of Environment and Natural Resources, Wildlife and Heritage division, Department of Tourism and Culture, to the satisfaction of the consent authority. The results and annual updates from the program must be made publically available.

18. The Construction and Environmental Management Plan is to be implemented on the advice of the City of Darwin, and the Environment division, Department of Environment and Natural Resources, to the satisfaction of the consent authority. The Plan is also to remain publically available for the duration of construction.

19. Engineering design and specifications for the proposed and affected roads, street lighting, stormwater drainage, site earthworks, vehicular access, pedestrian/ cycle corridors and streetscaping are to be to the technical requirements of City of Darwin, to the satisfaction of the consent authority and all approved works constructed at the owner’s expense. Any street and reserve lighting directly visible from the beach is also to be provided on the advice of the Environment division, Department of Environment and Natural Resources, with regards to demonstrating details of how the Western Australian Guideline for Protecting Marine Turtles from Light Impacts (WA EPA, 2010) have been incorporated.

20. Before the use commences the owner must, in accordance with Part 6 of the Planning Act, pay a monetary contribution to the City of Darwin for the upgrade of local infrastructure, in accordance with its Lee Point Road Roadwork Contribution Plan.

21. Stormwater is to be collected and discharged into the drainage network to the technical standards of the City of Darwin, the Medical Entomology division of the Department of Health, and the Park Development division, Department of Tourism and Culture, to the satisfaction of the consent authority.

22. The applicant is to demonstrate all discharge drains, including the end of point of the drains in the Casuarina Coastal Reserve, include suitable access to allow for maintenance on the advice of the Park Development division, Department of Tourism and Culture, and Medical Entomology, Department of Health, to the satisfaction of the consent authority.

23. The landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of Medical Entomology, Department of Health, the Park Development division, Department of Tourism and Culture, and the Aboriginal Areas Protection Authority, to the satisfaction of the consent authority.

24. All works relating to this permit are to be undertaken in accordance with the approved Erosion and Sediment Control Plan to the requirements of the consent authority on the advice of the Rangelands division, Department of Environment and Natural Resources.

25. Any offset or offset management plan required by the Australian Government with respect to the significant residual impact to the black-footed tree-rat (Mesembriomys gouldii gouldii) is to be completed, on the advice of the Flora and Fauna division, Department of Environment and Natural Resources, to the satisfaction of the consent authority.

26. A qualified person, under section 68 of the Waste Management and Pollution Control Act, must provide certification that the site is suitable for the intended use on the advice of the Environment division, Department of Environment and Natural Resources, to the satisfaction of the consent authority.

27. The proponent must ensure that only clean fill (virgin excavated natural material) is accepted and that the fill has been adequately assessed as being suitable for its intended use, to the requirements of the Environment division, Department of Environment and Natural Resources.

28. Before the issue of Titles, the developer is to provide written confirmation (in the form of plans or drawings) demonstrating that all lots less than 600m² for single dwellings allow for future vehicle access via a single driveway unrestricted by street infrastructure (including any power, water, sewer, or stormwater infrastructure) which demonstrates that a 3.5m driveway can be located on each lot whilst ensuring that each lot's street frontage has a minimum continuous length of 6.5m, to the satisfaction of the consent authority.

NOTES

1. Consent is required for any changes to the approved staging of the subdivision and the applicant should contact Development Assessment Services on (08) 8999 6046 for more information.

2. The Power and Water Corporation advises that the Water and Sewer Services Development Section (landdevelopmentnorth@powerwater.com.au) and Power Network Engineering Section (powerconnections@powerwater.com.au) should be contacted via email a minimum of one month prior to construction works commencing to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.

3. If you choose nbn to service your development, you will need to enter into a development agreement with nbn. The first step is to register the development via http://www.nbnco.com.au/develop-or-plan-with-the-nbn/new-developments.html once registered nbn will be in contact to discuss the specific requirements for the development. Nbn requires

you to apply at least 3 months before any civil works commence. All telecommunications infrastructure should be built to nbn guidelines found at http://www.nbnco.com.au/develop-or-plan-with-the-nbn/new-developments/builders-designers.html

4. The Northern Territory Environment Protection Authority advises that construction work should be conducted in accordance with the Authority's Noise Guidelines for Development Sites. The guidelines specify that on-site construction activities are restricted to between 7am and 7pm Monday to Saturday and 9am to 6pm Sunday and Public Holidays. For construction activities outside these hours refer to the guidelines for further information.

5. Any proposed works which fall within the scope of the Construction Industry Long Service Leave and Benefits Act must be notified to NT Build by lodgement of the required Project Notification Form. Payment of any levy must be made prior to the commencement of any construction activity. NT Build should be contacted via email (info@ntbuild.com.au) or by phone on 08 89364070 to determine if the proposed works are subject to the Act.

6. As part of any subdivision, the parcel numbers for addressing should comply with the Australian Standard (AS/NZS 4819:2011). For more information contact Survey and Land Records surveylandrecords@nt.gov.au 08 8995 5354. The numbers shown on the plans endorsed as forming part of this permit are indicative only and are not for addressing purposes.

7. All new roads, including alterations and extensions to existing roads, are required to be named under the Place Names Act. You should immediately make application to the Place Names Committee to commence the road naming process. Contact the Place Names Unit on 08 8995 5333 or place.names@nt.gov.au

8. The Northern Territory Environment and Protection Authority has advised that the proponent must comply with their General Environment Duty provided by section 12 of the *Waste Management and Pollution Control Act.*

9. There are statutory obligations under the Weeds Management Act to take all practical measures to manage weeds on the property. For advice on weed management please contact the Rangelands division, Department of Environment and Natural Resources.

NORTHERN TERRITORY OF AUSTRALIA

Planning Act 1999 - section 59

EXTENSION OF PERIOD OF PERMIT

DP18/0409A

DESCRIPTION OF LAND THE SUBJECT OF THE PERMIT

Lot 04873
Town of Nightcliff
577 LEE POINT RD, LEE POINT

PERIOD OF EXTENSION

The Development Consent Authority has determined to extend the period of Development Permit DP18/0409 by a period of 2 years.

Development Permit DP18/0409 will now lapse on 30 November 2022. Should works be substantially commenced in accordance with DP18/0409 on or before 30 November 2022, DPDP18/0409 will lapse on 30 November 2024.

In all other respects DP18/0409 remains unchanged.

Ann-Marie Reynolds 2020.11.17 17:30:03 +09'30'

ANN-MARIE REYNOLDS
Delegate
Development Consent Authority
17 November 2020

NORTHERN TERRITORY OF AUSTRALIA

Planning Act 1999 - Section 57(3)

VARIATION OF CONDITIONS

DP18/0409B

DESCRIPTION OF LAND THE SUBJECT OF THE PERMIT

Lot 04873
Town of Nightcliff
577 LEE POINT RD, LEE POINT

VARIATION

Consent is granted to vary Condition 11 of Development Permit DP18/0409 for the purpose of relocating lot 488, deleting one public open space lot of 450m2, boundary realignments to lots 49, 50, 178, 178, 319 & 320, and reconfiguring the staging to allow the subdivision to occur in five stages, in accordance with the drawings endorsed as forming part of this permit.

In all other respects Development Permit DP18/0409 remains unchanged.

BASE PERIOD OF THE PERMIT

The base period of the original permit was previously extended by DP18/0409A for a period of 2 years. This variation of conditions development permit does not further extend this base period.

Suzanne Philip
2022.07.14
09:11:31
+09'30'

SUZANNE PHILIP
Delegate
Development Consent Authority

14 July 2022

SCHEDULE OF CONDITIONS

DEVELOPMENT PERMIT

DP18/0409B

CONDITIONS PRECEDENT

1. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), amended plans are to be submitted showing:
   (a) A 7m carriageway included within the 15m local road reserve, to the requirements of the City of Darwin.
   (b) The removal of the lake, or otherwise the written consent of the City of Darwin and Medical Entomology, Department of Health for this feature.
   (c) The minor boundary changes submitted during assessment of the application.
   The above is to be completed to the satisfaction of the consent authority.

2. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), the proponent is to develop and commence implementation of a monitoring program to quantify impacts on shorebirds. The program is to be developed on the advice of the Flora and Fauna division, Department of Environment and Natural Resources, Wildlife and Heritage division, Department of Tourism and Culture, to the satisfaction of the consent authority.

3. Prior to the endorsement of plans and prior to the commencement of works (including site preparation, the proponent is to prepare a Construction and Environmental Management Plan. The Plan is to address waste management, traffic control, haulage routes, stormwater drainage, and how Council land will be managed during construction, to the requirements of the City of Darwin.
   The Plan is also to address dust, noise and vibration impacts, and waste management, and include processes for:
   • communicating anticipated impacts of construction to stakeholders;
   • the reporting of, and responding to complaints; and
   • identifying when there are unexpected and unacceptable impacts to stakeholders and amending construction practices as appropriate, on the advice of the Environment division, Department of Environment and Natural Resources. The Plan must demonstrate compliance with NT EPA Noise Guidelines for Development Sites, and the NT EPA Noise Management Framework Guideline, and is also to include scope for regular review and updates and include the schedule for construction stages.
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The stormwater design should be completely free draining to avoid the potential for mosquito breeding during low flow periods. All discharge drains to the conservation reserve must be fitted with concrete low flow inverts that terminate at a free draining tidal area.
Access to, and maintenance of the discharge drains in the Casuarina Coastal Reserve must be clarified and accepted by the Park Development division, Department of Tourism and Culture, and Medical Entomology, Department of Health.

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9. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), public transport details including bus stop locations and designs, and a route that considers the staging of the development are to be provided to the requirements of Transport and Civil Services, Department of Infrastructure, Planning and Logistics, to the satisfaction of the consent authority.

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GENERAL CONDITIONS

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14. All existing and proposed easements and sites for existing and required utility services must be vested in the relevant authority for which the easement or site is to be created on the plan of subdivision submitted for approval by the Surveyor General.

15. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority to the satisfaction of the consent authority.

16. All proposed roads to be created on the plan of subdivision submitted for approval by the Surveyor General must be dedicated to the relevant Northern Territory or local government authority.

17. The monitoring program to quantify impacts on shorebirds is to be implemented on the advice of the Flora and Fauna division, Department of Environment and Natural Resources, Wildlife and Heritage division, Department of Tourism and Culture, to the satisfaction of the consent authority. The results and annual updates from the program must be made publically available.

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19. Engineering design and specifications for the proposed and affected roads, street lighting, stormwater drainage, site earthworks, vehicular access, pedestrian/ cycle corridors and streetscaping are to be to the technical requirements of City of Darwin, to the satisfaction of the consent authority and all approved works constructed at the owner’s expense. Any street and reserve lighting directly visible from the beach is also to be provided on the advice of the Environment division, Department of Environment and Natural Resources, with regards to demonstrating details of how the Western Australian Guideline for Protecting Marine Turtles from Light Impacts (WA EPA, 2010) have been incorporated.

20. Before the use commences the owner must, in accordance with Part 6 of the Planning Act, pay a monetary contribution to the City of Darwin for the upgrade of local infrastructure, in accordance with its Lee Point Road Roadwork Contribution Plan.

21. Stormwater is to be collected and discharged into the drainage network to the technical standards of the City of Darwin, the Medical Entomology division of the Department of Health, and the Park Development division, Department of Tourism and Culture, to the satisfaction of the consent authority.

22. The applicant is to demonstrate all discharge drains, including the end of point of the drains in the Casuarina Coastal Reserve, include suitable access to allow for maintenance on the advice of the Park Development division, Department of Tourism and Culture, and Medical Entomology, Department of Health, to the satisfaction of the consent authority.

23. The landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of Medical Entomology, Department of Health, the Park Development division, Department of Tourism and Culture, and the Aboriginal Areas Protection Authority, to the satisfaction of the consent authority.

24. All works relating to this permit are to be undertaken in accordance with the approved Erosion and Sediment Control Plan to the requirements of the consent authority on the advice of the Rangelands division, Department of Environment and Natural Resources.

25. Any offset or offset management plan required by the Australian Government with respect to the significant residual impact to the black-footed tree-rat (Mesembriomys gouldii gouldii) is to be completed, on the advice of the Flora and Fauna division, Department of Environment and Natural Resources, to the satisfaction of the consent authority.

26. A qualified person, under section 68 of the Waste Management and Pollution Control Act, must provide certification that the site is suitable for the intended use on the advice of the Environment division, Department of Environment and Natural Resources, to the satisfaction of the consent authority.

27. The proponent must ensure that only clean fill (virgin excavated natural material) is accepted and that the fill has been adequately assessed as being suitable for its intended use, to the requirements of the Environment division, Department of Environment and Natural Resources.

28. Before the issue of Titles, the developer is to provide written confirmation (in the form of plans or drawings) demonstrating that all lots less than 600m² for single dwellings allow for future vehicle access via a single driveway unrestricted by street infrastructure (including any power, water, sewer, or stormwater infrastructure) which demonstrates that a 3.5m driveway can be located on each lot whilst ensuring that each lot's street frontage has a minimum continuous length of 6.5m, to the satisfaction of the consent authority.

Notes

1. Consent is required for any changes to the approved staging of the subdivision and the applicant should contact Development Assessment Services on (08) 8999 6046 for more information.

2. The Power and Water Corporation advises that the Water and Sewer Services Development Section (landdevelopmentnorth@powerwater.com.au) and Power Network Engineering Section (powerconnections@powerwater.com.au) should be contacted via email a minimum of one month prior to construction works commencing to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure.

3. If you choose nbn to service your development, you will need to enter into a development agreement with nbn. The first step is to register the development via http://www.nbnco.com.au/develop-or-plan-with-the-nbn/new-developments.html once registered nbn will be in contact to discuss the specific requirements for the development. Nbn requires you to apply at least 3 months before any civil works commence. All telecommunications infrastructure should be built to nbn guidelines found at http://www.nbnco.com.au/develop-or-plan-with-the-nbn/new-developments/builders-designers.html

4. The Northern Territory Environment Protection Authority advises that construction work should be conducted in accordance with the Authority's Noise Guidelines for Development Sites. The guidelines specify that on-site construction activities are restricted to between 7am and 7pm Monday to Saturday and 9am to 6pm Sunday and Public Holidays. For construction activities outside these hours refer to the guidelines for further information.

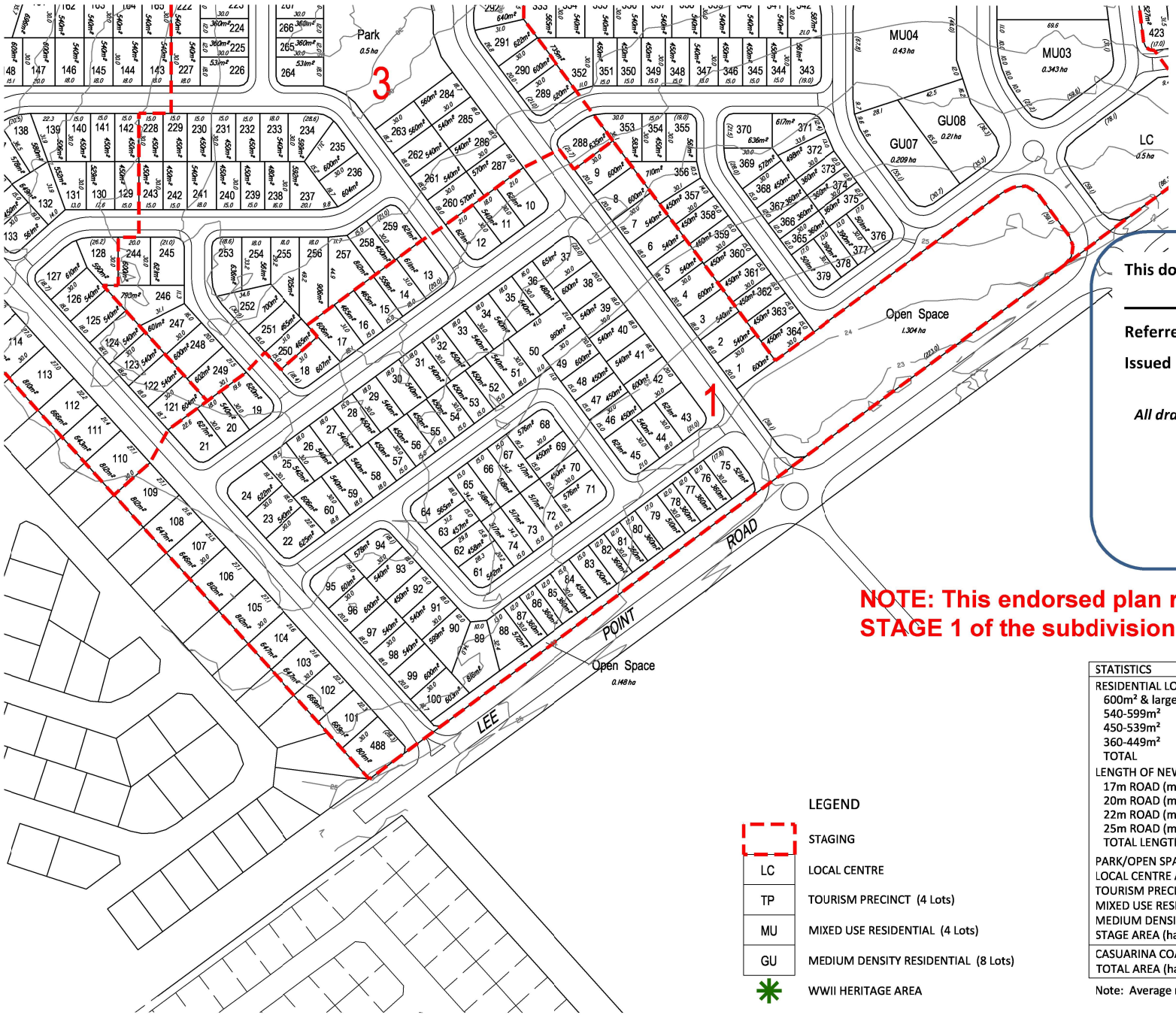
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6. As part of any subdivision, the parcel numbers for addressing should comply with the Australian Standard (AS/NZS 4819:2011). For more information contact Survey and Land Records surveylandrecords@nt.gov.au 08 8995 5354. The numbers shown on the plans endorsed as forming part of this permit are indicative only and are not for addressing purposes.

7. All new roads, including alterations and extensions to existing roads, are required to be named under the Place Names Act. You should immediately make application to the Place Names Committee to commence the road naming process. Contact the Place Names Unit on 08 8995 5333 or place.names@nt.gov.au

8. The Northern Territory Environment and Protection Authority has advised that the proponent must comply with their General Environment Duty provided by section 12 of the Waste Management and Pollution Control Act.

9. There are statutory obligations under the Weeds Management Act to take all practical measures to manage weeds on the property. For advice on weed management please contact the Rangelands division, Department of Environment and Natural Resources.



NOTES

(1) This plan was prepared for the purpose and exclusive use of DEFENCE HOUSING AUSTRALIA to accompany an application to the DEVELOPMENT CONSENT AUTHORITY for approval to subdivide the land described in the plan and is not to be used for any other purpose or by any other person or corporation.
JFP URBAN CONSULTANTS PTY LTD accepts no responsibility for any loss or damage suffered howsoever arising to any person or corporation who may use or rely on this plan in contravention to the terms of this clause or clauses 2, 3 or 4 hereof.

(2) The contours on this plan are derived from Bennett & Bennett Detail Survey 160549_001_DET_C.

(3) The dimensions, areas, size and location of improvements, flood information (if shown) and number of lots shown on this plan are approximate only and may vary.

(4) This plan may not be reproduced unless these notes are included.

This document contains drawing numbers:
2017/0569/01B

Referred to in Permit No: DP18/0409B

Issued by the consent authority on: 14 July 2022

All drawings contained within this document have been authorised by the delegate of the consent authority.

dawn.parkes@nt.gov.au
D. Parkes 2022.07.21 09:03:06 +09'30'

Delegate

NOTE: This endorsed plan relates to STAGE 1 of the subdivision only

Drawing number 2017/0569/01B
Referred to in Permit No: DP18/0409

STATISTICS	STAGE 1	STAGE 2	STAGE 3	STAGE 4	STAGE 5	TOTAL
RESIDENTIAL LOTS						
600m² & larger	36	31	21	13	11	112 (23%)
540-599m²	36	24	28	15	23	126 (26%)
450-539m²	29	21	34	35	49	168 (34%)
360-449m²	9	16	14	18	25	82 (17%)
TOTAL	110	92	97	81	108	488 (100%)
LENGTH OF NEW						
17m ROAD (m)	580	390	720	540	805	3135
20m ROAD (m)	270	455	195	1400	380	2700
22m ROAD (m)	245	270	0	0	0	515
25m ROAD (m)	245	150	460	605	0	1460
TOTAL LENGTH (m)	1340	1265	1375	2545	1285	7810
PARK/OPEN SPACE AREA (ha)	1.45	4.9	1.15	1.31	2.51	11.32
LOCAL CENTRE AREA (ha)	0	0	0	0.5	0	0.5
TOURISM PRECINCT AREA (ha)	0	0	0	2.83	0	2.83
MIXED USE RESIDENTIAL AREA (ha)	0	0	0	1.45	0	1.45
MEDIUM DENSITY RES. AREA (ha)	0	0	0	1.06	0.6	1.66
STAGE AREA (ha)	10.19	12.52	9.18	16.55	10.94	59.38
CASUARINA COASTAL RESERVE (CCR) DEDICATION (ha)						21.95
TOTAL AREA (ha)						81.33

Note: Average residential lot size is 520m²

LEGEND

- STAGING
- LC — LOCAL CENTRE
- TP — TOURISM PRECINCT (4 Lots)
- MU — MIXED USE RESIDENTIAL (4 Lots)
- GU — MEDIUM DENSITY RESIDENTIAL (8 Lots)
- WWII HERITAGE AREA

JFP URBAN CONSULTANTS
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Maroochydore Qld 4558
P 07 5450 3900 W www.jfp.com.au
JFP URBAN CONSULTANTS PTY LTD A.C.N. 050 414 045
PLANNERS
URBAN DESIGNERS
SURVEYORS
ENGINEERS
LANDSCAPE ARCHITECTS

NORTH:

SCALE: SCALE: @ A3 1:2500
0 25 50 75 100 125 150 175
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DESIGNED	TJM	CHECKED	GB	L.A. DARWIN CITY COUNCIL
DRAWN	TJM	APPROVED	GB	COUNCIL REF

ISSUES:

ISSUE:	DETAILS:	DATE:	INIT:
J	TRIANGULAR LOTS AMENDED	16-06-22	TJM
H	ROAD INTERSECTION AMENDED	02-03-22	TJM
G	LOTS 484-488 AMENDED	13-10-21	TJM
F	LOTS 101, 102, 489 AMENDED	08-10-21	TJM
E	STAGE 1 ADDITIONAL LOT	29-09-21	TJM
D	LAYOUT AMENDED	05-04-19	TJM
A	ORIGINAL	21-11-17	TJM

TITLE:

PROPOSAL PLAN STAGES 1-5
DEFENCE HOUSING AUSTRALIA
LEE POINT ROAD, LEE POINT - DARWIN

DETAILS:
JOB NUMBER: M2737P_DA1 PLAN: R1 ISSUE: J
SHEET: 2 OF 4
DATE: 16th June 2022

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NOTES

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(2) The contours on this plan are derived from Bennett & Bennett Detail Survey 160549_001_DET_C.

(3) The dimensions, areas, size and location of improvements, flood information (if shown) and number of lots shown on this plan are approximate only and may vary.

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PROPERTY DESCRIPTION
LOT 4873 ON S78/107
TOTAL AREA 81.33 ha

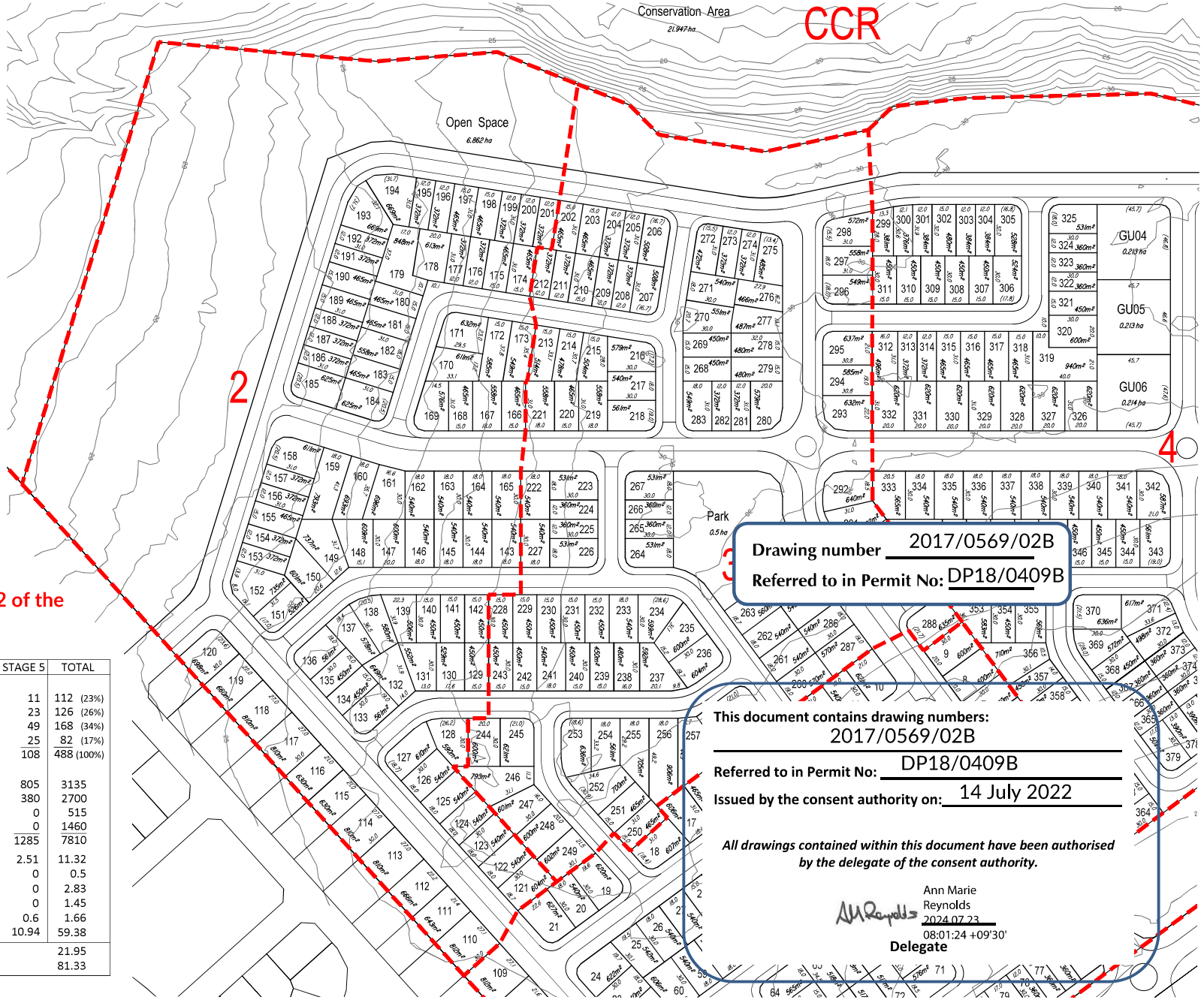
LEGEND

	STAGING
LC	LOCAL CENTRE
TP	TOURISM PRECINCT (4 Lots)
MU	MIXED USE RESIDENTIAL (4 Lots)
GU	MEDIUM DENSITY RESIDENTIAL (8 Lots)
*	WWII HERITAGE AREA

Note: This endorsed plan relates to STAGE 2 of the subdivision only.

STATISTICS	STAGE 1	STAGE 2	STAGE 3	STAGE 4	STAGE 5	TOTAL
RESIDENTIAL LOTS						
600m² & larger	36	31	21	13	11	112 (23%)
540-599m²	36	24	28	15	23	126 (26%)
450-539m²	29	21	34	35	49	168 (34%)
360-449m²	9	16	14	18	25	82 (17%)
TOTAL	110	92	97	81	108	488 (100%)
LENGTH OF NEW						
17m ROAD (m)	580	390	720	540	805	3135
20m ROAD (m)	270	455	195	1400	380	2700
22m ROAD (m)	245	270	0	0	0	515
25m ROAD (m)	245	150	460	605	0	1460
TOTAL LENGTH (m)	1340	1265	1375	2545	1285	7810
PARK/OPEN SPACE AREA (ha)	1.45	4.9	1.15	1.31	2.51	11.32
LOCAL CENTRE AREA (ha)	0	0	0	0.5	0	0.5
TOURISM PRECINCT AREA (ha)	0	0	0	2.83	0	2.83
MIXED USE RESIDENTIAL AREA (ha)	0	0	0	1.45	0	1.45
MEDIUM DENSITY RES. AREA (ha)	0	0	0	1.06	0.6	1.66
STAGE AREA (ha)	10.19	12.52	9.18	16.55	10.94	59.38
CASUARINA COASTAL RESERVE (CCR) DEDICATION (ha)						21.95
TOTAL AREA (ha)						81.33

Note: Average residential lot size is 520m²



Drawing number 2017/0569/02B
Referred to in Permit No: DP18/0409B

This document contains drawing numbers:
2017/0569/02B
Referred to in Permit No: DP18/0409B
Issued by the consent authority on: 14 July 2022

All drawings contained within this document have been authorised by the delegate of the consent authority.

Ann Marie Reynolds
2024.07.23 08:01:24 +09'30'
Delegate

JFP URBAN CONSULTANTS
BRISBANE - SUNSHINE COAST - CENTRAL QLD
SUNSHINE COAST
237-239 Bradman Avenue,
Maroochydore Qld 4558
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DRAWN	TJM	APPROVED	GB	COUNCIL REF	

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PROPOSAL PLAN STAGES 1-5
DEFENCE HOUSING AUSTRALIA
LEE POINT ROAD, LEE POINT - DARWIN

DETAILS:
JOB NUMBER: M2737P_DA1 PLAN: R1 ISSUE: J
SHEET: 3 OF 4
DATE: 16th June 2022

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TOTAL AREA 81.33 ha

Drawing number 2017/0569/03B
Referred to in Permit No: DP18/0409B

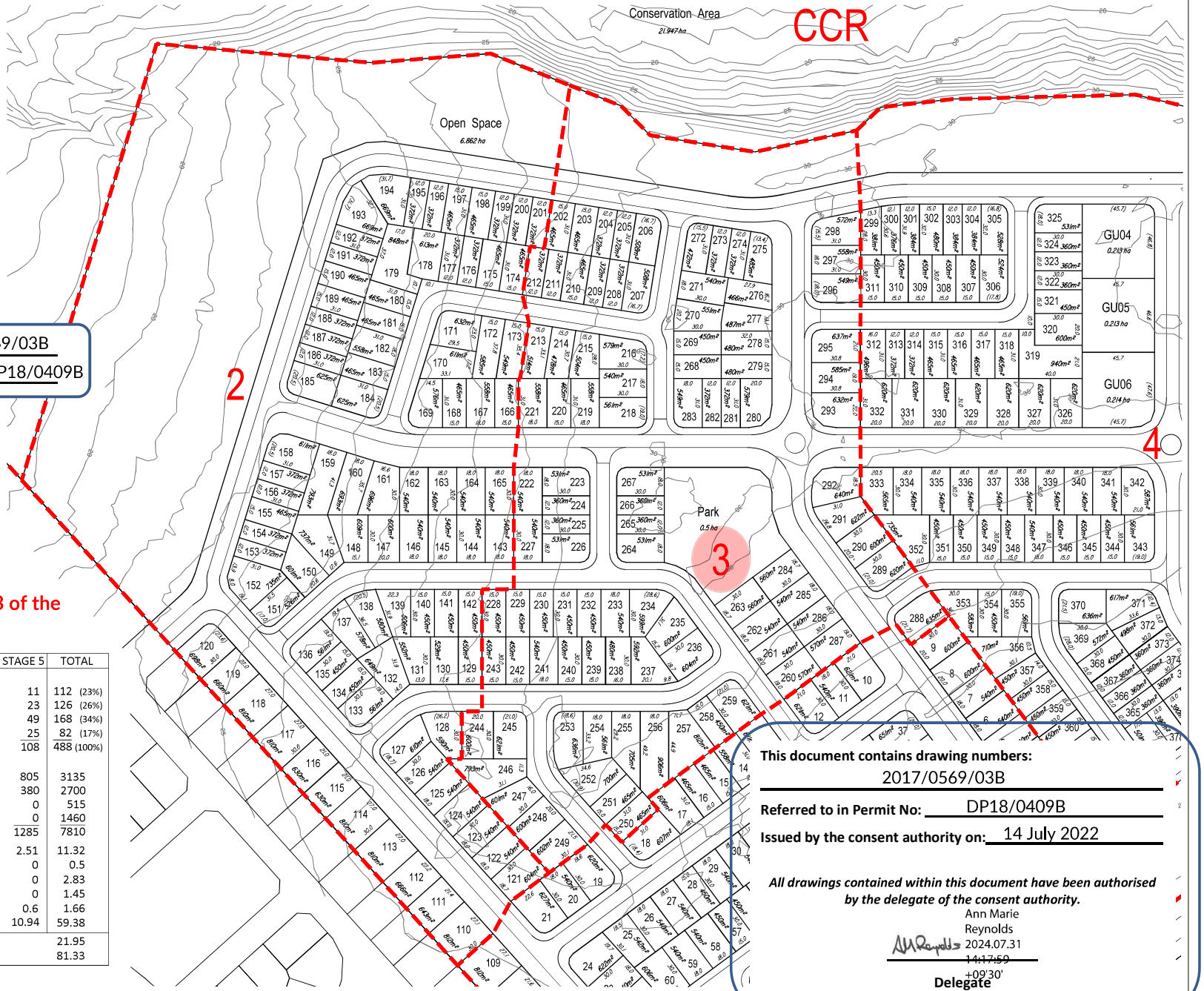
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Note: This endorsed plan relates to STAGE 3 of the subdivision only.

STATISTICS	STAGE 1	STAGE 2	STAGE 3	STAGE 4	STAGE 5	TOTAL
RESIDENTIAL LOTS						
600m² & larger	36	31	21	13	11	112 (23%)
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TOTAL AREA (ha)						81.33

Note: Average residential lot size is 520m²



This document contains drawing numbers:
2017/0569/03B

Referred to in Permit No: DP18/0409B

Issued by the consent authority on: 14 July 2022

All drawings contained within this document have been authorised by the delegate of the consent authority.

Ann Marie Reynolds
2024.07.31 14:17:59 +09'30'

Delegate

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PROPOSAL PLAN STAGES 1-5
DEFENCE HOUSING AUSTRALIA
LEE POINT ROAD, LEE POINT - DARWIN

DETAILS:
JOB NUMBER: M2737P_DA1 R1 J
SHEET: 3 OF 4
DATE: 16th June 2022

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NORTHERN TERRITORY OF AUSTRALIA

Planning Act 1999 - section 59

EXTENSION OF PERIOD OF PERMIT

DP18/0409C

DESCRIPTION OF LAND THE SUBJECT OF THE PERMIT

Lot 04873
Town of Nightcliff
577 LEE POINT RD, LEE POINT

PERIOD OF EXTENSION

The Development Consent Authority has determined to extend the period of Development Permit DP18/0409B by a period of one year.

Development Permit DP18/0409B will now lapse on 30 November 2023. Should works be substantially commenced in accordance with DP18/0409B on or before 30 November 2023, DP18/0409B will lapse on 30 November 2025.

In all other respects DP18/0409B remains unchanged.

Suzanne Philip
2022.10.27
10:46:59
+09'30'

SUZANNE PHILIP
Delegate
Development Consent Authority
27 October 2022

NORTHERN TERRITORY OF AUSTRALIA

Planning Act 1999 - section 59

EXTENSION OF PERIOD OF PERMIT

DP18/0409D

DESCRIPTION OF LAND THE SUBJECT OF THE PERMIT

Lot 04873
Town of Nightcliff
577 LEE POINT RD, LEE POINT

PERIOD OF EXTENSION

The Development Consent Authority has determined to extend the period of Development Permit DP18/0409C by a period of two years.

Development Permit DP18/0409C will now lapse on 30 November 2025. Should works be substantially commenced in accordance with DP18/0409C on or before 30 November 2025, DP18/0409C will lapse on 30 November 2027.

In all other respects DP18/0409C remains unchanged.

Suzanne Philip
2023.12.01
15:01:34
+09'30'

SUZANNE PHILIP
Delegate
Development Consent Authority

01 December 2023

NORTHERN TERRITORY OF AUSTRALIA

Planning Act 1999 - Section 57(3)

VARIATION OF CONDITIONS

DP18/0409E

DESCRIPTION OF LAND THE SUBJECT OF THE PERMIT

Lot 04873
Town of Nightcliff
577 LEE POINT RD, LEE POINT

VARIATION

Consent is granted to vary Condition 11 of Development Permit DP18/0409B to allow "Stage 1" works to be completed in 2 stages, in accordance with the drawing numbered 2017/0569/01E, endorsed as forming part of this permit.

In all other respects Development Permit DP18/0409 and DP18/0409B remain unchanged.

BASE PERIOD OF THE PERMIT

The base period of the original permit was previously extended by DP18/0409D for a period of 2 years. This variation of conditions development permit does not further extend this base period.

Digitally signed
by Amit Magotra
Date: 2025.04.22
10:30:17 +09'30'

AMIT MAGOTRA
Delegate
Development Consent Authority
22 April 2025

SCHEDULE OF CONDITIONS

DEVELOPMENT PERMIT

DP18/0409E

CONDITIONS PRECEDENT

1. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), amended plans are to be submitted showing:
   a. A 7m carriageway included within the 15m local road reserve, to the requirements of the City of Darwin.
   b. The removal of the lake, or otherwise the written consent of the City of Darwin and Medical Entomology, Department of Health for this feature.
   c. The minor boundary changes submitted during assessment of the application.

   The above is to be completed to the satisfaction of the consent authority.

2. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), the proponent is to develop and commence implementation of a monitoring program to quantify impacts on shorebirds. The program is to be developed on the advice of the Flora and Fauna division, Department of Environment and Natural Resources, Wildlife and Heritage division, Department of Tourism and Culture, to the satisfaction of the consent authority.

3. Prior to the endorsement of plans and prior to the commencement of works (including site preparation, the proponent is to prepare a Construction and Environmental Management Plan. The Plan is to address waste management, traffic control, haulage routes, stormwater drainage, and how Council land will be managed during construction, to the requirements of the City of Darwin.

   The Plan is also to address dust, noise and vibration impacts, and waste management, and include processes for:
   - communicating anticipated impacts of construction to stakeholders;
   - the reporting of, and responding to complaints; and
   - identifying when there are unexpected and unacceptable impacts to stakeholders and amending construction practices as appropriate, on the advice of the Environment division, Department of Environment and Natural Resources. The Plan must demonstrate compliance with NT EPA Noise Guidelines for Development Sites, and the NT EPA Noise Management Framework Guideline, and is also to include scope for regular review and updates and include the schedule for construction stages.

   The above is to be completed to the satisfaction of the consent authority

4. Prior to the endorsement of plans and prior to the commencement of works (including site reparation), the design and specifications of the on-site collection of stormwater and its discharge into the City of Darwin stormwater drainage system or another location shall be submitted to and approved by the City of Darwin, Medical Entomology, Department of Health, and the Park Development division, Department of Tourism and Culture, to the satisfaction of the consent authority. The stormwater design should be completely free draining to avoid the potential for mosquito breeding during low flow periods. All discharge drains to the conservation reserve must

be fitted with concrete low flow inverts that terminate at a free draining tidal area. Access to, and maintenance of the discharge drains in the Casuarina Coastal Reserve must be clarified and accepted by the Park Development division, Department of Tourism and Culture, and Medical Entomology, Department of Health.

5. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), a landscape plan is to be prepared and must be generally in accordance with the landscape concept submitted with the application but modified as follows:
   a. The plan is to address landscaping details for all proposed road reserves and public areas, to the approval of the City of Darwin.
   b. The plan is to include, and confirm the location of the 50m open wind buffer to the western edge of the monsoon forest boundary (or the edge of the escarpment if this is closer).The 50m open wind buffer is to comprise tall-growing, long-lived, hardy native trees, with a mature tree crown coverage of approximately 10% only, on the advice of Medical Entomology, Department of Health.
   c. The plan is to include the location and design of trails through the conservation area, to the approval of the Park Development division, Department of Commission.
   d. The plan is to demonstrate that mature trees in the Casuarina Coastal Reserve have been preserved, on the advice of the Aboriginal Areas Protection Authority.

   The above is to be completed to the satisfaction of the consent authority.

6. Prior to the commencement of works, an Erosion and Sediment Control Plan (ESCP) is to be submitted to and approved by the consent authority of the advice of the Rangelands division, Department of Environment and Natural Resources. The ESCP must be developed by a Certified Professional in Erosion and Sediment Control (CPESC) and should detail methods and treatments for minimising erosion and sediment loss from the site during both the clearing and establishment phases of the development. Information regarding erosion and sediment control and ESCP content is available at www.austieca.com.au and the NTG website:https://nt.gov.au/environment/soil-land-vegetation.The ESCP should be emailed for assessment to: developmentassessment.denr@nt.gov.au

7. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), a site earthworks plan indicating finished levels of all proposed lots is to be submitted to and approved by the City of Darwin to the satisfaction of the consent authority. All cut and fill works are to be designed to eliminate the need for excessive cut/fill/retaining wall works for the proposed lots.

8. Prior to the endorsement of plans and prior to the commencement of works (including site preparation), traffic management details including amendments to the proposed road configurations to meet the relevant subdivision and development guidelines are to be provided to the requirements of the City of Darwin, to the satisfaction of the consent authority.

9. Prior to the endorsement of plans and prior to the commencement of works (including site reparation), public transport details including bus stop locations and designs, and a route that considers the staging of the development are to be provided to the requirements of Transport and Civil Services, Department of Infrastructure, Planning and Logistics, to the satisfaction of the consent authority.

10. Prior to the commencement of works, a proposed zoning plan must be submitted to and approved by the consent authority. The zoning plan must be consistent with the description given in the application.

GENERAL CONDITIONS

11. The works carried out under this permit shall be in accordance with the drawings numbered 2017/0569/01E endorsed as forming part of this permit.

12. The development must proceed in the order of stages as shown on the endorsed plan unless otherwise agreed in writing by the consent authority.

13. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, sewerage facilities, electricity services and telecommunication services to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.

14. All existing and proposed easements and sites for existing and required utility services must be vested in the relevant authority for which the easement or site is to be created on the plan of subdivision submitted for approval by the Surveyor General.

15. Any developments on or adjacent to any easements on site shall be carried out to the requirements of the relevant service authority to the satisfaction of the consent authority.

16. All proposed roads to be created on the plan of subdivision submitted for approval by the Surveyor General must be dedicated to the relevant Northern Territory or local government authority.

17. The monitoring program to quantify impacts on shorebirds is to be implemented on the advice of the Flora and Fauna division, Department of Environment and Natural Resources, Wildlife and Heritage division, Department of Tourism and Culture, to the satisfaction of the consent authority. The results and annual updates from the program must be made publicly available.

18. The Construction and Environmental Management Plan is to be implemented on the advice of the City of Darwin, and the Environment division, Department of Environment and Natural Resources, to the satisfaction of the consent authority. The Plan is also to remain publicly available for the duration of construction.

19. Engineering design and specifications for the proposed and affected roads, street lighting, stormwater drainage, site earthworks, vehicular access, pedestrian/ cycle corridors and streetscaping are to be to the technical requirements of City of Darwin, to the satisfaction of the consent authority and all approved works constructed at the owner's expense. Any street and reserve lighting directly visible from the beach is also to be provided on the advice of the Environment division, Department of Environment and Natural Resources, with regards to demonstrating details of how the Western Australian Guideline for Protecting Marine Turtles from Light Impacts (WA EPA, 2010) have been incorporated.

20. Before the use commences the owner must, in accordance with Part 6 of the *Planning Act,* pay a monetary contribution to the City of Darwin for the upgrade of local infrastructure, in accordance with its Lee Point Road Roadwork Contribution Plan.

21. Stormwater is to be collected and discharged into the drainage network to the technical standards of the City of Darwin, the Medical Entomology division of the Department of Health, and the Park Development division, Department of Tourism and Culture, to the satisfaction of the consent authority.

22. The applicant is to demonstrate all discharge drains, including the end of point of the drains in the Casuarina Coastal Reserve, include suitable access to allow for maintenance on the advice of the Park Development division, Department of Tourism and Culture, and Medical Entomology, Department of Health, to the satisfaction of the consent authority.

23. The landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of Medical Entomology, Department of Health, the Park Development division, Department of Tourism and Culture, and the Aboriginal Areas Protection Authority, to the satisfaction of the consent authority.

24. All works relating to this permit are to be undertaken in accordance with the approved Erosion and Sediment Control Plan to the requirements of the consent authority on the advice of the Rangelands division, Department of Environment and Natural Resources.

25. Any offset or offset management plan required by the Australian Government with respect to the significant residual impact to the black-footed tree-rat (Mesembriomys gouldii gouldii) is to be completed, on the advice of the Flora and Fauna division, Department of Environment and Natural Resources, to the satisfaction of the consent authority.

26. A qualified person, under section 68 of the *Waste Management and Pollution Control Act*, must provide certification that the site is suitable for the intended use on the advice of the Environment division, Department of Environment and Natural Resources, to the satisfaction of the consent authority.

27. The proponent must ensure that only clean fill (virgin excavated natural material) is accepted and that the fill has been adequately assessed as being suitable for its intended use, to the requirements of the Environment division, Department of Environment and Natural Resources.

28. Before the issue of Titles, the developer is to provide written confirmation (in the form of plans or drawings) demonstrating that all lots less than 600m² for single dwellings allow for future vehicle access via a single driveway unrestricted by street infrastructure (including any power, water, sewer, or stormwater infrastructure) which demonstrates that a 3.5m driveway can be located on each lot whilst ensuring that each lot's street frontage has a minimum continuous length of 6.5m, to the satisfaction of the consent authority.

NOTES

1. Consent is required for any changes to the approved staging of the subdivision and the applicant should contact Development Assessment Services on (08) 8999 6046 for more information.

2. The Power and Water Corporation advises that the Water and Sewer Services Development Section (landdevelopmentnorth@powerwater.com.au) and Power Network Engineering Section (powerconnections@powerwater.com.au) should be contacted via email a minimum of one month prior to construction works commencing to determine the Corporation's servicing requirements, and the need for upgrading of on-site and/or surrounding infrastructure

3. If you choose nbn to service your development, you will need to enter into a development agreement with nbn. The first step is to register the development via http://www.nbnco.com.au/develop-or-plan-with-the-nbn/new-developments.html once registered nbn will be in contact to discuss the specific requirements for the development. Nbn requires you to apply at least 3 months before any civil works commence. All telecommunications infrastructure should be built to nbn guidelines found at http://www.nbnco.com.au/develop-or-plan-with-the-nbn/new-developments/builders-designers.html

4. The Northern Territory Environment Protection Authority advises that construction work should be conducted in accordance with the Authority's Noise Guidelines for Development Sites. The guidelines specify that on-site construction activities are restricted to between 7am and 7pm Monday to Saturday and 9am to 6pm Sunday and Public Holidays. For construction activities outside these hours refer to the guidelines for further information.

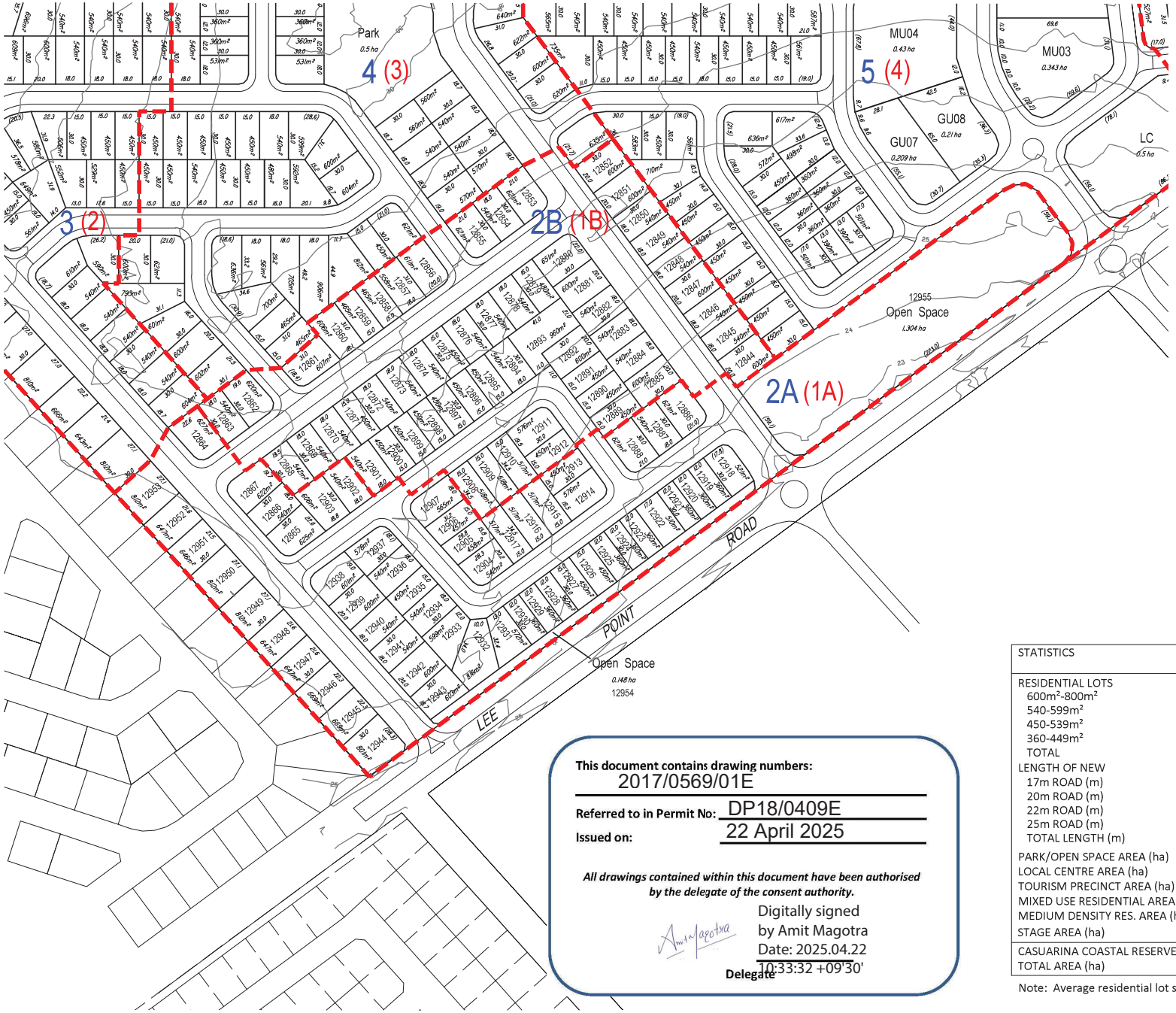
5. Any proposed works which fall within the scope of the *Construction Industry Long Service Leave and Benefits Ac*t must be notified to NT Build by lodgement of the required Project Notification Form. Payment of any levy must be made prior to the commencement of any construction activity. NT Build should be contacted via email (info@ntbuild.com.au) or by phone on 08 89364070 to determine if the proposed works are subject to the Act.

6. As part of any subdivision, the parcel numbers for addressing should comply with the Australian Standard (AS/NZS 4819:2011). For more information contact Survey and Land Records surveylandrecords@nt.gov.au 08 8995 5354. The numbers shown on the plans endorsed as forming part of this permit are indicative only and are not for addressing purposes.

7. All new roads, including alterations and extensions to existing roads, are required to be named under the *Place Names Act*. You should immediately make application to the Place Names Committee to commence the road naming process. Contact the Place Names Unit on 08 8995 5333 or place.names@nt.gov.au.

8. The Northern Territory Environment and Protection Authority has advised that the proponent must comply with their General Environment Duty provided by section 12 of the *Waste Management and Pollution Control Act.*

9. There are statutory obligations under the *Weeds Management Ac*t to take all practical measures to manage weeds on the property. For advice on weed management please contact the Rangelands division, Department of Environment and Natural Resources.



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(4) This plan may not be reproduced unless these notes are included.

PROPERTY DESCRIPTION
LOT 4873 ON S78/107
TOTAL AREA 81.33 ha

LEGEND

	STAGING
LC	LOCAL CENTRE
TP	TOURISM PRECINCT (4 Lots)
MU	MIXED USE RESIDENTIAL (4 Lots)
GU	MEDIUM DENSITY RESIDENTIAL (8 Lots)
✱	WWII HERITAGE AREA
(2A)	OVERALL STAGE NUMBER
(1A)	*STAGE NUMBER FOR 2CRU (DP18/0409)*

STATISTICS	STAGE 2A *STAGE 1A*	STAGE 2B *STAGE 1B*	STAGE 3 *STAGE 2*	STAGE 4 *STAGE 3*	STAGE 5 *STAGE 4*	STAGE 8 *STAGE 5*	TOTAL
RESIDENTIAL LOTS							
600m²-800m²	21	15	31	21	13	11	112 (23%)
540-599m²	13	23	24	28	15	23	126 (26%)
450-539m²	11	18	21	34	35	49	168 (34%)
360-449m²	9	0	16	14	18	25	82 (17%)
TOTAL	54	56	92	97	81	108	488 (100%)
LENGTH OF NEW							
17m ROAD (m)	380	200	390	720	540	805	3035
20m ROAD (m)	20	250	455	195	1400	380	2700
22m ROAD (m)	245	0	270	0	0	0	515
25m ROAD (m)	70	175	150	460	605	0	1460
TOTAL LENGTH (m)	715	625	1265	1375	2545	1185	7710
PARK/OPEN SPACE AREA (ha)	1.45	0	4.9	1.15	1.31	2.51	11.32
LOCAL CENTRE AREA (ha)	0	0	0	0	0.5	0	0.5
TOURISM PRECINCT AREA (ha)	0	0	0	0	2.83	0	2.83
MIXED USE RESIDENTIAL AREA (ha)	0	0	0	0	1.45	0	1.45
MEDIUM DENSITY RES. AREA (ha)	0	0	0	0	1.06	0.6	1.66
STAGE AREA (ha)	5.87	4.32	12.52	9.18	16.55	10.94	59.38
CASUARINA COASTAL RESERVE (CCR) DEDICATION (ha)							21.95
TOTAL AREA (ha)							81.33

Note: Average residential lot size is 520m²

This document contains drawing numbers:
2017/0569/01E

Referred to in Permit No: DP18/0409E

Issued on: 22 April 2025

All drawings contained within this document have been authorised by the delegate of the consent authority.

Digitally signed by Amit Magotra
Date: 2025.04.22 10:33:32 +09'30'

Delegate

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URBAN DESIGNERS
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ENGINEERS
LANDSCAPE ARCHITECTS

NORTH:

SCALE: SCALE: @ A3 1:2500
0 25 50 75 100 125 150 175
THIS SCALE SHOWN IS ORIGINAL DRAWING SCALE - (A3 SIZE)
DO NOT SCALE FROM THIS DRAWING - USE ONLY DIMENSIONS PROVIDED - IF IN DOUBT PLEASE ENQUIRE

DESIGNED	TJM	CHECKED	AD	L.A.	DARWIN CITY COUNCIL
DRAWN	TJM	APPROVED	AD	COUNCIL REF	

ISSUES:

ISSUE:	DETAILS:	DATE:	INIT:
B	STAGING UPDATED	17-04-25	TJM
A	ORIGINAL	15-01-25	TJM

TITLE:

PROPOSAL PLAN STAGES 2A & 2B
DEFENCE HOUSING AUSTRALIA
LEE POINT ROAD, LEE POINT - DARWIN

DETAILS:
JOB NUMBER: M2737P_DA1 PLAN: ISSUE: R2 B
SHEET: 1 OF 1
DATE: 17th April 2025

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NORTHERN TERRITORY OF AUSTRALIA

Planning Act 1999 - section 59

EXTENSION OF PERIOD OF PERMIT

DP18/0409F

DESCRIPTION OF LAND THE SUBJECT OF THE PERMIT

Lot 04873
Town of Nightcliff
577 LEE POINT RD, LEE POINT

PERIOD OF EXTENSION

The Development Consent Authority has determined to extend the period of Development Permit DP18/0409E by a period of three (3) years.

Development Permit DP18/0409E will now lapse on 30 November 2028.

Should works be substantially commenced in accordance with DP18/0409E on or before 30 November 2028, the permit will lapse on 30 November 2030.

In all other respects DP18/0409E remains unchanged.

Suzanne Philip
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SUZANNE PHILIP
Chair
Development Consent Authority

22 October 2025

Technical Assessment PA2026/0187

TECHNICAL ASSESSMENT OF PROPOSED DEVELOPMENT AGAINST RELEVANT PROVISIONS OF THE NORTHERN TERRITORY PLANNING SCHEME 2020

Application No: PA2026/0187

Lot number: Lot 4873 (577) Lee Point Road, Lee Point

Town/Hundred: Town of Nightcliff

Zone: Zone CN (Conservation)

Site Area: 81.33 ha

Proposal: excavation and fill (erosion gully remediation)

Plans used for assessment: CRTPC43-22_Report_CNrem_1.1.pdf (statement of effect); Attachment F - Gully Rehabilitation Fill Plan (REV_22-05-26).pdf (dimension plans); Attachment G - Revegetation Proposal (REV_25-05-26).pdf (dimension plans); Attachment E - EPBC Variation Notice 27 July 2025.pdf (supporting document)

Date assessment finalised: 29 July 2026

This review has been completed pursuant to the Northern Territory Planning Scheme 2020 (NTPS2020). The proposal has been assessed as being for excavation and fill within Zone CN (Conservation). It is noted that while the site is also located within Zone FD (Future Development), that all areas with proposed works are located in Zone CN.

In general, this application proposes to fill in and remediate gullies that have formed at the site following excessive historical erosion. Four minor gullies have been identified in the north, and a series of significant gullies identified in the south-west.

The application requires consent under the NTPS2020 as described in the tables and sections below:

Assessment Table – Zone CN (Conservation) (development site)					
Defined Use	**Assessment Category**	**Overlays**	**General Development Requirements**	**Location Specific Development Requirements**	**Specific Development Requirements**
Excavation and Fill	*Impact assessable*	3.2 CNV -Clearing of Native Vegetation 3.3 RCNV - Restricted Clearing of Native Vegetation 3.4 CR - Coastal Reclamation	5.2.1 General Height Control 5.2.4 Car Parking 5.2.5 Loading Bays	N/A	5.8.9 Excavation and Fill

NORTHERN TERRITORY GOVERNMENT

		3.5 LPA – Land in Proximity to Airports 3.6 LSF - Land Subject to Flooding 3.7 LSSS - Land Subject to Storm Surge 3.8 LADR – Land Adjacent to a Designated Road 3.9 DHD – Dredging in Darwin Harbour 3.14 HHLSI – Land in proximity to Helicopter Landing Sites of Strategic Importance	5.2.6 Landscaping 5.2.7 Setbacks for Development Adjacent to Land in Zones LR, LMR, MR or HR		

The application is *Impact Assessable* under clause 1.8(1)(c)(i) of the NTPS2020 as the use is shown as *Impact Assessable* on the relevant assessment table in Part 4 of the NTPS 2020.

An assessment of the relevant clauses is summarised in the table below.

Overlays	**Compliance**		
	Yes	**No**	**N/A**
3.2 (Clearing of Native Vegetation)			
3.3 (Restricted Clearing of Native Vegetation)			
3.4 (Coastal Reclamation)			
3.5 (Land in Proximity to Airports)			
3.6 (Land Subject to Flooding)			
3.7 (Land Subject to Storm Surge)			
3.8 (Land Adjacent to a Designated Road)			
3.9 (Darwin Harbour Dredging)			
3.14 (Land in proximity to Helicopter Landing Sites of Strategic Importance)			
General Development Requirements	**Compliance**		
	Yes	**No**	**N/A**
5.2.1 (General Height Control)			
5.2.4.1 (Car Parking Spaces)			
5.2.4.4 (Layout of Car Parking Area)			
5.2.4.5 (Vehicle Access and On-site Parking for Dwellings-Single on Lots Less than 600m^2 but not less than 300m^2)			
5.2.5 (Loading Bays)			
5.2.6.1 (Landscaping in Zones other than Zone CB)			
5.2.6.2 (Landscaping in Zone CB)			
5.2.7 (Setbacks for Development Adjacent to Land in Zones LR, LMR, MR or HR)			

Miscellaneous Specific Development Requirements	Compliance		
	Yes	No	N/A
5.8.9 (Excavation and Fill)	GC		

*TBC – To be confirmed by further information from the applicant.
*GC - Generally complies, with any outstanding aspects can be addressed via standard permit conditions.

1.8 When development consent is required

1. The need for ***consent*** and the level of assessment that applies to the use and development of land is set out in the framework below:
   (a) *Permitted* – use and development that is compatible with the purpose of the zone provided it is established and operated to comply with all relevant development requirements.

   Use and development of land is *Permitted* without ***consent*** when the following apply:
   i. it is shown as *Permitted* on the relevant assessment table in Part 4; and
   ii. it does not require ***consent*** by virtue of an overlay in Part 3; and
   iii. it complies with all relevant development requirements set out in Part 5; or
   iv. a provision of the Planning Scheme expressly sets out that it is *Permitted*.

   (b) *Merit Assessable* – use and development that requires the exercise of discretion by the consent authority to ensure it can be established and operated in a way that does not impact on the ***amenity*** of the area and accords with the relevant zone purposes and outcomes.

   Use and development of land requires ***consent*** and is *Merit Assessable* when any of the following apply:
   i. it is shown as *Merit Assessable* on the relevant assessment table in Part 4;
   ii. it is shown as *Permitted* on the relevant assessment table in Part 4 but:
      (1) requires ***consent*** by virtue of an Overlay as set out in Part 3; or
      (2) does not comply with the relevant development requirements set out in Part 5;
   iii. it is for the consolidation of land; or
   iv. it is for the subdivision of land for the purpose of a Unit Title Scheme, where:
      (1) development consent has been granted; or
      (2) the development is permitted in the relevant assessment table; or
      (3) the Unit Title Scheme does not include vacant land.
   v. a provision of the Planning Scheme expressly requires assessment as *Merit Assessable*.

   Editor's note: the Planning Act and Regulations exempt some types of consolidation and subdivision from requiring consent.

   (c) *Impact Assessable* – use and development that requires the exercise of discretion by the consent authority to determine if it is appropriate given the location of the ***site*** and the potential impacts on surrounding uses, and if it accords with the Strategic Framework.

   Use and development of land requires ***consent*** and is *Impact Assessable* when any of the following apply:
   i. it is shown as *Impact Assessable* on the relevant assessment table in Part 4;
   ii. it is for the subdivision of land other than that included at Clause 1.8(1)(b)(iii); or
   iii. it is identified as *Impact Assessable* in Clause 1.9; or
   iv. it is a *Prohibited* development which relates to a ***heritage place*** as set out in Clause 1.10(7)(b); or
   v. a provision of this Planning Scheme expressly requires assessment as *Impact Assessable*.

(d) *Prohibited* – use and development to which the consent authority must not grant ***consent***.

Use and development of land is *Prohibited* if:

i. it is shown as *Prohibited* on the relevant assessment table in Part 4, unless it is ***ancillary*** as allowed by Clause 1.9; or

ii. a provision of this Planning Scheme expressly prohibits ***consent***.

1.9 Ancillary use and development

1. Unless expressly provided for in this Planning Scheme:
   (a) where the definition of a development in Schedule 2 includes use or development that may be established if ***ancillary***, the ***ancillary*** use or development included in the definition are *Permitted* provided they comply with any relevant development requirements in Parts 3 and 5;
   (b) if an ***ancillary*** use or development described in (a) does not comply with Parts 3 and 5, the ***ancillary*** use or development requires ***consent*** and the level of assessment that applies is *Merit Assessabl*e;
   (c) an ***ancillary*** use or development not specified in the definition of the ***primary use*** in Schedule 2 requires ***consent*** and the level of assessment that applies to the ***ancillary*** use or development is either:
      i. the assessment category specified in the assessment table for the zone in Part 4; or
      ii. if Undefined or Prohibited it is *Impact Assessable*.

1.10 Exercise of Discretion by the Consent Authority

1. In considering an application for ***consent*** for a use or development, the consent authority must consider the use or development in its entirety except in relation to:
   (a) an application to alter, change or vary a development permit under sections 43A, 46 or 57 of the Act;
   (b) ***access*** to a ***main road***; or
   (c) a *Merit Assessable* application under Clause 1.8(1)(b)(ii)(2).

2. In considering an application for ***consent*** for a use or development that has become *Merit Assessable* under Clause 1.8(1)(b)(ii)(2), the consent authority must consider the requirements in Part 5 that are not complied with and whether the proposal meets the purpose of the requirements.

3. In considering an application for ***consent*** for a use or development identified as *Merit Assessable* the consent authority must take into account all of the following:
   (a) the relevant requirements, including the purpose of the requirements, as set out in Parts 5 or 6;
   (b) any Overlays and associated requirements in Part 3 that apply to the land; and
   (c) the guidance provided by the relevant zone purpose and outcomes in Part 4 relevant to a variation of requirements in Parts 5 or 6.

4. In considering an application for a use or development identified as *Impact Assessable* the consent authority must take into account all of the following:
   (a) any relevant requirements, including the purpose of the requirements, as set out in Parts 5 or 6;
   (b) any Overlays and associated requirements in Part 3 that apply to the land;
   (c) the guidance provided by the relevant zone purpose and outcomes in Part 4, or Schedule 4.1 Specific Use Zones; and
   (d) any component of the Strategic Framework relevant to the land as set out in Part 2.

5. The consent authority may ***consent*** to a proposed use or development that is not in accordance with a requirement set out in Parts 3, 5 or 6 only if it is satisfied that the variation is appropriate having regard to:
   (a) the purpose and administration clauses of the requirement; and
   (b) the considerations listed under Clause 1.10(3) or 1.10(4).

6. When consenting to the use or development of land, the consent authority may impose a condition requiring a higher standard of development than is set out in a requirement of Parts 3, 5 or 6 if it considers it necessary to the achievement of the Strategic Framework, the purpose of the overlay or the zone, or it considers it is otherwise necessary to do so.

7. The consent authority must not grant ***consent*** for a use or development identified as *Prohibited* unless:
   (a) the *Prohibited* use or development is ***ancillary*** as set out in Clause 1.9; or
   (b) the *Prohibited* use or development relates to a ***heritage place*** and it has the approval of the Minister responsible for the administration of the *Heritage Act 2011.*

This is a technical assessment of the proposal against the requirements of the Northern Territory Planning Scheme 2020 (NTPS2020) and is no indication of whether or not approval will be given by the consent authority.

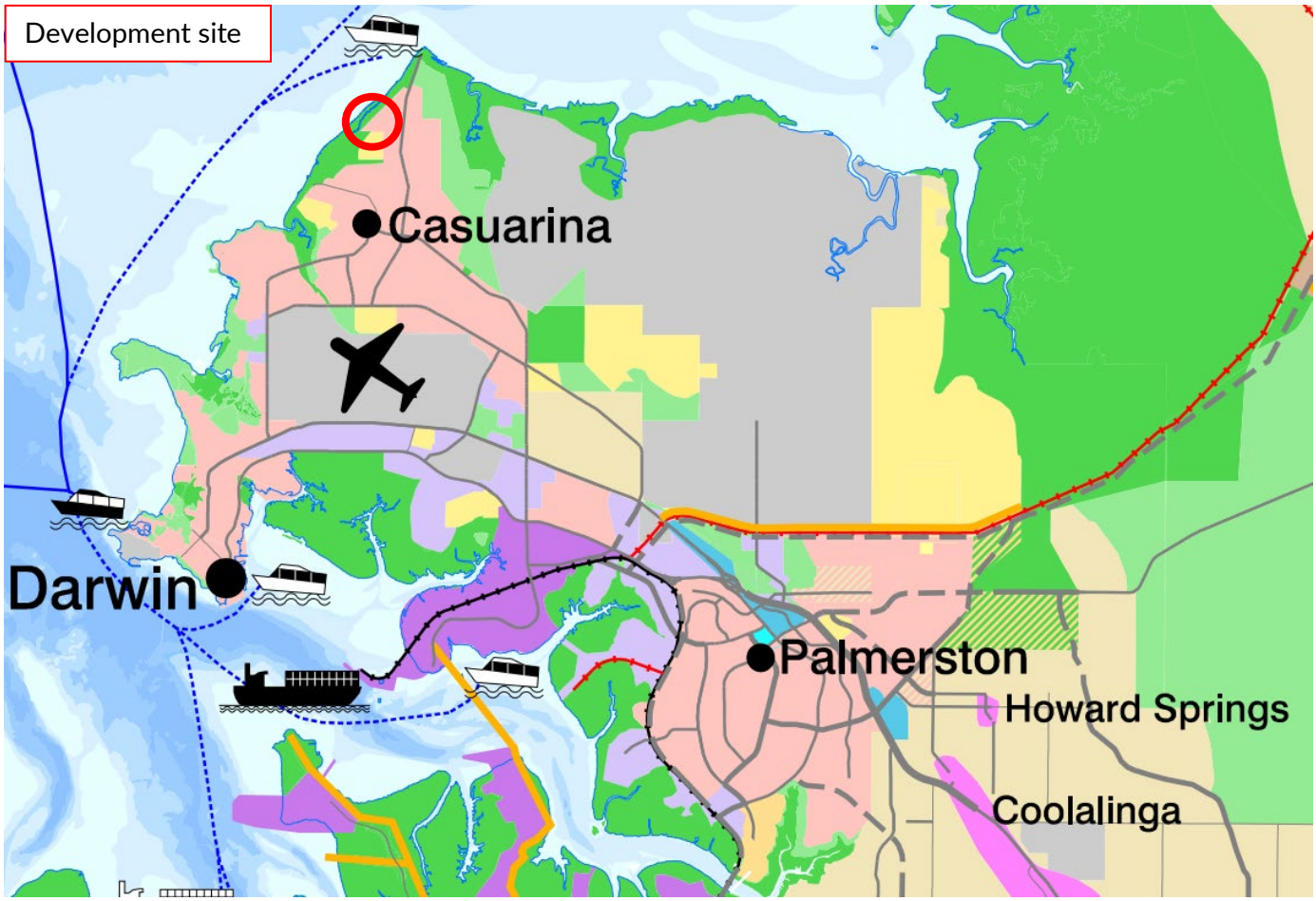
Strategic Framework

Clause 1.6 (Structure of the Planning Scheme) states *The structure of the Planning Scheme includes:*

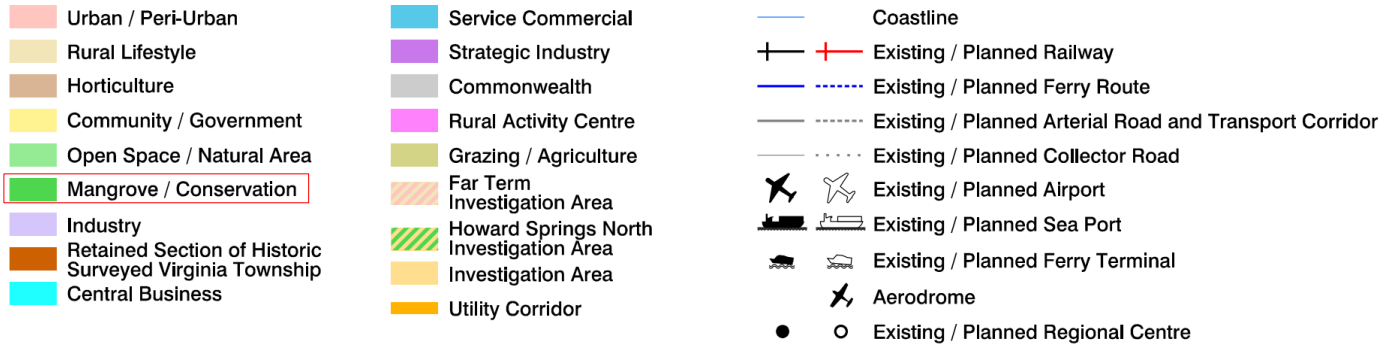
(a) *Strategic Framework (Part 2)*
The Strategic Framework establishes guidance to facilitate development and decision making in a coordinated manner while recognising the differences between various regions and local areas across the Planning Scheme area.

As such, a review of the strategic framework has been completed, which considers whether this application supports, is neutral towards, contrary to, or not relevant to, any guidance or documents within the framework.

Darwin Regional Land Use Plan



Excerpt of the DRLUP



The Darwin Regional Land Use Plan (DRLUP) 2015 provides a broad framework for the future development in the greater Darwin region. While the DRLPUP identifies the subject area as urban (by virtue this applies to the entire site), it has been considered more appropriate for the site to be considered as being for mangrove/conservation purposes, which comprise the adjacent Casuarina Coast Reserve (for which the development sites are intended to become a part of).

An assessment of the key mangrove/conservation objectives is provided below:

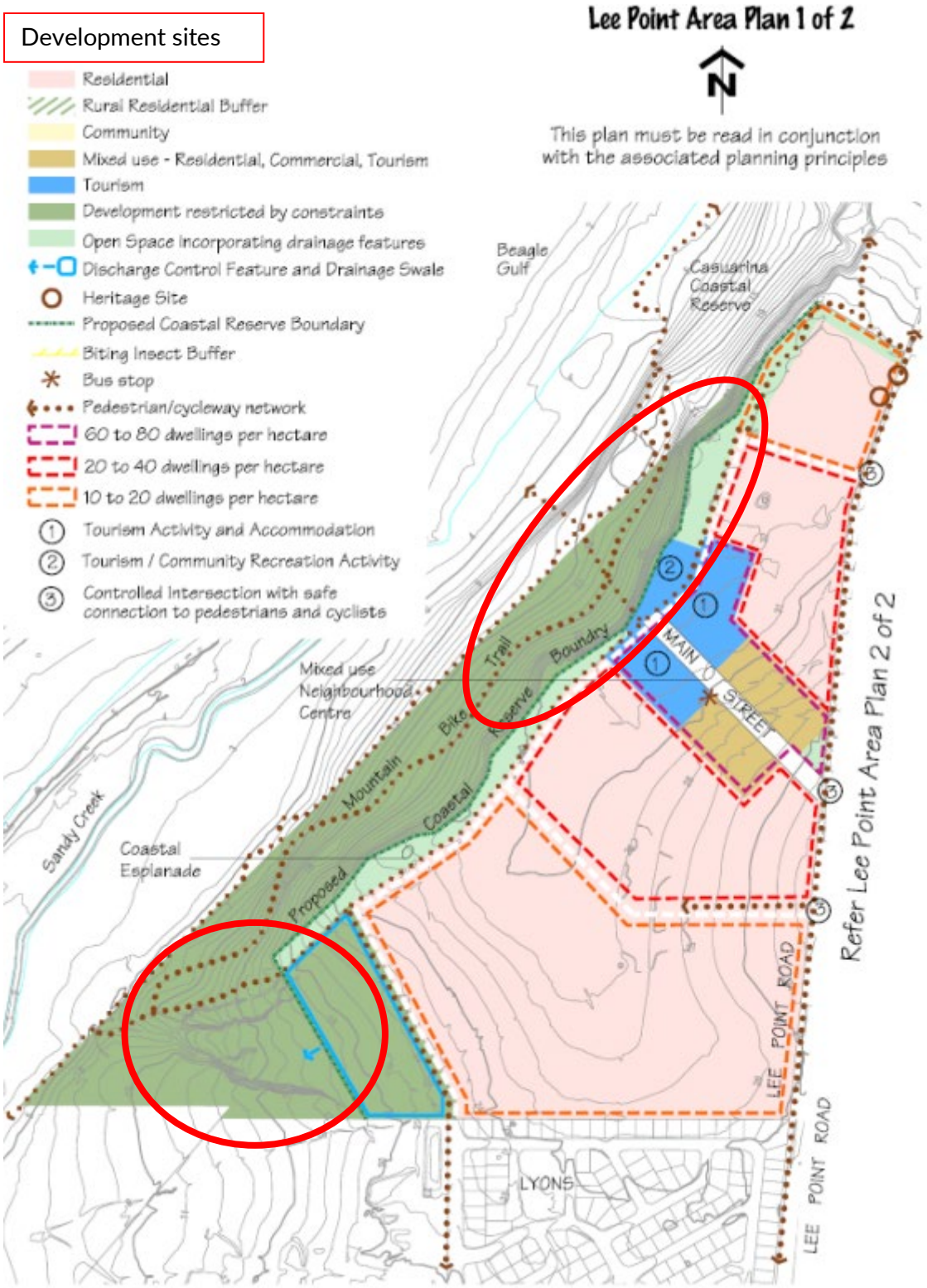
Objective	DAS response
Recognise positive contributions the region's natural landscape and habitats make to the amenity enjoyed by residents, tourists and other visitors and ensure detailed planning considers the need to further enhance these contributions by providing appropriate protection to contributors to the natural estate.	**Supports** – The application will rehabilitate areas of the site, which will reasonably improve the success of any revegetation efforts at the site, and which would thereby reasonably improve biodiversity outcomes than what currently exists.
Select development localities with a view to minimising direct and indirect environmental impacts and maintaining a 'green region' with a particular emphasis on recognising the importance of ongoing interconnectivity between components of the natural landscape.	
Protect and maintain the significant biodiversity and habitats (natural landscapes) of the region, including the threatened plants and animals under the *Parks and Wildlife Commission Act* (NT) and the *Environment Protection and Biodiversity Conservation Act 1999* (Cth).	
Protect prescribed archaeological places and objects, including sites of Aboriginal and Macassan origin via the provisions of the *Northern Territory Aboriginal Sacred Sites Act* (NT).	**Noted** – It is noted that it is the responsibility of the developer and landowner to ensure that land use does not result in a contravention of the *Northern Territory Aboriginal Sacred Sites Act 1989* and *Heritage Act 2011*.
Protect and manage regional culture and heritage (particularly WWII sites), recognising their capacity to enrich lives and provide a sense of connection for locals and visitors via the provisions of the *Heritage Act* (NT).	
Minimise the detrimental impact of development on the environment through:	-
• conserving wildlife corridors and minimising human impacts on key populations and habitats of the unique flora and fauna of the region.	**Supports** – The application will support the usage of the land as a wildlife corridor.
• considering the characteristics of soil drainage to minimise the impact of storage and disposal of waste water on the ecology of surface and groundwater resources.	**Not relevant** – No development which would create waste water (as distinct from stormwater) is proposed.

• appropriately managing potential acid sulfate soils to minimise the risk to the environment and the development.	**Acceptable** – The application intends to infill existing gullies outside of the mangrove/tidal areas. As such, it is considered unlikely that this application will disturb any acid sulfate soils. Notwithstanding, comments have been sought from the Department of Lands, Planning and Environment.
• appropriately managing stormwater drainage and other potential impacts on Darwin Harbour.	**Conditionally acceptable** – The application states that works related to the excavation and fill will take place while separate works in relation to the Lee Point subdivision stormwater drainage is being undertaken. Notwithstanding, comments have been sought from the Department of Lands, Planning and Environment, who may provided comment around erosion and sediment control measures that may be required.
Recognise the role of innovative strategic planning responses, including engineering solutions, in managing the coastal impacts of predicted climate change, particularly sea level rise and the associated increased storm tide hazard risk to the environment (as well as people and property).	**Supports** – Rehabilitation and revegetation of the development sites will reasonably improve climate resiliency, through the re-establishment of vegetation between the sea and adjacent residential areas.

Summary

Supports – As discussed above, the application is considered to support the relevant DRLUP objectives.

Lee Point Planning Principles and Area Plan (LPPPAP)



Excerpt of the LPPPAP

The development site is located within an area identified as being subject to development constraints. As per the LPPPAP, future development within the Lee Point area is to:

1. Preserve and integrate areas and items of environmental and heritage significance by:
   (a) limiting development below the escarpment to community uses, tourism activity and pedestrian /cycle tracks that protect the environmental values of the coastal reserve and adjoining vegetation types;
   (b) implementing appropriate environmental and engineering measures including but not limited to the application of principles of water sensitive urban design; and

Acceptable – The application will reasonably improve long-term environmental outcomes within an area identified as to be incorporated into the Casuarina Coastal Reserve.

   (c) adopting measures that acknowledge the role of Lot 4873 Town of Nightcliff in the Indonesia – Malaysia Confrontation including, where practicable, the retention of existing defence items or replacement with artistic/ cultural interpretive works that reflect the historical significance of the land.

Not relevant – There is not considered to be any need for this application to provide heritage signage/works relating to the Indonesia – Malaysia Confrontation. As such, this clause is not considered to be relevant to this application.

2. Provide compact interconnected neighbourhoods as an extension to the existing northern suburbs that:
   (a) foster a distinct identity in the street layout and built form responding to the site's unique location, including its proximity to the Casuarina Coastal Reserve;
   (b) create a quality public realm and built form environment responsive to local climatic conditions through, but not limited to, the design of public areas and open space, the use of pedestrian shelters and landscaping, and the implementation of an energy-efficient built form;
   (c) facilitate access north from Lyons and Muirhead to future community, commercial and recreation facilities;
   (d) maintain a high level of public access to Lee Point and promote access to the Darwin Northern Suburbs and other major centres through a connected local road network, including access to public transport and key pedestrian / cycleways identified on the Area Plan;
   (e) include a lineal open space between development and the coastal reserve, and establish pedestrian connections to the Casuarina Coastal Reserve; and
   (f) promote walking and cycling as the preferred mode of travel for local trips.

Not relevant – This application does not concern any residential development. As such, this clause is not considered to be relevant to this application.

3. Provide a mixed use village centre that integrates services to the local community while maximising opportunities for tourism by:
   (a) creating urban spaces that take advantage of the coastal location of the site;
   (b) providing a destination and focal point for visitors that is easily accessible to pedestrians, cyclists and vehicles travelling along Lee Point Road;
   (c) providing a mix of tourist accommodation, commercial development including tourism and recreation, and residential development along the main street;
   (d) maximising opportunities for active street frontage in the main street;
   (e) maximising accessibility to the centre by catering for all modes of transport;
   (f) reducing traffic speed to create a pedestrian-friendly shared public environment with clearly identified key pedestrian access locations; and

(g) integrating development within the village centre with surrounding residential areas.

Not relevant – This application does not concern development at the identified mixed use village centre. As such, this clause is not considered to be relevant to this application.

4. Provide a range of housing options and lot sizes to cater for diverse household types by:
   (a) including the development of small lot housing to complement more traditional housing types;
   (b) creating a mix of lot sizes for single and/ or multiple dwellings;
   (c) associating medium and high density housing including townhouses and apartments with neighbourhood centres, public open space and/ or areas of high amenity; and
   (d) providing larger rural residential lots as a further choice and to serve as buffers between urban residential development and potential biting insect areas.

Not relevant – This application does not concern any residential development. As such, this clause is not considered to be relevant to this application.

5. Provide an appropriate built form that maximises site opportunities by:
   (a) incorporating a range of building heights to maximise opportunities for coastal views while retaining appropriate built form character and residential scale;
   (b) providing accommodation and residential development that is climatically appropriate, including appropriate solar orientation and natural ventilation; and
   (c) respecting adjoining residential areas through appropriate transitions from commercial development and between residential areas of different densities, and by interfacing with Lyons and Muirhead at the same residential density.

Not relevant – This application does not propose any built form. As such, this clause is not considered to be relevant to this application.

6. Provide adequate land for education and community facilities that:
   (a) allows for the shared use of community and active recreation facilities;
   (b) is located close to public transport and supports a high level of neighbourhood accessibility through the encouragement of cycling and walking; and
   (c) facilitates safe and efficient access via the local road and pedestrian network to community services and facilities in the broader area, including the Royal Darwin Hospital.

Not relevant – This application does not concern any residential development. As such, this clause is not considered to be relevant to this application.

Assessment

Supports – For the reasons discussed above, the application is considered to support the Lee Point planning principles relevant to this application.

3.2 CNV – Clearing of Native Vegetation

Purpose

Ensure that **clearing of native vegetation** does not unreasonably contribute to environmental degradation of the locality.

Administration

1 This Overlay applies to land within Zones RR, RL, R, H, A, CN, RD, WM and Unzoned land.

2 On land subject to this Overlay:
- (a) on land parcels less than 100ha, the clearing of native vegetation of more than one hectare in aggregate of land (including any area already cleared of native vegetation) requires consent; or
- (b) on land parcels of 100ha and over, the clearing of native vegetation of more than 10ha in aggregate of land (including any area already cleared of native vegetation) requires consent.

3 Notwithstanding sub-clause 2:
- (a) all clearing of native vegetation in Zone CN requires consent, other than as provided for by sub-clause 5; and
- (b) on land parcels 100ha and over, the clearing of native vegetation of more than one hectare that includes significant vegetation requires consent, other than as provided for by subclause 5.

4 The consent authority many consent to the clearing of native vegetation that is not in accordance with sub-clause 6 only if it is satisfied that it is appropriate in the context of the site and the locality having regard to such matters as:
- (a) the suitability of the site for the proposed use;
- (b) the values associated with the environmental characteristics (as applicable);
- (c) the significance, extent and likelihood of any potential environmental impacts; and
- (d) the measures the application proposes will be implemented to mitigate any potential impacts.

5 This Overlay does not apply to the clearing of native vegetation that:
- **(a) is required or controlled under any Act in force in the Territory, including but not limited to:**
  - i. *Environment Protection Act 2019*;
  - **ii. *Environment Protection and Biodiversity Conservation Act 1999* (Cth);**
  - iii. *Pastoral Land Act 1992*;
  - iv. *Petroleum (Environment) Regulations 2016*;
  - v. *Territory Parks and Wildlife Conservation Act 1976*; or
- (b) is for the following purposes:
  - i. a firebreak as specified by the *Bushfires Management Act 2016* or the *Fire and Emergency Act 1996*, up to 5m wide along a boundary of a lot having an area of 8ha or less, or up to 10m wide on a lot having an area greater than 8ha, unless otherwise specified by a Regional Fire Control Committee;
  - ii. an internal fence line up to 10m wide on a lot having an area greater than 8ha;

iii. an internal vehicle access trave up to 10m wide and at least 100m away from any cleared land used for a vehicle access track within the same site;
iv. construction of a telecommunications facility, where the area of clearing does not exceed 250m^2;
v. a geotechnical survey if the area cleared is:
    i. for an area in which a survey is conducted – a maximum area of 100m2; and
    ii. for an area necessary for reasonable access to an area in which a survey is conducted – a maximum of 10m wide;
vi. a road to access the land or other land; or
vii. the maintenance and repair of public infrastructure

Requirements

6. The **clearing of native vegetation** is to:
    (a) avoid impacts on environmentally significant or sensitive vegetation;
    (b) be based on land capability and suitability for the intended use;
    (c) avoid impacts on drainage areas, wetlands and waterways;
    (d) avoid habitat fragmentation and impacts on native wildlife corridors; and
    (e) avoid impacts on highly erodible soils.

7. An application for the **clearing of native vegetation** is to demonstrate consideration of the following:
    (a) the *Land Clearing Guidelines* (as amended from time to time) by the agency responsible for natural resources and the environment;
    (b) the presence of threatened wildlife as declared under the *Territory Parks and Wildlife Conservation Act 1976*;
    (c) the presence of sensitive or significant vegetation communities such as rainforest, vine thicket, closed forest or riparian vegetation;
    (d) the presence of essential habitats, within the meaning of the *Territory Parks and Wildlife Conservation Act 1976*;
    (e) the impact of the clearing on regional biodiversity;
    (f) whether the clearing is necessary for the intended use;
    (g) whether there is sufficient water for the intended use;
    (h) whether the soils are suitable for the intended use;
    (i) whether the slope is suitable for the intended use;
    (j) the presence of permanent and seasonal water features such as billabongs and swamps;
    (k) the retention of ***native vegetation*** adjacent to waterways, wetlands and rainforests;
    (l) the retention of ***native vegetation*** buffers along boundaries;
    (m) the retention of ***native vegetation*** corridors between remnant ***native vegetation***;
    (n) the presence of declared ***heritage places*** or archaeological ***sites*** within the meaning of the *Heritage Act 2011*; and
    (o) the presence of any sacred ***sites*** within the meaning of the *NT Aboriginal Sacred Sites Act 1989*.

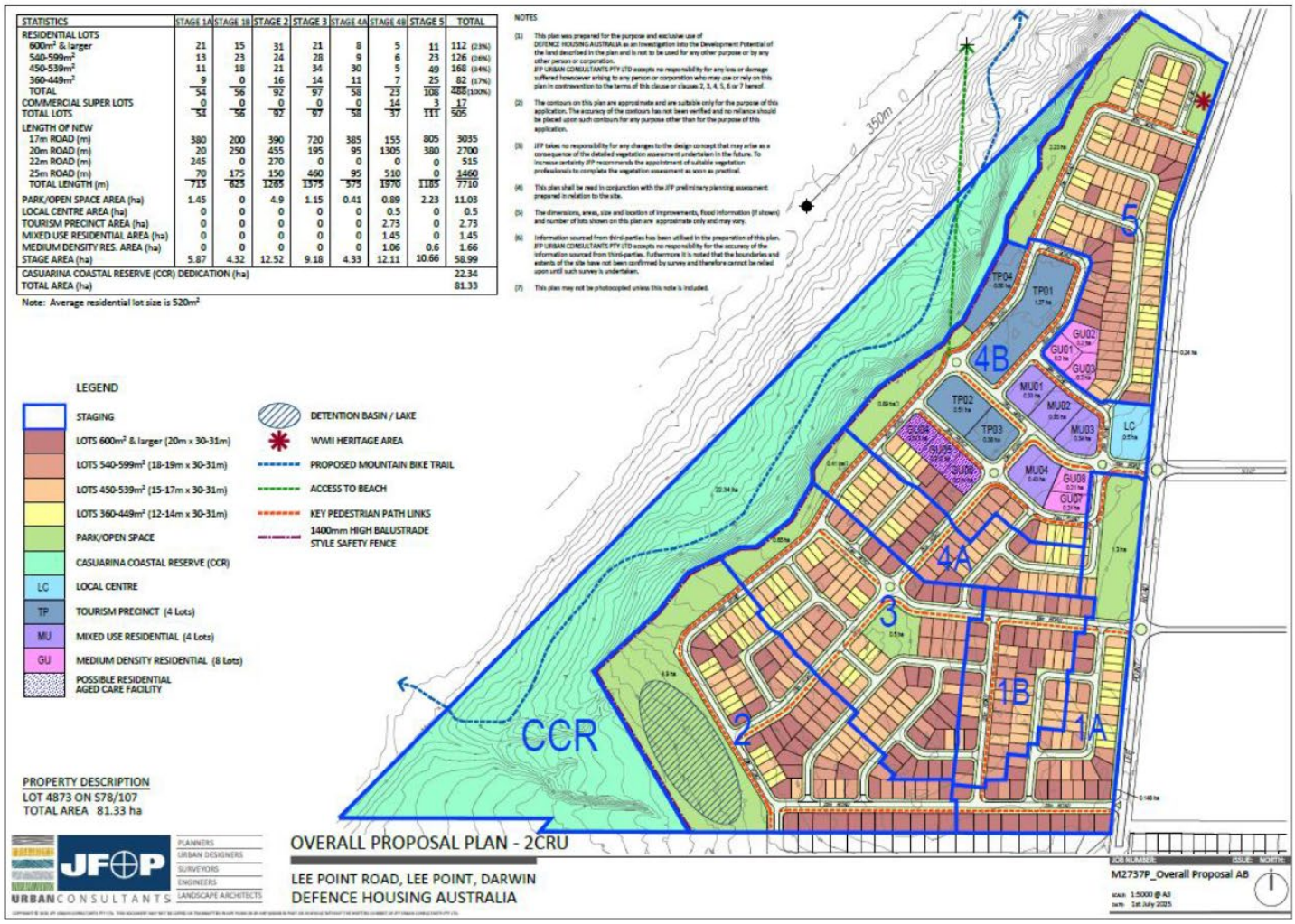
Editor's Note: The Land Clearing Guidelines provide guidance for best practice in land development. Schedule 2 (Definitions) includes a number of activities that are not considered clearing of native vegetation.

Summary

Not relevant – The application states that the clearing of the native vegetation at the site and in relation to the Lee Point residential development is being controlled under the *Environment Protection Biodiversity Control Act 1999*. As such, pursuant to subclause 5(a)(ii), this overlay is not relevant to this application.

It is noted that EPBC 2015/7591 was varied on 27 July 2025 to include condition 2B) which states *The approval holder may undertake **clearing** in the area identified in Attachment D2 as Casuarina Coastal Reserve and CCR for the purpose of rehabilitating existing erosion gullies and maintenance of existing bike tracks*.

Attachment D2: Overall Concept Plan – 2CRU (Varied on the date this instrument was signed)



3.3 RCNV – Restricted Clearing of Native Vegetation

Purpose

Ensure that the **clearing of native vegetation** does not diminish the natural setting and associated established landscape ***amenity*** of an area, and to assist in achieving water management principles.

Administration

1. The **clearing of native vegetation** is to comply with the requirements of Overlay 3.2 (Clearing of Native Vegetation Overlay) in addition to any requirements of this Overlay.

2. The consent authority must not ***consent*** to the **clearing of native vegetation** that is not in accordance with sub-clause 3.

Requirements

3. The clearing **of native vegetation** must not exceed that reasonably necessary for the construction of a ***dwelling***, ***outbuildings*** and associated residential uses.

Summary

Not relevant – It is understood that this overlay is intended to apply in relation to residential development. As such, this overlay is not considered to be relevant to this application.

3.4 CR – Coastal Reclamation

Purpose

Ensure that landfill of coastal areas does not adversely affect adjacent land or waters, or the quality of adjacent waters, and is suited to its intended purpose.

Summary

Not relevant – This application does not propose any land reclamation. As such, this overlay is not relevant to this application.

3.5 LPA – Land in Proximity to Airports

Purpose

Identify areas which may be subject to additional ***amenity*** impacts and/or restrictions due to its proximity to an airport, and ensure that the use and development of land in these areas:

(a) minimises the detrimental effects of aircraft noise on people who reside or work in the vicinity of an airport;
(b) does not result in any new use or intensification of development on land that would prejudice the safety or efficiency of an airport;
(c) does not result in any new use or intensification of development that would jeopardise the curfew free operation of the Territory's airports (where applicable); and
(d) retains the non-urban character of the land.

Summary

Not relevant – The development site is not located within the ANEF Darwin 2042 20-unit contour line. As such, this overlay is not relevant to this application.

3.6 LSF – Land Subject to Flooding

Purpose

Identify areas with a known risk of inundation from riverine flooding and ensure that development in these areas demonstrates adequate measure to minimise the associated risk to people, damage to property and costs to the general community.

Summary

Not relevant – The subject lot is not located within land identified as subject to flooding. As such, this overlay is not relevant to this application.

3.7 LSSS – Land Subject to Storm Surge

Purpose
Identify areas with a known risk of inundation from primary or secondary storm surges and ensure that development in these areas demonstrates adequate measures to minimise the associated the risk to people, damage to property and costs to the general community caused by storm surge.

Administration
1. This Overlay applies to land subject to the PSSA and/or the SSSA.

2. This Overlay does not apply to:
   (a) ***outbuildings*** and extensions to existing ***dwellings***;
   (b) extensions to existing commercial or industrial buildings;
   (c) a use or development within the SSSA that would otherwise be *Permitted*, and complies with the requirements of Part 5;
   (d) unzoned land; or
   (e) any use or development within a PSSA or SSSA that complies with Clause 5.5.1 (Interchangeable Use and Development in Specific Zones) which but for this Overlay, would not require ***consent***.

3. This overlay does not apply to the use and development of land for **dwellings-group** or **dwellings-multiple** when the land is subject to Overlay 3.11 RCFR (Rapid Creek Flood Response).

4. In this Overlay:
   (a) "AEP" means Annual Exceedance Probability, which is the likelihood, in percentage terms, of inundation by storm surge;
   (b) "PSSA" means Primary Storm Surge Areas, which are those coastal areas within a 1% AEP of inundation by storm surge as defined on mapping produced by the NT Government;
   (c) "SSSA" means Secondary Storm Surge Areas, which are those coastal areas adjacent to the PSSA with a 0.1% AEP of inundation by storm surge as defined on mapping produced by the NT Government; and
   (d) "storm surge" means the elevation in sea level which accompanies the movement of a cyclone particularly near, or over, a coastline, attributed to a cyclone's intensity and wind stress build-up.

5. Land within the PSSA is to be used or developed only with ***consent***.

6. The consent authority may ***consent*** to a use or development within the PSSA that is not in accordance with sub-clauses 8-10 only if it is satisfied that the application demonstrates that there is no increased risk to people and property, including adjoining property.

7. The use or development of land within the SSSA should have regard to sub-clauses 9 and 10.

Requirements
8. Development in the PSSA should be limited to uses such as open space, recreation, non-essential public facilities (wastewater treatment works excepted) and short-stay tourist camping/ caravan areas.

9. Development within the SSSA should be confined to those uses permitted in the PSSA as well as industrial and commercial land uses.

10. Residential uses, strategic and community services (such as power generation, defence installations, schools, **hospitals**, public shelters and major transport links) should be avoided in the PSSA and the SSSA.

Summary

Acceptable – The application will not see the construction of any permanent structures or establishment of ongoing land uses within land identified as being subject to storm surges. While the application may infill gullies within the secondary storm surge zone, this infilling is not considered likely to be of a scale that would alter storm surge extents in the locality. As such, the application is considered acceptable against the requirements of this overlay.

3.8 LADR – Land Adjacent to a Designated Road

Purpose
Ensure that ***access*** to a designated road from adjacent land does not prejudice traffic safety or the integrity and operation of the infrastructure.

Summary

Not relevant – The subject lot is not located adjacent to a designated road. As such, this overlay is not relevant to this application.

3.9 DHD – Darwin Harbour Dredging

Purpose
Ensure dredging within Darwin Harbour does not degrade the environmental value of the harbour waters.

Summary

Not relevant – The application does not include any dredging activities. As such, this overlay is not relevant to this application.

3.14 HLSSI – Land in proximity to Helicopter Landing Sites of Strategic Importance

Purpose
Ensure that development does not compromise the ability of helicopters using landing sites of strategic importance.

Administration

1. This Overlay applies to any development that:
   (a) is over 8.5m in height (inclusive of any flag pole, aerial, antenna or lightning rod or the like, or any construction equipment required to carry out the works); or
   (b) contains lighting that projects upwards, coloured or flashing lighting external to the development; or
   (c) will produce an exhaust plume which has an upward vertical velocity of 4.3 or more metres per second at the point of emission/exit.

2. The use and development subject to this Overlay requires ***consent***.

3. Any application subject to this Overlay is to contain details of the proposed works and maximum height of the construction equipment required to carry out the works.

4. The consent authority must not ***consent*** to the use or development that is not in accordance with sub-clause 5.

Requirements

5. Development does not increase risk to helicopters using the landing site of strategic importance.

Acceptable – The application is not considered likely to increase risk to any overhead helicopters, by virtue that no permanent buildings are proposed, and that works associated with site preparation and infilling of gullies will not take place during inclement weather.

Summary

Acceptable – As discussed above, the application is reasonably considered to comply with the relevant requirements of this clause.

3.15 LPRT – Land in Proximity to Runway Thresholds

Purpose

Minimise risk to aircraft from building generated windshear and turbulence in proximity to runways.

Summary

Not relevant – The subject lot is not located in proximity to an identified runway. As such, this overlay is not relevant to this application.

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.

Supports – While the application will involve the limited clearing of existing vegetation, the rehabilitation of the identified gullies and their revegetation will reasonably improve long-term environmental outcomes.

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.

Supports – It is considered that the rehabilitation and revegetation works can be completed in a manner that won't unreasonably adversely affect the adjacent remnant vegetation.

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.

Not relevant – Development such as that listed in this clause is not proposed. As such, this zone outcome is not considered to be relevant to this application.

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.

Not relevant – No temporary or periodic land uses (such as a market) are proposed. As such, this zone outcome is not considered to be relevant to this application.

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.

Not relevant – No residential purposes are proposed. As such, this zone outcome is not considered to be relevant to this application.

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

Acceptable – The application will reasonably improve long-term environmental outcomes within an area identified as to be incorporated into the Casuarina Coastal Reserve.

   (f) wherever possible, use existing cleared and degraded areas for the placement of buildings and related works.

Not relevant – No buildings are proposed. As such, this zone outcome is not considered to be relevant to this application.

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.

Not relevant – This zone outcome is considered to be relevant to the subdivision of land within Zone CN. As such, it is not considered relevant to this application.

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.

Not relevant – The application is considered to meet the definition of excavation and fill. As such, this zone outcome is not considered relevant to this application.

Summary

Supports – As discussed above, the application is considered to support the relevant zone outcomes.

4.27 Zone FD – Future Development

Zone Purpose
Identify an area that is intended for future rezoning and development in accordance with the Strategic Framework. Development is limited to a level that will not prejudice future development or is compatible with planned future purposes.

Zone Outcomes

1. Subdivision and development responds to the Strategic Framework, and does not compromise existing or planned or future development or infrastructure through its location and operation.

Not relevant – As the application does not concern a subdivision, this zone outcome is not considered relevant to this application.

2. Subdivision and development demonstrates that it does not prejudice the intended ultimate subdivision and future development.

Not relevant – As the application does not concern a subdivision, this zone outcome is not considered relevant to this application.

3. Subdivision and development demonstrates that infrastructure can be provided and funded in accordance with an approved plan for infrastructure and will be to a standard that satisfies the requirements of the responsible service authority.

Not relevant – As the application does not concern a subdivision, this zone outcome is not considered relevant to this application.

4. Interim development that is time limited may be established to ensure the land remains available for future development in accordance with the Strategic Framework.

5. **Dwelling-community residence, dwelling-independent** and **home based business** are provided with an appropriate level of services and infrastructure.

Not relevant – In relation to 4 and 5, development such as that listed in these clauses is not proposed. As such, this zone outcome is not considered to be relevant to this application.

6. Development:
   (a) supports the needs of the immediate community;
   (b) is of a scale and intensity compatible with the character and ***amenity*** of the area;
   (c) minimises impacts on sensitive environments;
   (d) avoids adverse impacts on the local road network; and
   (e) is managed to minimise unreasonable impacts to the ***amenity*** of surrounding land.

Acceptable – The application will reasonably improve long-term environmental outcomes within an area identified as to be incorporated into the Casuarina Coastal Reserve.

7. Development does not impose unsustainable demands on surface water and groundwater.

Acceptable – No concerns have been raised by Water Resources of the Department of Lands, Planning and Environment in relation to surface or groundwater extraction.

8. Subdivision design is informed by land suitability assessment to confirm the land is able to support the intended future development.

Not relevant – As the application does not concern a subdivision, this zone outcome is not considered relevant to this application.

9. Development is provided with an appropriate level of services and infrastructure. If reticulated sewerage is unavailable, lots are suitable for the on-site disposal of effluent in a manner that does not pollute ground or surface waters.

Not relevant – This zone outcomes is considered to be relevant to the subdivision of land within Zone FD. As such, it is not considered relevant to this application.

10. 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.

Not relevant – The application is considered to meet the definitions of defined uses. As such, this zone outcome is not considered relevant to this application.

Summary

Supports – While the rehabilitation sites are considered to be located in Zone CN, a review of Zone FD was completed due to the proximity of the gullies to this zone, and possibility that gullies may extend into this zone. As discussed above, the application is considered to support the relevant zone outcomes.

5.2.1 General Height Control

Purpose
Ensure that the heights of buildings and structures are appropriate to the strategic and local context of the location and meet community expectations for development in the zone.

Summary

Not relevant – No buildings are proposed as part of this application. As such, this clause is not considered to be relevant to this application.

5.2.4.1 Car Parking Spaces

Purpose
Ensure that sufficient off-street car parking, constructed to a standard and conveniently located, are provided to service the proposed use of a ***site***.

Summary

Not relevant – No car parking is required as part of this application. As such, this clause is not considered to be relevant to this application.

5.2.4.4 Layout of car parking areas

Purpose
Ensure that a ***car parking area*** is appropriately designed, constructed and maintained for its intended purpose.

Summary

Not relevant – No car parking area is required as part of this application. As such, this clause is not considered to be relevant to this application.

5.2.4.5 Vehicle Access and On-site Parking for Dwellings-Single on Lots Less than 600m^2 but not less than 300m^2

Purpose
Ensure that vehicle ***access*** driveways and on-site parking spaces for **dwellings-single** on lots less than 600m^2 and not less than 300m^2 do not unduly reduce the ***amenity*** of a public road or the availability of kerbside vehicle parking in the public road.

Summary

Not relevant – This application does not concern a dwelling-single on a lot between 300 m2 and 600 m2. As such, this clause is not considered relevant to this application.

5.2.5 Loading Bays

Purpose
Provide for the loading and unloading of vehicles associated with the use of land.

Summary

Not relevant – No loading bay facilities are provided, nor required, on-site. As such, this clause is not relevant to this application.

5.2.6.1 Landscaping in Zones other than Zone CB

Purpose
Encourage landscaping that enhances local amenity by:
(a) contributing to safe and attractive public spaces and places;
(b) responding to the local climate and soil characteristics;
(c) supporting cooler internal and outdoor areas; and
(d) recognising the value of retaining existing plants and trees.

Summary

Not relevant – No landscaping is required to be provided at this development as a result of this development requirement, nor another development requirement. As such, this clause is not considered to be relevant to this application.

5.2.6.2 Landscaping in Zone CB

Purpose
Ensure developments within central business districts minimise heat capture and enhance the visual ***amenity*** of the area when viewed from the street or from surrounding buildings.

Summary

Not relevant – The subject lot is not located within Zone CB (Central Business). As such, this clause is not relevant to this application.

5.2.7 Setbacks for Development Adjacent to Land in Zones LR, LMR, MR or HR

Purpose
Protect the visual and acoustic ***amenity*** of ***residential buildings*** where they are adjacent to non-residential development.

Summary

Not relevant – The development site is not located adjacent to land in Zones LR, LMR, MR or HR. As such, this clause is not relevant to this application.

5.8.9 Excavation and Fill

Purpose
Ensure that the excavation or filling of land does not adversely affect adjacent land or waters, or the quality of adjacent waterways, and associated riparian areas and is suited to the intended future use of the ***site***.

Administration
1. The consent authority may ***consent*** to a use or development that is not in accordance with sub-clauses 2-5, only if it is satisfied it is consistent with the purpose of this clause and the zone purpose and outcomes, and it is appropriate the ***site***.

Requirements
2. Demonstrate the suitability of the ***site*** for the proposed future use.

Acceptable – The application will improve revegetation of the development sites through the stabilisation of the gullies.

3. Provide a hydrological assessment of potential upstream and downstream impacts of the excavation or filling.

Acceptable – The application provided a technical memorandum completed by Byrne consulting in relation to the proposed works. This memo included discussion around a proposed methodology which would minimise the loss of existing vegetation while remediating the gullies, and what erosion and sediment controls can be implemented to prevent adverse outcomes during remediation works. The memo states *The finished surface will be designed to tie in with the surrounding topography, including maintaining natural depressions and drainage lines where appropriate*. In relation to the upstream and downstream impacts of the proposed works, the memo states:

The Works will have no adverse impacts on upstream catchments. Existing hydrological flow paths will be maintained, until such time that upstream flow paths are diverted around the Site during the future 2CRU Subdivision works.

The Works will have a positive impact on downstream environments, by effectively stabilising the Site and mitigating the risk of ongoing erosion. Existing hydrological flow paths will be maintained, until such time that upstream flow paths are diverted around the Site during the future 2CRU Subdivision works. Existing storm water flow volumes will be maintained into CCR and Sandy Creek.

The above is considered acceptable at demonstrating consideration of the upstream and downstream impacts of the proposed works.

4. Provide a plan of management to control erosion and sedimentation, particularly of creeks and riparian areas.

Conditionally acceptable – The application provides a proposed erosion and sediment control plan. Notwithstanding, erosion and sediment control can be addressed through standard permit conditions to ensure its implementation and ongoing compliance.

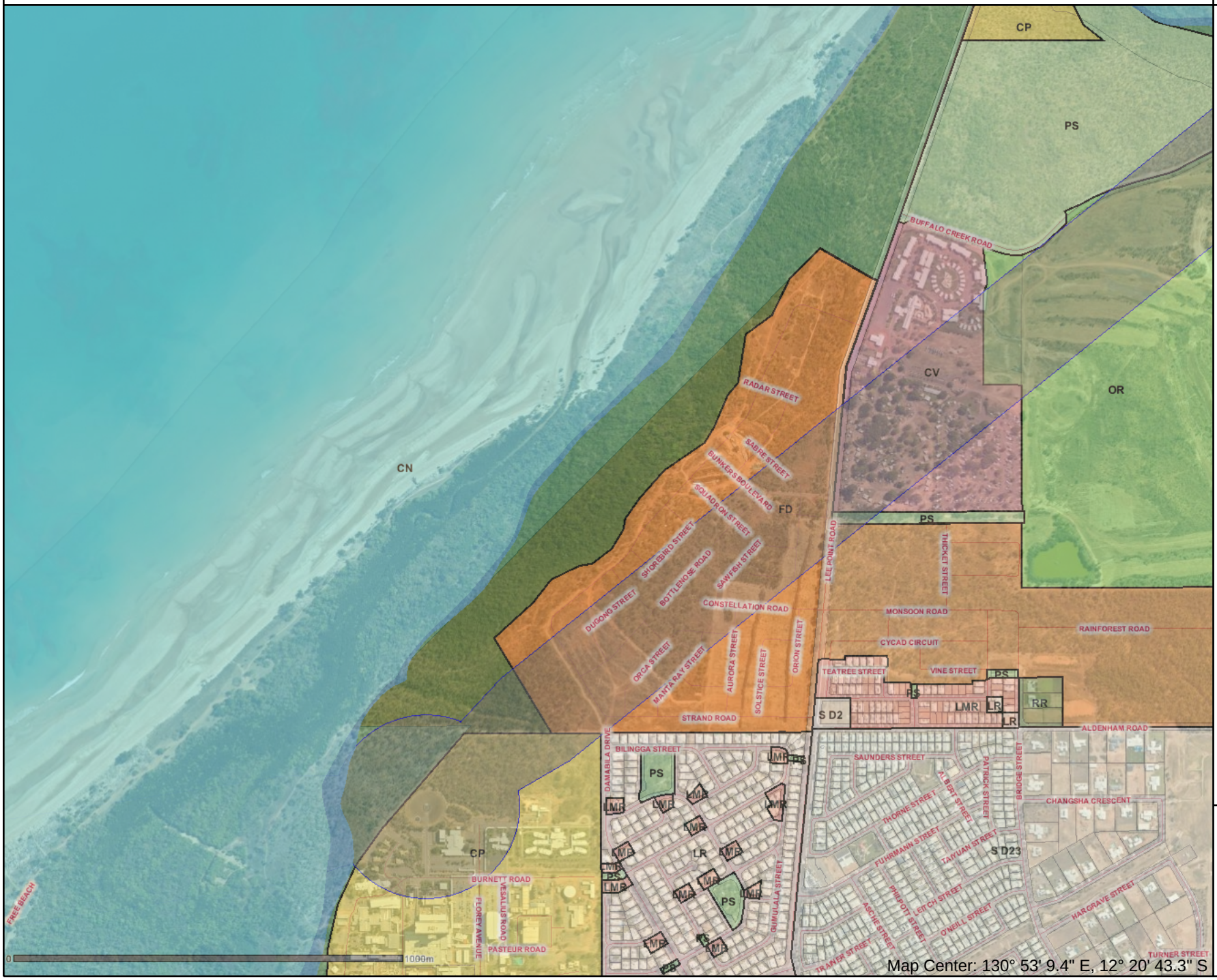
5. Identify measures to prevent the creation of mosquito breeding areas.

Conditionally acceptable – The application stats [the works] *will be designed to be free draining to prevent future water pooling. The Works, when combined with the upstream detention basin, minimises the amount of stormwater discharging to existing interdunal depressions and known mosquito breeding sites within CCR.* Comments have been sought from Medical Entomology of the Department of Health, who managed mosquito matters in the area.

Summary

Conditionally acceptable – As discussed above, the application is considered to generally comply with the relevant requirements of this clause, or can be addressed by permit conditions. Permit conditions relating to erosion and sediment control and mosquito breeding areas would reasonably address these outstanding matters.

PA2026/0187



Legend

- Storm Surge 2100 Primary
- Storm Surge 2100 Secondary
- Land in Proximity to Helicopter Landing Sites of Strategic Importance
- Gateway Locations

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 Residential
- CA - No Planning Scheme Controls
- 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
- RJ - Residential Jabiru
- PSJ - Public Open Space Jabiru
- ORJ - Organised Recreation Jabiru
- CJ - Commercial Jabiru
- SPJ - Special Purpose Jabiru
- TCJ - Tourist Commercial Jabiru
- CPJ - Community Purpose Jabiru
- FDJ - Future Development Jabiru
- IJ - Industrial Jabiru
- ML - Main Road Jabiru
- UJ - Utilities Jabiru

Road Labels

Created by KALTH

Bottom Left: 130° 52' 17" , -12° 21' 08"
Top Right: 130° 54' 00" , -12° 20' 17"
Approximate Scale: 1:3,000
Datum: GDA 1994

Data for information purposes only
accuracy not guaranteed
N.T. Land Information System
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Monday 15th June 2026

Attention: The Chairperson, Development Consent Authority (Darwin Division)
c/o Development Assessment Services, Department of Lands, Planning and Environment

Re: Development Application PA2026/0187 - Excavation and Fill (Lee Point Erosion Gully Remediation), Lot 4873 Town of Nightcliff (Defence Housing Australia)

I recommend the application is not ready for determination.

It seeks consent for excavation, fill and the clearing of native vegetation in a Conservation (CN) zone, but it does not contain the information the *Planning Act 1999* and the *NT Planning Scheme* require the Authority to consider before granting consent.

The matters below go to whether the development is acceptable at all, and to whether the Authority can undertake the consideration required of it by s 51(1) of the Act and Clause 1.10 of the Scheme. Section 51(1)(h) directs the Authority to the merits of the development as demonstrated in the application. Where the application does not contain the material s 46(3) requires, that consideration cannot be performed, and s 46(4)(b) provides the remedy: require the information.

The application does not demonstrate the proposed works will work, and keep working
s 46(3)(d), (e); s 51(1)(j); Clause 5.8.9

The application should be required to demonstrate that the proposed works will remediate the erosion and not simply re-erode, and that they can be delivered as described.

The Earthworks and Drainage memo (Attachment I) asserts that the works will have "a positive impact on downstream environments, by effectively stabilising the Site and mitigating the risk of ongoing erosion." But it also records that "existing hydrological flow paths will be maintained, until such time that upstream flow paths are diverted around the Site during the future 2CRU Subdivision works," and it attributes the reduction of "the catchment that contributes stormwater to the Site" and the mitigation of "the risk of recurring erosion" to "these future works" - i.e. the Stage 2 subdivision detention basin and flow diversion.

Until those future subdivision works exist, the rehabilitated gullies will continue to carry the existing flows: the same flows under which the gullies eroded in the first place. Stage 2 has been cleared but not constructed, and remains contested, so that interim could be prolonged. The memo asserts the works will stabilise the site, but does not demonstrate that the filled and revegetated gullies will withstand the existing flows they will keep carrying before the upstream works are built.

The application identifies Stage 2 detention basin excavation as the source of fill material. The application does not explain what occurs if that source is unavailable or delayed. The application does not demonstrate that the rehabilitated gullies will remain stable under existing flows prior to construction of the Stage 2 drainage infrastructure. This represents an unresolved structural inter-dependency which the Authority should require the applicant to address before determination.

The application states that construction of Stage 2 is "to occur concurrently with the proposed works" and that the remediation "will be undertaken concurrently with the stage 2 subdivision". But that is asserted, not secured. Nothing in this application conditions the commencement or staging of the gully works on the Stage 2 detention basin and flow diversion being constructed and functional.

Indeed the permit history warns otherwise. Seven years of extensions without substantial commencement is the measure of the risk that the "interim" becomes the enduring condition. The Authority should require the applicant to demonstrate how the asserted concurrency is secured, and what becomes of the filled gullies if Stage 2 is again delayed or does not proceed.

The application should demonstrate that the filled gullies will durably remediate the erosion, and not re-erode, under the existing flows that are to be maintained until the upstream Stage 2 works are built and commissioned.

The application should further demonstrate that the works can be delivered as described. The memo states the "clean fill material will be taken from the future detention basin in the 2CRU Subdivision Stage 2," which has not been constructed, so the fill source itself is not yet available.

The application does not establish that mosquito breeding will be prevented
s 46(3)(h); s 51(1)(n); Clause 5.8.9(5)

Clause 5.8.9(5) requires an excavation-and-fill application to "identify measures to prevent the creation of mosquito breeding areas." The application states that the works are designed "to be free draining to prevent water ponding," and that Medical Entomology "attended several Project Control Groups and were consulted during the design process to ensure compliance with their requirements."

The Medical Entomology Unit's assessment of these works should be readily available: the Authority should require it to be produced. Recommendation 9 of Assessment Report 88 contemplates drainage arrangements to the Unit's satisfaction, and the documented local link between stormwater and breeding makes the Unit's actual position material ("recent problems with stormwater drain discharge have increased the Cx. annulirostris problem in low lying grassy areas of Sandy Creek near the hospital"). The application records that the Unit was consulted; it does not put the Unit's view before the Authority.

The need for that view is sharpened by the application's own wording: the breeding mitigation it relies on is achieved only "when combined with the upstream detention basin"; a Stage 2 work that has not been built. The application relies on performance outcomes that depend on future Stage 2 drainage works that do not yet exist. The Authority should require the Medical Entomology Unit's assessment of the works as proposed, and an explanation of how mosquito breeding is prevented in the interim, before the upstream detention basin exists.

The application does not demonstrate the works minimise landform change
s 46(3)(d); s 51(1)(j), (r); Clause 1.10(4)(c); Zone CN Outcome 6(d)

The application proposes excavation and fill in a Conservation zone, abutting the Casuarina Coastal Reserve, which the proponent's plan identifies as 'CCR Extension'. Clause 1.10(4)(c) requires the Authority to be guided by the zone purpose and outcomes, and Zone CN Outcome 6(d) requires development to "minimise excavation and filling and other changes to landform."

That the clearing and access are to be done by hand does not satisfy this requirement: minimising the method of clearing is not minimising the change to landform.

In response, the Statement of Effect asserts that "excavation and fill is limited to that required to rehabilitate the area and tie-in with existing natural surface levels." But that is circular: the amount of excavation and fill said to be "required" is whatever the chosen method demands. Clause 1.10(4)(c) requires the Authority to consider the guidance provided by the zone purpose and outcomes, and Outcome 6(d) sets minimisation of excavation, filling and other changes to landform as the outcome to be achieved. The Authority could not reasonably be satisfied the proposal is consistent with that outcome without evidence that alternative, lower-impact methods were evaluated and rejected.

The application declares the chosen method "required" without demonstrating that anything else was considered.

Filling deep gullies and natural drainage lines (up to about 4 metres deep) to tie in with the surrounding topography is a substantial change to landform, in a zone whose purpose is to "conserve and protect the flora, fauna and character of natural areas." Whether that change is acceptable turns on the present character and function of the gullies. These are matters the application does not address.

Before determining the application, the Authority should require the applicant to provide information:

Fauna assessment of the gullies themselves

The application's vegetation assessment (Attachment J) expressly omits fauna, and concludes "no significant or sensitive vegetation" while recording "an emerging dry coastal vine thicket understorey" in the very drainage lines to be filled. The habitat function of those drainage lines, including the vine-thicket understorey and any fauna use, has not been assessed.

Hydrological and coastal-hazard function

The title (Attachment K) records a Land Subject to Storm Surge overlay over the lot, and the Earthworks and Drainage Memo states the northern gullies are filled "below Secondary Storm Surge Levels (approx. RL 6.5 m AHD)" while asserting, without modelling, that this "will not adversely impact storm surge behaviour." The basis for that assertion should be required.

Comparative assessment of alternatives

In its 2018 EIS the proponent described these as "some minor gullies… natural gullies within the south west corner" and proposed to retain them, designing "two individual detention basins… to maintain existing peak flows in the two defined gullies… rather than a single outlet which would potentially result in additional erosion."

Now the proposal is to fill the gullies entirely. The application does not explain why the less invasive option it previously adopted has been abandoned. It should present an options assessment of excavate-and-fill against in-place stabilisation, including the retain-and-manage approach the proponent itself adopted in 2018.

That comparison cannot be made without dated survey or cross-section evidence of whether the gullies are actively eroding or have stabilised: an actively-eroding gully and a stabilised one call for different responses. The application supplies evidence for neither.

Without this information the Authority cannot assess whether the proposal minimises excavation, filling and other changes to landform, or whether it is consistent with the purpose and outcomes of Zone CN.

The application asks the Authority to substitute other regimes for its own assessment
s 46(3)(c); s 51(2); Clause 1.10

On three matters the application invites the Authority to treat another regime's process as having already dealt with a question the Authority must decide for itself.

Whether the other regime in fact covers the matter is a question for the Authority to determine, not to assume. But even where another regime touches the matter, that does not discharge the Authority's own assessment. The matter must still be assessed; the application cannot use "another regime has

dealt with it" to avoid assessing immediate local concerns. The Authority's task under the Act and the Scheme is not discharged by pointing to another body's approval.

The subdivision permit, and cycad management

The treatment of cycads illustrates a pattern in the application.

The application's vegetation assessment identifies Cycas armstrongii (Vulnerable, TPWC Act) in the clearance footprint, to be managed under DHA's existing management plan. The nominated *Cycas Armstrongii Management Plan* (see: Condition Precedent 5 of the subdivision permit) is an instrument to mitigate cycad loss across a 513-lot development footprint, not an assessment of clearing in a Conservation zone. Whether salvage and relocation is consistent with conserving flora in situ, in a zone whose purpose is to conserve and protect it, is unaddressed. The Authority should require that assessment.

The clearing overlay, and EPBC

The Statement of Effect contends Overlay Clause 3.2 (Clearing of Native Vegetation) does not apply because the clearing is "controlled under" the EPBC Act. Likely correct, as condition 2B authorises the gully-rehabilitation clearing, so the overlay is displaced.

That governs the route the assessment takes; it does not remove the need to assess. The impact of the action on the conservation values of the land must still be weighed. The 3.2(5)(a) exemption switches off the overlay, and only the overlay. It does not discharge the Authority's separate obligation. Deliberate consideration is required to address zoning purpose and outcomes under Clause 1.10(4)(c), and as part of the merits and effect on land under s 46(3)(d) and (e).

EPBC controlled and authorised this clearing for the protection of matters of *national* environmental significance; assessment was not undertaken for the purpose of assessing consistency with Zone CN or the local planning objectives that the Authority must consider. The overlay exemption does not relieve the Authority of doing so now.

Whether a vegetation assessment that searched for "significant or sensitive vegetation" adequately considered the habitat function of the gullies and their surrounds at all, remains unanswered.

Environmental referral, and the current Act

Section 6 of the Statement of Effect responds to the requirement to address referral to the NT EPA by pointing to the assessment of the Lee Point master-planned project under the repealed Environmental Assessment Act 1982 (the 2018 EIS).

Section 46(3)(c) of the Act requires a development application to contain a statement specifying whether the proposed development is required to be referred to the NT EPA under Part 4, Division 3 of the Environment Protection Act 2019, and whether it has been referred. Section 6 of the Statement of Effect contains neither. Instead it recounts the history of an assessment under the repealed Act, without ever stating whether referral of this development is required under the current one.

Historical, project-level assessment under a superseded Act does not establish whether this development, a standalone excavation, fill and clearing operation in a Conservation zone, warrants referral under the Environment Protection Act 2019 - the law that applies today. Under that law, the threshold for referral is a “significant impact” on the environment. The present proposal raises impacts that must be considered in its current context, regardless of whether related works formed part of the earlier master-planned project.

As with the clearing overlay, the application asks the Authority to treat another process as having dealt with the matter. Whether it has is for the Authority to satisfy itself, not to assume. Here too the determination governs the route, not whether the matter is assessed: if referral under the current Act is required, that assessment must occur before the application is determined; if it is not, the environmental effects of this development must still be considered now, on current information, as part of the merits. That consideration cannot be treated as discharged by a 2018 assessment of a different and larger proposal.

The Environment Protection Act 2019 gives the Authority a direct way to deal with this. As the statutory decision-maker, under section 50 the Authority may decline to consider the application until the action is referred to the NT EPA, and may make such a referral.

Section 51(2) of the Planning Act reinforces this: if referral is required, the Authority must not determine the application until the NT EPA process is resolved. The threshold question of whether referral is required is therefore one the Authority must answer before determination.

Recommendation 1: that the Authority exercise its powers to resolve the question of referral under the current EP Act (2019)

The application as exhibited does not contain the information the Authority requires to be satisfied of the matters in s 51(1) of the Act and Clause 1.10 of the Scheme. The absence of this material not only prevents the Authority from being satisfied of the statutory matters; it also prevents members of the public from meaningfully assessing the proposal during exhibition.

Recommendation 2: that the Authority require the applicant to provide information identified above and summarised in Appendix A

Thank you, and best wishes for your important work.

Justin Tutty
justin@darwin.email
0424-028-741

Appendix A - summary of information to request

The following information is missing from the application and should be required to allow the Authority to address the matters within its responsibility:

1. Evidence that the rehabilitated gullies will remain stable under the existing flows they will carry until the Stage 2 detention basin and flow diversion are built and commissioned
2. An explanation of how the asserted concurrency with Stage 2 is secured, and what becomes of the filled gullies if Stage 2 is further delayed or does not proceed
3. Confirmation of how the works are delivered if the nominated fill source - excavation of the not-yet-constructed Stage 2 detention basin - is unavailable
4. The Medical Entomology Unit's assessment of the works as proposed, and an explanation of how mosquito breeding is prevented in the interim, before the upstream detention basin exists
5. A fauna assessment of the gullies themselves: the habitat function of the drainage lines to be filled, including the recorded dry coastal vine-thicket understorey and any fauna use
6. A characterisation of the gullies' current role as drainage lines and the flows they convey to Sandy Creek and the Reserve, and the modelling basis for the assertion that filling will not adversely affect storm surge behaviour
7. An options assessment of excavate-and-fill against in-place stabilisation, including the retain-and-manage approach originally adopted in the 2018 EIS
8. whether salvage-and-relocation of *Cycas armstrongii* under the subdivision-era Management Plan is consistent with conserving flora in situ in the Conservation zone

To: The Chairman

Darwin Development Consent Authority

GPO Box 1680, Darwin NT 0801

Email: das.ntg@nt.gov.au

Regarding Application/Permit Reference: *PA2026/0187*

Location of Works: Lee Point Development Area, Darwin

JOINT SUBMITTER DETAILS

- Dr Nancy Batenburg, 13 Daniels Street, Ludmilla, NT 0820 nancybat@bigpond.com, Ph: 0417879041 **AND**
- Vanessa Kaye, 10 Tudawali Street, Ludmilla, NT 0820, <no email address> Ph 89854310

We are lodging this formal submission under the provisions of the *Planning Act 1999* to declare my **strong objection** to the proposed development activities, design variations, and associated earthworks at Lee Point. I advise that this application is a joint submission made with the full input of Mrs Kaye, but has been submitted by me.

I advise that this development application is incomplete, does not contain overall necessary information to assess fully and is sparse with regards to links, environmental considerations now and into the future, offers incomplete scope of connected works and with scant regard for the surrounding residents and future developments in this area.

1. SUMMARY

As a member of the Northern Territory community and as one who has seen this 'segmented' ad hoc development approach far too many times, I hold serious concerns regarding the environmental, social, structural, and procedural impacts of the ongoing proposals at Lee Point. The time of trusting in possible future developers, developments and considerations towards a successful, relevant and compliant planning proposal are long gone. Approvals by experts in the relevant fields are missing and stakeholder and agency consultations appear to be minimal, if at all. There is little substantiation or evidence pertaining to the many interrelated aspects of this proposal with reference to possible 'future' plans, 'future' links, 'future impacts…

This submission demonstrates that the current plans fail to align with critical federal environmental variations, present severe risks to local biodiversity through unstable gully and vegetation management, and rely on highly volatile engineering designs that were being revised as recently as late May 2026.

Furthermore, the applicant's failure to provide technical specifications for vital infrastructure—specifically a referenced future detention basin and its potential impacts — constitutes unacceptable, inappropriate and adhoc planning. The unknown runoff, sediment, and hydrological impacts of this entire project pose an immediate, unassessed threat to the adjacent Casuarina Coastal Reserve, the pristine beach front and nearby established residential areas.

I urge the Authority to reject the application in its current form as incomplete, unsubstantiated and without expert confirmation.

2. KEY GROUNDS FOR OBJECTION

1. **Non-Compliance with Federal Environmental Protections (EPBC Mandates)**

- **Context:** The Lee Point development area is strictly bound by Commonwealth environmental conditions under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).
- **Objection:** Unfortunately, as this application is segmented with wish lists of possible future approved works. Few, if any, experts in the relevant engineering, environmental mitigation and other relevant earthwork/ sewerage works appear to have been consulted to see if this suggested works are valid and no endorsements or approvals from those experts or linked agencies to existing infrastructure have been sighted as a part of this application.

While DCA Authority may have insider knowledge unavailable to the public with regards to this application and the frameworks protecting this area, I believe that the DCA would be remiss if it overstepped existing regulatory frameworks or granted consents to piecemeal variations on possible and future works that may be in direct conflict with conservation mandates outlined in the Commonwealth EPBC Approval Decision (Ref: 2015-7591) and its subsequent Variation Notices (dated 15 June 2023 and 27 July 2025). Additionally, I am unaware of current members of NT Planning / DCA who hold relevant qualifications, registrations and experience to attest to the validity of this adhoc approach.

It appears highly probable that the protection of critical habitat for threatened and endangered species—such as the Gouldian Finch and migratory shorebirds—carries legal and ecological precedence under Commonwealth law that overrides local approvals. The developer's reliance on repeated variation notices suggests a shifting framework that may actively threaten local biodiversity.

Consequently, I urge the DCA to satisfy itself that no territory-level consents breach or circumvent these federal environmental thresholds before granting any approvals.

2. **Volatile Soil Conditions and Severe Gully Erosion Risks**

- **Context:** Lee Point features highly sensitive, erodible soils that are highly susceptible to the Top End's intense monsoonal weather patterns. There are now proven clusters of ecologically sensitive flora and fauna where little, if any, consideration has been provided by the developer. There would be sufficient research over many years to show the changing landscape and this proposal does not address current concerns.
- **Objection:** The developer's reliance on a heavily modified *Gully Rehabilitation Fill Plan.* While it is a pretty picture, it is short on technical detail and expert approval as an effective strategy longer term.

An *Erosion and Sediment Control Plan* (both revised as recently as late May 2026) proves that topsoil stability and runoff management remain volatile, unresolved engineering risks. The monsoon-driven wet seasons present an extreme risk of severe gully failures, mud-fines runoff, and marine pollution.

I object to any further clearance or earthworks being approved when sediment and erosion controls remain a moving target on such unstable terrain. Additionally, once again, there are no links to additional impacts for the wider area (current and possible future modelling with proposed remedial works) and impacts or risks to surrounding residential areas and potential future developments in this area.

I repeat that no experts appear to have been consulted, nor provide their endorsements or approvals. It is unlikely that NT Planning or DCA have experts of sufficient qualifications, registrations, experience and credibility to attest formally to this plan based on its incomplete nature.

3. **Flawed Drainage Planning and Hydrological Disruption**

- **Context:** Modifying the natural topography changes how stormwater moves across Lee Point (specifically and in relation to the wider community), threatening neighbouring ecosystems like monsoon vine thickets.
- **Objection:** I raise significant concerns regarding the *Earthworks and Drainage Memo* (Revised May 2026).

Diverting natural stormwater flows and introducing widespread hard surfaces will drastically accelerate runoff velocity. Once again, this plan is incomplete and has not considered the full impacts and risks in the wider area and community.

This risks suffocating local flora, altering the water table, and creating unmanageable hydrological pressure on existing natural gullies and other infrastructure.

The DCA must demand a comprehensive, independent hydrological audit rather than relying on the developer's self-issued, frequently altered technical memos before granting any further consents.

4. Exploitation of Jurisdictional Splits and Hidden Infrastructure Impacts

- **Context:** The development spans a physical boundary between two distinct planning zones: Zone FD (Future Development), where a master-planned urban subdivision is actively being built, and Zone CN (Conservation), which is destined to be absorbed into the Casuarina Coastal Reserve.
- **Objection:** I strongly object to the applicant using this zoning configuration as a loophole to facilitate adhoc, technically incomplete assessment of this area. The applicant has treated these zones as separate planning matters, isolating the immediate "problems" from a possible, wish list future "solution":
- **The Jurisdictional Split:** The Gully Fill occurs right on or inside the edge of the Zone CN boundary, while the Future Retention Pond (Stage 2 Basin) is located upstream, situated entirely within Zone FD. The vital engineering, civil, and hydrological data of the retention basin have been omitted from this application simply because it sits in the adjacent zone. Agency approvals for use of this designated 'fill' do not appear to be a part of this application so there is no guarantee that the fill is appropriate or sufficient to need.
- **Sourcing Fill Across Zoning Lines:** Under the NT Planning Scheme, using material excavated from Zone FD to **patch** an environmentally degraded Conservation zone (CN) creates an unaddressed dependency. The application treats the Zone FD basin as a convenient borrow pit for clean fill. However, because the basin's design has not been locked in under this application, any future changes to the layout, depth, or timing of the urban development in the FD zone directly threaten the viability of the remediation methodology inside the CN zone.
- **Conflicting Catchment Objectives:** Zone FD allows for significant native vegetation clearing and land contouring, which radically alters natural absorption and creates high-velocity stormwater runoff. Once again, no experts agreed or approved of this approach and there is no inter-agency approvals for such an approach. Personally, I

find this approach to be reprehensible in that safeguards do not appear to be evident. Conversely, Zone CN mandates strict conservation and environmental protection, requiring the preservation of natural drainage-line environments (such as the emerging dry coastal vine thickets identified in the vegetation report).

By altering the hydrology in the FD zone without providing a complete, holistic design for the retention pond by qualified experts and agencies, the application cannot prove that the downstream CN zone, the adjacent Casuarina Coastal Reserve, and its pristine beachfront will be protected from severe, recurring erosion.

Uncontrolled or concentrated stormwater release from an undisclosed, poorly designed upstream basin presents severe downstream risks:

- Coastal and Beach Erosion: High-velocity discharge will cause catastrophic washout, carving out the sand dunes and destroying the fragile beachfront topography.
- Ecological Degradation of the Reserve: Sudden influxes of nutrient-rich, sediment-heavy urban runoff will fuel weed incursions, erode natural walking tracks, and alter the fragile ecosystem of this vital sanctuary.
- Impacts on surrounding communities and residential developments (current and future).

The DCA cannot lawfully evaluate the overall drainage strategy while the primary mechanism for capturing and treating this water remains an undisclosed mystery.

5. **Inadequate Substitution of Remnant Vegetation with Future Promises**

- **Context:** High-value, old-growth habitat is being threatened with clearing, under the justification of future replanting schemes. No details were provided, no experts consulted as to the validity of this approach, particularly from a conservation perspective, no inter-agency approvals have been provided.
- **Objection:** While I note the inclusion of a *Revegetation Proposal* (Revised May 2026), a promise to replant habitat in the future cannot mitigate the immediate, catastrophic loss of old-growth remnant vegetation identified in the site's *Vegetation Assessment*.

As no specific plans were included, and no experts agreed to this travesty of destruction, there is a known correlation between minimal future plantings, sometimes with inappropriate vegetation by developers to make things 'pretty' but with little consideration of the destruction of established flora and fauna in complex systems.

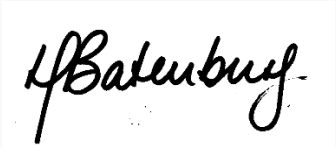
The preservation and conservation of existing, intact habitat must be prioritized over clearing and subsequent, unproven "rehabilitation."

REQUESTED OUTCOME & ACTION BY THE DCA

For the reasons detailed above, it is clear that this development proposal remains unsafe, adhoc in detail and operational procedures and incomplete to allow for a full assessment of the overall directions for this area. It is insufficient to propose wish list works and hope for the best with future links and impacts for the fragile Lee Point environment. This proposal lacks stable engineering and environmental safeguards and does not indicate full compliance with existing legislation and regulatory frameworks.

I formally request that the Development Consent Authority:

1. **Reject** this application, variation, or clearing permit in its entirety.
2. **Decline to determine** the application until **full** engineering blueprints, environmental and ecological impact statements, social considerations and inter-agency agreements and discharge simulations for the proposed future detention basin are provided for public review, specifically detailing how the Casuarina Coastal Reserve and beach front will be protected from accelerated runoff and erosion.
3. **Refuse** to grant any further incremental consents until completely independent environmental, ecological, soil stability, and hydrological impact assessments are conducted by relevant, qualified, registered and experienced experts and made fully available for public scrutiny.
4. **Hold a public hearing** regarding this application so that community members, traditional owners, other agencies impacted by this development and independent environmental experts can voice their concerns directly to the DCA Board.



Dr Nancy Batenburg

Consultant

13 Daniels Street

Ludmilla NT 0820

And on behalf of (Joint submission)

Vanessa Kaye

10 Tudawali Street

Ludmilla, NT 0820

DATED: 19th June 2026

From:	Nicholas Kirlew
To:	Das NTG
Subject:	Regarding Application/Permit Reference: PA2026/0187 Location of Works: Lee Point Development Area, Darwin
Date:	Wednesday, 17 June 2026 5:58:47 AM

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.

OBJECTION TO DEVELOPMENT APPLICATION / VARIATION WORKS AT LEE POINT

To: The Chairman
Darwin Development Consent Authority
GPO Box 1680, Darwin NT 0801
Email: das.ntg@nt.gov.au

Regarding Application/Permit Reference: *PA2026/0187* **Location of Works:** Lee Point Development Area, Darwin

SUBMITTER DETAILS

- **Full Name:** Nicholas Kirlew, Convener PLan: the Planning Action Network Inc **Postal Address:** PO Box 493 Karama NT 0813 **Email Address:** nick@planinc.org.au **Phone Number:** 0447 499 794 I am lodging this formal submission under the provisions of the *Planning Act 1999* to declare my strong objection to the proposed development activities, design variations, and associated earthworks at Lee Point.

1. EXECUTIVE SUMMARY

As a member of the Northern Territory community, I hold grave concerns regarding the environmental, structural, and procedural impacts of the ongoing proposals at Lee Point. This submission demonstrates that the current plans fail to align with critical federal environmental variations, present severe risks to local biodiversity through unstable gully and vegetation management and rely on highly volatile engineering designs that were being revised as recently as late May 2026. Furthermore, the applicant's failure to provide technical specifications for vital infrastructure—specifically a referenced future detention basin—constitutes unacceptable piecemeal planning. The unknown runoff, sediment, and hydrological impacts of this entire project pose an immediate, unassessed threat to the adjacent Casuarina Coastal Reserve and the pristine beach front. Consequently, I urge the Authority to reject the application in its current form.

2. KEY GROUNDS FOR OBJECTION

Ground A: Non-Compliance with Federal Environmental Protections (EPBC Mandates)

- **Context:** The Lee Point development area is strictly bound by Commonwealth environmental conditions under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).
- **Objection:** I suggest that the Development Consent Authority risk overstepping its regulatory bounds or granting un-executable consents if it approves

variations or works that conflict with, or jeopardize, the strict conservation mandates outlined in the Commonwealth EPBC Approval Decision (Ref: 2015-7591) and its subsequent Variation Notices (dated 15 June 2023 and 27 July 2025). It appears highly probable that the protection of critical habitat for threatened and endangered species—such as the Gouldian Finch and migratory shorebirds—carries legal and ecological precedence under Commonwealth law that overrides local approvals.

- The developer's reliance on repeated variation notices suggests a shifting framework that may actively threaten local biodiversity. Consequently, I urge the DCA to satisfy itself that no territory-level consents breach or circumvent these federal environmental thresholds before granting any approvals.

Ground B: Volatile Soil Conditions and Severe Gully Erosion Risks

- **Context:** Lee Point features highly sensitive, erodible soils that are highly susceptible to the Top End's intense monsoonal weather patterns.
- **Objection:** The developer's reliance on a heavily modified *Gully Rehabilitation Fill Plan* and an *Erosion and Sediment Control Plan* (both revised as recently as late May 2026) proves that topsoil stability and runoff management remain volatile, unresolved engineering risks. The monsoon-driven wet seasons present an extreme risk of severe gully failures, mud-fines runoff, and marine pollution. I object to any further clearance or earthworks being approved when sediment and erosion controls remain a moving target on such unstable terrain.

Ground C: Flawed Drainage Planning and Hydrological Disruption

- **Context:** Modifying the natural topography changes how stormwater moves across Lee Point, threatening neighboring ecosystems like monsoon vine thickets.
- **Objection:** I raise significant concerns regarding the *Earthworks and Drainage Memo* (Revised May 2026). Diverting natural stormwater flows and introducing widespread hard surfaces will drastically accelerate runoff velocity. This risks suffocating local flora, altering the water table, and creating unmanageable hydrological pressure on existing natural gullies. The DCA must demand a comprehensive, independent hydrological audit rather than relying on the developer's self-issued, frequently altered technical memos before granting any further consents.

Ground D: Exploitation of Jurisdictional Splits and Hidden Infrastructure Impacts

- **Context:** The development spans a physical boundary between two distinct planning zones: Zone FD (Future Development), where a master-planned urban subdivision is actively being built, and Zone CN (Conservation), which is destined to be absorbed into the Casuarina Coastal Reserve.
- **Objection:** I strongly object to the applicant using this zoning configuration as a loophole to facilitate piecemeal assessment. The applicant has treated these zones as separate planning matters, isolating the immediate "problem" from

the future “solution”:

- **The Jurisdictional Split:** The Gully Fill occurs right on or inside the edge of the Zone CN boundary, while the Future Retention Pond (Stage 2 Basin) is located upstream, situated entirely within Zone FD. The vital engineering, civil, and hydrological data of the retention basin have been omitted from this application simply because it sits in the adjacent zone.
- **Sourcing Fill Across Zoning Lines:** Under the NT Planning Scheme, using material excavated from Zone FD to patch an environmentally degraded Conservation zone (CN) creates an unaddressed dependency. The application treats the Zone FD basin as a convenient borrow pit for clean fill. However, because the basin’s design has not been locked in under this application, any future changes to the layout, depth, or timing of the urban development in the FD zone directly threaten the viability of the remediation methodology inside the CN zone.
- **Conflicting Catchment Objectives:** Zone FD allows for significant native vegetation clearing and land contouring, which radically alters natural absorption and creates high-velocity stormwater runoff. Conversely, Zone CN mandates strict conservation and environmental protection, requiring the preservation of natural drainage-line environments (such as the emerging dry coastal vine thickets identified in the vegetation report).

By altering the hydrology in the FD zone without providing a complete, holistic design for the retention pond, the application cannot prove that the downstream CN zone, the adjacent Casuarina Coastal Reserve, and its pristine beachfront will be protected from severe, recurring erosion.

Uncontrolled or concentrated stormwater release from an undisclosed, poorly designed upstream basin presents severe downstream risks:

- **Coastal and Beach Erosion:** High-velocity discharge will cause catastrophic washout, carving out the sand dunes and destroying the fragile beachfront topography.
- **Ecological Degradation of the Reserve:** Sudden influxes of nutrient-rich, sediment-heavy urban runoff will fuel weed incursions, erode natural walking tracks, and alter the fragile ecosystem of this vital sanctuary.

The DCA cannot lawfully evaluate the overall drainage strategy while the primary mechanism for capturing and treating this water remains an undisclosed mystery.

Ground E: Inadequate Substitution of Remnant Vegetation with Future Promises

- **Context:** High-value, old-growth habitat is being threatened with clearing, under the justification of future replanting schemes.
- **Objection:** While I note the inclusion of a *Revegetation Proposal* (Revised May 2026), a promise to replant habitat in the future cannot mitigate the immediate, catastrophic loss of old-growth remnant vegetation identified in the site’s *Vegetation Assessment*. Artificial revegetation projects have an incredibly high failure rate in the Top End climate and take decades to replicate

the complex ecosystems currently supporting local wildlife. The preservation and conservation of existing, intact habitat must be prioritized over clearing and subsequent, unproven "rehabilitation."

3. REQUESTED OUTCOME & ACTION BY THE DCA

For the reasons detailed above, it is clear that this development proposal remains unsafe for the fragile Lee Point environment and lacks stable engineering and environmental safeguards.

I formally request that the Development Consent Authority:

1. **Reject** the requested application, variation, or clearing permit in its entirety.
2. **Decline to determine** the application until full engineering blueprints, environmental impact statements, and discharge simulations for the proposed future detention basin are provided for public review, specifically detailing how the Casuarina Coastal Reserve and beach front will be protected from accelerated runoff and erosion.
3. **Refuse** to grant any further incremental consents until completely independent environmental, soil stability, and hydrological impact assessments are conducted and made fully available for public scrutiny.
4. **Hold a public hearing** regarding this application so that community members, traditional owners, and independent environmental experts can voice their concerns directly to the DCA Board.

Regards,

Nick Kirlew
Convener **PLan: the Planning Action Network Inc M:** 0447 499 794 **E:** nick@planinc.org.au **W:** www.planinc.org.au

Power in Numbers: Join our network to ensure the Darwin community remains a force too big to be ignored. **Sign up here**.

Christine Cox - 4 Kean Place Millner 0810. 0449851955. coxchristine6@gmail.com

PA2026/0187 – Development

Exhibition Period. Friday, 5 June 2026 – Midnight Friday, 19 June 2026

Lot 04873 Town of Nightcliff. 577 Lee Point Road Lee Point

Current Zones. MZ (Multi Zone)

Proposed Development - Excavation and fill (erosion gully remediation

I do not support the application PA 2026/0187 because it needs further work and I will highlight the issues which I consider to be inadequate.

The application identifies a detention basin and future drainage works as part of the proposed erosion management strategy. However, the exhibited material provides little information about those elements or how they function within the broader stormwater system.

The Earthworks and Drainage Memo states that clean fill material for the proposed remediation works will be taken from a future detention basin in Stage 2.

The same document states that future drainage works will reduce stormwater flows reaching the gullies and reduce the risk of recurring erosion. Existing flow paths are stated to remain until future subdivision works divert flows around the site.

The Gully Rehabilitation Fill Plan also identifies a Future SW Detention Basin as the source of fill material for the proposed works.

The detention basin and future drainage works are therefore part of the proposal's stated rationale and are identified in the application as relevant to the long-term performance of the remediation works.

However, the application provides little information regarding the detention basin itself, the broader drainage system, downstream drainage arrangements, outfall infrastructure, or where stormwater ultimately discharges.

This creates an assessment problem. The application relies on elements of a broader stormwater system but does not provide enough information to understand how that system functions.

This issue is compounded by staging. The application refers to infrastructure associated with later stages, yet provides only limited information about how that infrastructure interacts with the proposed remediation works. As a result, parts of the stormwater system are being considered separately even though they are intended to operate together.

The broader drainage framework therefore remains unclear, making it difficult to assess the cumulative effects of the drainage changes referred to in the application or to understand how the proposed remediation works will function within the overall stormwater system.

The Conceptual Rehabilitation Diagram illustrates filling, reshaping and revegetation of the gullies. However, it does not show the detention basin, downstream drainage

arrangements or how the rehabilitated landform interacts with the broader stormwater system referred to elsewhere in the application.

For these reasons, determination of PA2026/0187 should be deferred until sufficient information is provided regarding:

• the detention basin identified as the source of fill material;

• the broader drainage system referred to in the application;

• downstream drainage and outfall arrangements; and

• how the proposed remediation works fit within the broader stormwater framework described in the application.

The exhibited material states that fill to remediate the gullies will come from a future Stage 2 detention basin. The Earthworks and Drainage Memo also states that future Stage 2 drainage works will reduce flows reaching the gullies and help prevent recurring erosion.

However, the application provides little information regarding the detention basin, the associated civil works, or what happens to stormwater after it leaves the detention basin, including downstream drainage and outfall arrangements.

As a result, the application is incomplete. Important elements on which the proposed remediation works rely are not adequately described in the exhibited material.

Without that information, the proposed remediation works cannot be properly assessed by either the public or the Development Consent Authority

Document 1: Statement of Effect

The Statement of Effect explains why remediation is proposed and describes the environmental outcomes the proposal is intended to achieve.

Cause of the problem
Defence removed vegetation many years ago from the western side of Lee Point – 2CRU (also known as Lot 4873 or Lyons North). This has led to large erosion gullies forming on defence land with sediment being carried into the mangroves
While those future works form part of the rationale for the proposal, the Statement of Effect provides little detail regarding the detention basin, drainage infrastructure, downstream drainage arrangements or outfall infrastructure. As a result, the document describes the expected benefits of those works without explaining how the broader stormwater system is intended to function

Cultural Consultation
No mention is made in the Application whether Larrakia (traditional owners of Darwin) have been consulted on the proposed works. Previously, Larrakia have objected to works at Lee Point due to cultural reason

Free Prior and Informed Consent needs to be sought from Larrakia traditional owners.

Attachment F – Gully Rehabilitation Fill Plan

To show the physical extent of the remediation works, vegetation clearing, no-go zones, retained vegetation, access arrangements and the source of fill material.

The plan identifies a Future SW Detention Basin as the source of fill material for the remediation works.

However, the plan provides no information regarding the detention basin itself, including its design, capacity, construction or operation.

The plan therefore identifies the source of fill material but provides little information about the works from which that fill is to be obtained.

The plan also does not explain the quantity of fill required, whether the detention basin is capable of supplying that volume of fill, or whether the remediation methodology would be affected if the detention basin design, location or timing were altered.

As a result, the plan identifies the source of fill but provides limited information about how that aspect of the proposal is intended to be implemented

Attachment G – Revegetation Proposal

Areas disturbed by the remediation works will be rehabilitated and revegetated using local native species, retained vegetation, salvaged topsoil and cycad protection measures.

The proposal contains detailed revegetation measures, including species schedules, cycad protection measures, topsoil salvage and rehabilitation treatments.

However, the document provides limited information regarding how rehabilitation success will be measured over time. No clear performance targets, monitoring triggers, replacement requirements or success criteria are identified within the exhibited material.

Page 5 also states that the contractor is to confirm methodology for minimising works and clearing, leaving some implementation details unresolved at the assessment stage.

The proposal describes in detail what is intended to be planted and restored, but provides less information regarding how rehabilitation outcomes will be measured and verified over the longer term

Attachment A – DP18/0409 Permits and Endorsed Drawings

The Lee Point subdivision has a long-standing planning approval framework and but why should the current remediation proposal sit within that approved framework. The development has caused the erosion and sits in a conservation zone outside the development site.

The document confirms that the Lee Point subdivision was approved to proceed in stages and that stormwater infrastructure, erosion controls and environmental management formed part of the broader subdivision framework.

However, staging has resulted in an application where parts of the stormwater system are being presented separately, making it difficult to understand the system as a whole.

The exhibited material refers to a detention basin, future drainage works and diversion of stormwater flows, but provides little information about how these elements work together or where stormwater ultimately discharges.

As a result, it is difficult to assess the role of the proposed remediation works within the broader stormwater system referred to throughout the application

Attachment B – NT EPA Assessment Report 88 (2018 EIS Assessment Report)

The report relates to the broader Lee Point development rather than the current erosion gully remediation proposal.

While it demonstrates that the broader development was subject to extensive environmental assessment, it does not assess the specific earthworks, fill source, drainage arrangements or stormwater infrastructure referred to in the current application.

The report also anticipated that future components of the development would be subject to further approvals and assessment processes. The existence of the EIS therefore does not remove the need for the current application to provide sufficient information to enable proper assessment of the works now proposed.

The report is also relevant to the issue of staging. The broader development was assessed as a large integrated project. However, the current application presents only part of the stormwater system. References to a detention basin, future drainage works and diversion of stormwater flows appear throughout the exhibited material, yet the operation of the broader system is not clearly explained.

As a result, reliance on the EIS does not resolve the central question raised by the current application, namely whether sufficient information has been provided to understand how the proposed remediation works fit within the broader stormwater management framework.

Attachment C – EPBC Approval Decision 2015/7591

To demonstrate that the Commonwealth Government has already approved the Lee Point master-planned urban development under the Environment Protection and Biodiversity Conservation Act (EPBC Act), subject to conditions.

The approval relates to the broader Lee Point development rather than the current erosion gully remediation proposal.

While it demonstrates that the Commonwealth accepted the broader development framework, it does not assess the specific earthworks, fill source, drainage arrangements or stormwater infrastructure referred to in the current application.

The approval also does not address whether the exhibited material provides sufficient information to understand how the proposed remediation works are intended to function within the broader stormwater system.

Attachment D – EPBC Variation Notice (15 June 2023)

To vary and strengthen the original EPBC approval conditions following further assessment, particularly in relation to Gouldian Finches, migratory shorebirds, offsets, habitat protection, monitoring and compliance reporting.

The document relates to the broader Lee Point development rather than the current erosion gully remediation proposal.

It confirms that the Commonwealth continues to assess and regulate the development within a staged framework and includes updated plans identifying Stage 2 and associated infrastructure.

However, the document does not assess the specific earthworks, fill source, drainage arrangements or stormwater infrastructure referred to in the current application.

The significance of the document is that it reinforces the staged nature of the development. The current application refers to a detention basin, future drainage works and diversion of stormwater flows, yet key parts of that broader system are not clearly described in the exhibited material.

As a result, staging has produced a situation where parts of the stormwater system are being presented separately, making it difficult to understand how the system operates as a whole and how the proposed remediation works fit within it.

The document therefore does not resolve the central issue raised by the current application, namely whether sufficient information has been provided to understand the broader stormwater framework on which the proposed works rely.

Attachment H – Erosion and Sediment Control Plan (ESCP)

A notable feature of the document is the repeated reference to the project as 2CRU Stage 2 Outfall and Gully Rehab. This suggests that the gully rehabilitation works are being planned as part of a broader drainage and stormwater project rather than as an isolated set of earthworks.

This is relevant because staging has resulted in different parts of the stormwater system being presented separately. While the document contains detailed information about construction controls, it provides little information about how the proposed remediation works fit within the broader drainage system referred to elsewhere in the application.

As a result, the document assists in understanding how construction impacts will be managed, but provides limited assistance in understanding how the overall stormwater system is intended to function or how the proposed works relate to the broader drainage framework.

Attachment I – Earthworks and Drainage Memo

The memo highlights a broader consequence of staging. Different parts of the stormwater system are presented through different stages and documents, yet the effectiveness of the proposed remediation is discussed in the context of detention basins, drainage works and flow diversions that are not fully described in the exhibited material.

As a result, the memo identifies the components of the broader stormwater system that are relevant to the proposal, but does not provide enough information to understand how that system operates as a whole or how the proposed remediation works function within it.

Attachment K – Title Search and Administrative Interests

The document confirms that Lot 4873 is affected by the CNV – Clearing of Native Vegetation overlay and the LSSS – Land Subject to Storm Surge overlay. It also records that the site is affected by both primary and secondary storm surge zones.

This is relevant because the application refers to a detention basin, future drainage works and diversion of stormwater flows. However, the exhibited material provides limited information about the broader drainage system, the movement of stormwater through that system, or where stormwater ultimately discharges.

The title information highlights that the site is subject to broader coastal and drainage-related constraints. Yet the relationship between the proposed remediation works, the detention basin, the drainage network and the wider hydrological setting is not clearly explained in the exhibited material.

While the document does not itself assess the proposed works, it reinforces the importance of understanding how the remediation proposal fits within the broader drainage framework affecting the site.

Conceptual Rehabilitation Cross-Section / Rehabilitation Method Diagram

While useful as an explanatory illustration, the diagram provides little assistance in assessing how the proposed works will function within the overall drainage framework or how stormwater will be managed once the rehabilitation works are completed.

I do not support the application PA 2026/0187 because it needs further work.
The eroded area cannot be looked at separately from the cleared but regenerating site east of the eroded gully as it is all connected as it is one catchment.

I also do not support any further clearing and development at Lee Point as this will continue to produce more runoff with pollutants and an increase in runoff leading to more erosion in the conservation zone.



From: Sonja Pastor
To: development consentauthority
Subject: Re: Submission for PA2026/0187
Date: Thursday, 18 June 2026 6:55:16 AM

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Could I receive an acknowledgement for my submission as I'm aware closing date is tomorrow so I want to make sure my submission had been received

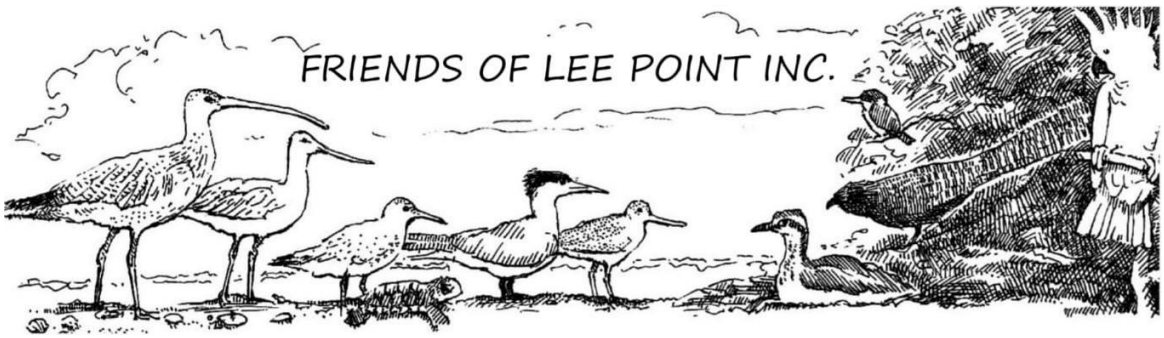
Thanks
Sonja

On Tue, 16 Jun 2026 at 7:51 pm, Sonja Pastor <sonja.pastor108@gmail.com> wrote:

> Submission by Sonja Pastor PA2026/0187 Excavation and Fill (Erosion Gully Remediation)
>
> Lot 4873, 577 Lee Point Road, Lee Point
>
> My core question is whether the proposed remediation can be meaningfully assessed in isolation when the exhibited documents indicate that its long-term effectiveness depends on future drainage infrastructure that has not been fully described, designed or assessed?
>
> The application claims that future drainage works will reduce stormwater flows reaching the gullies and that a future detention basin will manage runoff. It also states that future stormwater diversions are necessary to prevent recurring erosion.
>
> The Earthworks and Drainage Memo states that clean fill material will come from a future Stage 2 detention basin and that existing flow paths will remain until future subdivision works divert flows around the site.
>
> Those statements make it clear that DHA is relying on future drainage infrastructure to support its claim that the erosion problem will be addressed.
>
> Yet the exhibited material provides very little information about that infrastructure. For example, there is little information about how the detention basin will function, where water will go after leaving it, how the broader drainage system will operate, or where stormwater will ultimately discharge.
>
> This is a concern because Sandy Creek is already experiencing the consequences of increased runoff, erosion and sedimentation. The Darwin Harbour Catchments Waterways Project identified severe gully erosion affecting downstream ecosystems and infrastructure, together with sedimentation and altered hydrology affecting mangrove areas.
>
> The same report identified limited stormwater management within parts of the catchment and recommended improved stormwater detention and drainage infrastructure.
>
> If DHA is relying on future drainage works, stormwater diversions and a yet-to-be-described detention basin to demonstrate that erosion will not recur, it seems reasonable to ask whether sufficient information has been provided for the public and the DCA to assess whether the proposed remediation addresses the causes of the erosion, whether it

will achieve the outcomes claimed, and what the downstream consequences may be for Sandy Creek and the mangroves.

Due to the above considerations , determination of PA2026/0187 should be deferred until the proponent provides complete information about the detention basin, the future drainage system, downstream drainage arrangements, the ultimate discharge of stormwater, and the implications of those works for Sandy Creek and downstream mangrove environments.



Submission on PA2026/0187 - 2CRU Erosion works

Prepared by Friends of Lee Point – 18 June 2026

Planning application PA 2026/0187 is not supported by Friends of Lee Point.

The additional following work is recommended:

- A preliminary design for the detention basin is undertaken to suit a conservation (CN) zone taking into account the adjacent Black-footed Tree-rat offset and national park
- The erosion and detention basin preliminary design (for a future CN zone) is presented in one document, and
- Free Prior and Informed Consent is sought from Larrakia traditional owners for all of the 2CRU erosion works.

Reasons

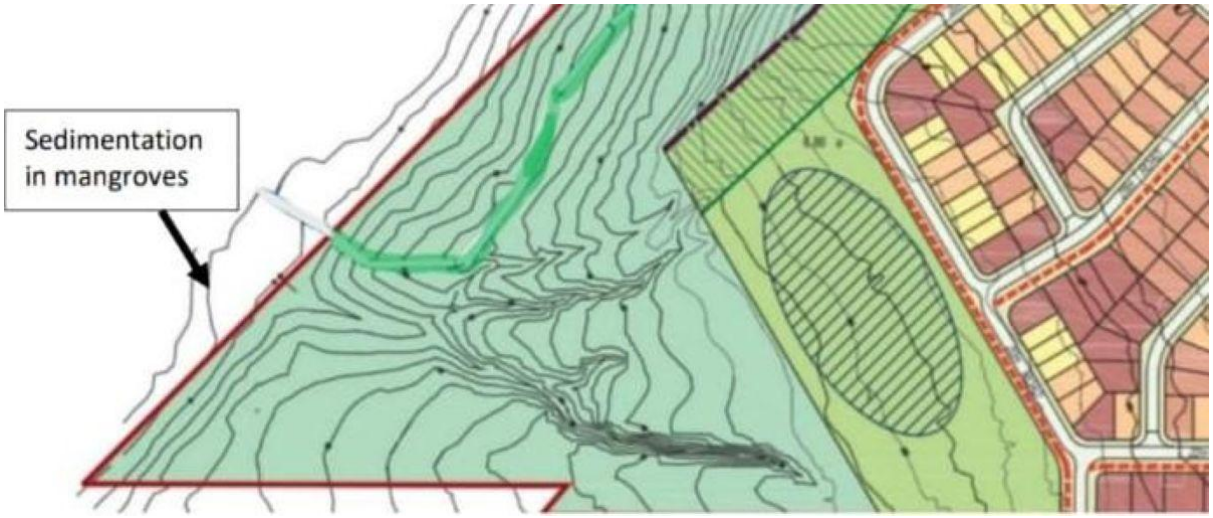


Fig 1. Four erosion gullies on the south-western side – excerpt from 2018 DHA Masterplan plus sedimentation note. The oval is at the approximate location of the proposed detention basin.

Lee Point Area Plan and zoning

The erosion works come under the 2015 Lee Point Area Plan. Community consultation for this Area Plan was inadequate (REF 1).

City of Darwin, Territory Labor and others have been calling for a moratorium on Lee Point works until a new Lee Point Area Plan is created by the NT Planning Commission. Many community groups (including Friends of Lee Point) believe that the Lee Point housing project should be relocated (REF 2) and more of the Lee Point peninsula zoned as Conservation (**CN**).

The proposed detention basin is adjacent to a national park and the endangered Black-footed Tree-rat (BFTR) offset area. The BFTR offset area (21.5 ha) is regarded as inadequate (by experts) and adjoining habitat needs to be conserved wherever possible. Hence, the basin should be in a CN zone not in a Future Development (**FD**) zone, as it is now.

Ideally the land between CCR and houses, refer Fig 1, (~4ha) would be rezoned from FD to CN while a new Area Plan (~500ha) is completed for the whole of Lee Point.

Rezoning the detention basin land from Future Development (FD) to Conservation (CN) will improve community acceptance of the erosion work and outcomes for the national park.

Detention basin work

There is inadequate detail on the detention basin work. The detention basin is given as the source of fill and topsoil for the erosion gully works and hence a critical part of the overall 2CRU erosion works. It should not be considered as a separable part.

The current detention basin appears to clear ~2 ha of intact habitat (a similar area to what is being restored). The value of retaining intact habitat in or near the detention basin area is that it requires little or no maintenance – a long-term saving for government.

Designing the detention basin in a CN zone means balancing habitat loss (clearing) against reducing peak flows. A preliminary design would help find this balance and better explain clearing works and the overall project to the community.

Additional fill and topsoil (if needed) for the erosion gullies could be sourced from the nearby 2CRU stockpiled soil mounds (less than 1 km away).

A preliminary design on the detention basin needs to be undertaken and included in the Application.

Cultural heritage

No mention is made in the Application whether Larrakia (traditional owners of Darwin) have been consulted on the proposed works. Previously, Larrakia objected to works at Lee Point for cultural reasons.

Free Prior and Informed Consent needs to be sought from Larrakia traditional owners for all of the works.

Yours sincerely





Ian Redmond Gayle Laidlaw David Percival

Friends of Lee Point contact: Ian Redmond - 0427 796 470, email: friendsofleepoint@gmail.com

REF 1. Community consultation for Lee Point zoning - https://saveleepoint.org.au/community-consultation-for-lee-point-zoning/

REF 2. Relocating and rescoping the Lee Point housing project - https://saveleepoint.org.au/april-relocating-rescoping-the-dha-housing-project/

From: david percival
To: Das NTG; development consentauthority
Subject: 2CRU Erosions Works Submission
Date: Thursday, 18 June 2026 5:46:20 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.

Dear Sir/Madam,

This is a submission concerning erosion gullies on the escarpment between Defence Housing Australia Land at 2CRU and Sandy Creek at Lee Point Darwin.

Unfortunately DHA did not maintain 2CRU as a catchment and their negligence caused uncontrolled run off water to create erosion resulting in major sedimentation of Sandy Creek.

Fine silt and gravel covering areas of mangrove substrate, visible die-back of mangrove trees and reduction in number of Sesarmid species Crab burrows indicates yet another damaged Darwin tidal creek with quite possible detriment to nearby marine sea grass beds

DHA now plan to attend to this problem by building a large detention basin which is intended to collect and control groundwater from this catchment, and one assumes also storm-drain water from the 2CRU development. This water will then be directed from the detention basin down the escarpment into Sandy Creek.

The concept for this seems simple yet the actual planning seems less straightforward and perhaps not really finalised yet?

I would like to raise some red flags here and they concern the environment. DHA have demonstrated virtually total disregard for the Top End environment and protection of threatened species during the Lee Point development. From recent observation their land clearing methods to build this new complex hydrology system could destroy much more native flora and fauna than necessary.

Another major environmental concern will be the increased amount of man-made chemicals leaching into Sandy Creek from the development if it goes ahead, let alone more silt. But of course that won't be DHA's problem, that will become ours.

Yours sincerely, David Percival.
17 Fitzer Drive, Ludmilla, NT 0820.

PA2026/0187 – Excavation and Fill (Erosion Gully Remediation)

Lot 4873, 577 Lee Point Road, Lee Point

Thank you for the opportunity to make a submission on PA2026/0187.

The application identifies a detention basin and future drainage works as part of the proposed erosion management strategy, but the exhibited material gives little detail about these elements or their role within the broader stormwater system.

The Earthworks and Drainage Memo states that clean fill for the remediation works will be sourced from a future Stage 2 detention basin. I note that this area is still zoned as Future Development (FD), which is problematic as this stage connects directly to the Conservation Zone (CN) that will be allocated to the Casuarina Coastal Reserve and form part of the offset for the Black-footed Tree-rat. That the detention basin will remain zoned as FD risks impacting the viability of the offset for this Endangered species. Care must be taken regarding land use adjoining this offset. I therefore request that the zoning of the parcel containing the detention basin be changed from FD to a zone that does not create such a risk.

The same document states that future drainage works will reduce stormwater flows reaching the gullies and reduce the risk of recurring erosion. Existing flow paths are stated to remain until future subdivision works divert flows around the site.

The Gully Rehabilitation Fill Plan also identifies a Future SW Detention Basin as the source of fill material for the proposed works.

The detention basin and future drainage works are therefore part of the proposal's stated rationale and are identified in the application as relevant to the long-term performance of the remediation works.

However, the application provides little information regarding the detention basin itself, the broader drainage system, downstream drainage arrangements, outfall infrastructure, or where stormwater ultimately discharges.

This creates an assessment problem. The application relies on elements of a broader stormwater system but does not provide enough information to understand how that system functions.

This issue is compounded by staging. The application refers to infrastructure associated with later stages, yet provides only limited information about how that infrastructure interacts with the proposed remediation works. As a result, parts of the stormwater system are being considered separately even though they are intended to operate together.

The broader drainage framework therefore remains unclear, making it difficult to assess the cumulative effects of the drainage changes referred to in the application or to understand how the proposed remediation works will function within the overall stormwater system.

The Conceptual Rehabilitation Diagram illustrates filling, reshaping and revegetation of the gullies. However, it does not show the detention basin, downstream drainage arrangements or how the rehabilitated landform interacts with the broader stormwater system referred to elsewhere in the application. This is concerning for the health of Sandy Creek and associated downstream ecological communities.

For these reasons, determination of PA2026/0187 should be deferred until sufficient information is provided regarding:

- the detention basin identified as the source of fill material;
- the broader drainage system relied on in the application;
- downstream drainage arrangements and outfall infrastructure; and
- the relationship between the proposed remediation works and the wider stormwater framework described in the application.

Regards,



Dr Amanda Lilleyman

amanda.lilleyman.bird@gmail.com

0458 226 908



Friends of Casuarina Coastal Reserve Inc

SUBMISSION

PA 2026/0187 - Excavation and Fill (Lee Point Erosion Gully Remediation)
Lot 4873 Town of Nightcliff

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 FCCR seeks to represent the many Darwin locals and visitors who care about the natural values of Casuarina Coastal Reserve.

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 Far Eastern Curlew (critically endangered) and the Great Knot (critically endangered), Darwin cycad (*Cycas armstrongii*; vulnerable), and the Black-footed Tree Rat (vulnerable). 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, a short distance offshore from Casuarina Beach.

The erosion gullies that are the subject of this Development Application are on land currently held by Defence Housing Australia (DHA) and destined to become part of Casuarina Coastal Reserve. As noted in the Application the gullies were identified as a major source of sediment for Sandy Creek in 2017 and were 'flagged' for remediation as far back as 2014. In the intervening years the extent and impact of the erosion and siltation from the escarpment have increased substantially. This has been directly detrimental to the plant and animal communities in and around the gullies and downstream as far as Sandy Creek's mangrove forests. It has also had significant impact on the recreational infrastructure of the creek-to-creek track.

FCCR was grateful to hear from DHA about the broad approach to be taken during the preparation of this Application and to now read the detailed set of documentation prepared for the project. We are very pleased that this work is to be undertaken soon and have a few comments and questions about the detailed plans for remediation.

Disturbance To Native Vegetation

The Application contains a very detailed vegetation assessment, No Go zones and locations of each of the trees deemed to be sensitive to the planned earthworks. We are pleased to see that Attachment H prescribes frequent monitoring of the works.

We note the plans outlined in Attachment F includes the location of the following groups of trees: 'trees and cycads to be retained and protected', milkwood, cycad, weeping paperbark, broad-leaved paperbark'. The location of large, old trees was not explicitly defined in the plans. Large, old trees (those with a trunk diameter ≥35cm; including live and dead trees) with the potential to have hollows are a particularly valuable habitat resource for birds such as Red-tailed Black cockatoos, and mammals including possums and Black-footed Tree rats.

Question / Comment

Were all large, old trees assessed as part of this Application? If not, steps should be taken to identify these large, old trees in and around the erosion gullies and measures should be put into place to protect them.

Selection Of Species for Revegetation and Methodology

The Application contains all the necessary information for rehabilitation of the disturbed area, however timing for planting and direct seeding will be a key to its success.

Question / Comment

Will planting and direct seeding occur soon after the first good rains or will irrigation be installed?

A reading of Attachment G indicates that there will be four types of revegetation treatment however we were not able to find details of these. Elsewhere the Application says 'landscaping and replanting…responds to the various vegetation types' (page 25). This approach is supported.

Question / Comment

The seeding and planting rates appear quite high. If densities are too high species such as Acacia holosericea will dominate to the detriment of less vigorous plants. A less diverse set of plants will be less resilient and provide less ideal habitat for invertebrates and birdlife.

Timeframe for the Remediation

The excavation of the detention basin will supply clean fill for the erosion gullies and 'occur concurrently' with proposed work on stage 2 of DHA's residential development (page 11). We understand that final approval for stage 2 has not yet been granted and that the plan is to do the work during a Dry Season.

Question / Comment

Does this mean that the Dry Season of 2027 is the earliest possible start date for this work? And if remediation cannot be done in 2026 how will DHA mitigate further damage to the natural values of Casuarina Coastal Reserve during the 2026/27 Wet season?

Weed Management

The Application notes that clearing for the smaller north-western gullies will 'generally be limited to removal of weeds and small regrowth' (pages 12 and 25). These gullies are close to one of the few remaining stands of Gamba grass (*Andropogon gayanus*) in the Reserve so removal of Gamba should be in line with protocols set by the Weed Management Branch of the Department of Lands, Planning and Environment.

Land clearing in the Top End is often followed by dense stands of grassy weeds that fuel hot fires which in turn damage native vegetation and increase the area of disturbance.

Question / Comment

What management strategies will DHA put in place to reduce the fire risk for the newly planted area and surrounding native bush over the first few years, with a particular emphasis on changed fire regimes in the presence of weeds such as Gamba Grass?

Protection of Native Wildlife

The use of construction vehicles including excavators could directly harm wildlife.

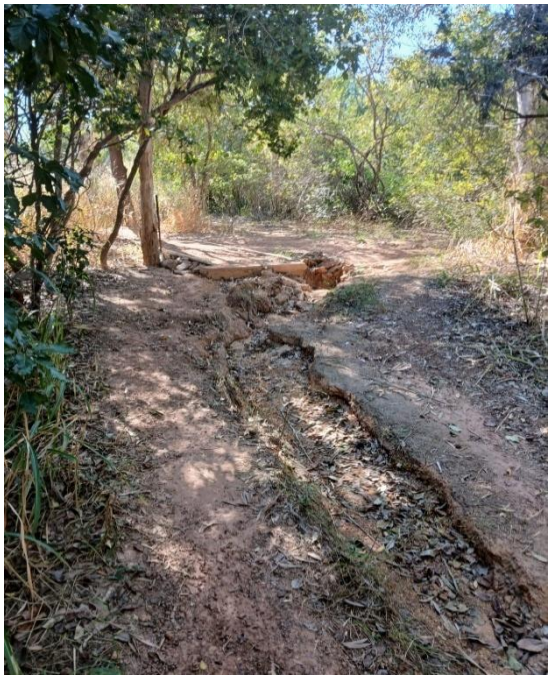
Question / Comment

Will a fauna spotter have oversight of the clearing and fill operations that involve heavy machinery and a plan be in place to mitigate harm to wildlife?

Water flows

A primary aim of this remediation is to reduce destructive water flows through the areas where gullies have formed as a result of clearing above the escarpment.

It is therefore positive to note that the erosion and deposition near the Creek-to-Creek track will be fixed as part of this remediation. As the attached images show, the velocity and quantity of water from the gullies have resulted in substantial damage to the track.





This erosion and the repeated deposition of silt to the paperbark forest and mangroves fringing the creek have created a complex problem. We understand that this will be remedied.

Question / Comment

What works are proposed to remediate this?

The Application describes flows from the subdivision as discharging to the detention basin then to a 'stormwater outfall pipe extending along the southern boundary of Lot 4873' (page 12).

Question / Comment

Where will this pipe discharge to and what will be in place to slow the flow from the pipe?

Detention Pond and its Outfall

Detention ponds in the Top End are not all optimally designed and maintained, for example Lyons has a functioning detention pond and Muirhead has a pond that appears less useful.

The details of the stormwater outfall pipe that will extend along the southern boundary of Lot 4873 will be subject to a separate design approval under the DP18/0409 conditions (page12).

Question / Comment

Will the design and location of the detention pond and the stormwater outfall pipe be a matter for public comment and submissions?

If not, we have the following questions:

Will the surrounds to the pond be planted with local native vegetation?

A dog park beside the detention pond would add to the amenity of the residential development and reduce the number of dogs disturbing migratory shorebirds on the nearby beach (2A in the Variation of conditions attached to approval Lee Point Master-planned Urban Development, Darwin, Northern Territory (EPBC 2015/7591).

Can the detention pond be shaped to allow for an adjacent dog park?

The stormwater outfall pipe must not create other issues of siltation and pollution for Sandy Creek and Darwin Harbour.

Where will the pipe discharge and what measures will be put in place to ensure that the outfall does not damage the natural values of Casuarina Coastal Reserve?

Transfer of Ownership of the CN portion of Lot 4873

Ownership of the CN portion of Lot 4873 will transfer to Parks and Wildlife upon successful completion of remediation works.

Question / Comment

What will be the key measurable indicators that the site has been successfully rehabilitated/remediated for handover to Parks and Wildlife? How long after the excavation, fill and rehabilitation will the transfer take place?

Conclusion

The erosion gullies are in the midst of one of Darwin's most important natural assets, Casuarina Coastal Reserve. The Statement of Effect, and the Attachments including the 'Variation of conditions attached to approval Lee Point Master-planned Urban Development, Darwin, Northern Territory (EPBC 2015/7591)' provide clear and detailed directions for this work. FCCR looks forward to their completion in full, and the increased protection of Casuarina Coastal Reserve's natural values.

Thank you for considering our submission. Please contact FCCR Committee Member Dr Sam Wood (SamWood79@yahoo.com) with details of the DCA hearing about this application.



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

From:	Terrance Siri
To:	Das NTG
Subject:	TRM: PA2026/0187 – Request for clarification regarding former 2CRU site and proposed remediation works
Date:	Wednesday, 17 June 2026 12:19:45 PM
Attachments:	Outlook-c03lb1kn.png image002.png

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 Morning,

I am forwarding correspondence that I sent in September 2022 regarding asbestos concerns associated with the former 2CRU site at Lee Point. Although the enquiry was forwarded to DHA at the time, I did not receive a substantive response.

I am raising the matter again in light of Planning Application PA2026/0187 – 577 Lee Point Road, Lee Point – Excavation and Fill (Erosion Gully Remediation).

I support the remediation of the erosion gullies, and I am not opposed to development proceeding. However, given my previous concerns and the proposed earthworks, I would appreciate clarification on the following matters:

1. Has the large earth mound within the former 2CRU compound been assessed for asbestos-containing material or other contaminants?
2. Will any material from the former 2CRU compound area, including the large earth mound, be excavated, moved, reused or otherwise disturbed as part of PA2026/0187?
3. Please identify the proposed source of fill material for the erosion gully remediation works and advise whether contamination testing has been undertaken on that material.
4. I understand that future stormwater drainage works and a detention basin are proposed as part of the broader development. Could you please provide further information on how the remediated gullies will be protected from future erosion and whether the success of the remediation relies on future drainage infrastructure being constructed?
5. Will dust monitoring and/or air monitoring be undertaken during any excavation, fill placement or earthworks associated with PA2026/0187?
6. Has any asbestos contamination identified outside the former 2CRU compound area been investigated, mapped or remediated?
7. Are there any site validation reports, contamination assessments, asbestos assessments, clearance certificates or related environmental reports for the former 2CRU site that are publicly available or can be made available for public review?

I have also attached a map showing the former 2CRU compound area and the earth mound referred to in my previous correspondence.

My intention is not to delay or oppose these works. I am simply seeking assurance that any excavation, fill placement and earthworks can proceed safely for workers, nearby residents, visitors and the surrounding environment.

Thank you for your time and I look forward to your response.

Regards,

Terrance Sirianni

From: Terrance Siri <terry.sirianni3@gmail.com>
Sent: Wednesday, June 17, 2026 11:46 AM
To: Terrance Siri <terry.sirianni3@gmail.com>
Cc: Terrance.01@protonmail.com <Terrance.01@protonmail.com>
Subject: Fwd: FW: Lee Point Development

---------- Forwarded message ---------
From: **Terry Sirianni** <terry.sirianni3@gmail.com>
Date: Mon, 3 July 2023, 15:07
Subject: FW: Lee Point Development
To: Dianne Lawrie <dianne.lawrie@gmail.com>

Good Morning Manning,

I hope you're doing well.

I'm following up on an email I previously sent to you on Tuesday, 6 September 2022 7:55 AM.

I am checking to see if you might have an update from DHA in reference to the e-mail.

Best Regards

Sent from Mail for Windows

From: Manning Jackson
Sent: Tuesday, 6 September 2022 4:18 PM

I have forwarded your email on to DHA, hopefully we should have a response soon.

Kind regards

Manning

Manning Jackson

Project Sales Consultant Lee Point Darwin

P: 0414 797 782

E: manning@ofndarwin.com.au

W: https://www.leepointdarwin.com.au/

LEE POINT
DARWIN

1800 329 039
leepointdarwin.com.au
Visit the Lee Point Sales Office at 129 Asche Street, Muirhead
Open Monday – Sunday: 9.30am – 4.30pm

06/09/2022

Manning Jackson

Sales Consultant

Lee Point Sales Office

129 Asche Street

Muirhead NT 0810

Dear Manning,

I am following up from our conversation at the Muirhead Sales Office Monday 05 September 2022 at 2:47 pm.

Could you please look at the following:

1. As per the Lee Point Master Plan dated 2015-part 6 page 98 under the heading Pollutants, chemicals and toxic substances para 2 states,

Contamination assessments undertaken across the development area indicate the only potential source of existing contamination is the 2CRU compound area. Removal of hazardous building materials from the 2CRU compound area and site validation will occur prior to commencement of construction.

My question is, as per the attached map, Asbestos can be found in the highlighted red boxed area, which is outside the compound area of 2CRU. Can you guarantee that the site will be cleaned of Asbestos before any work starts?

2. The second question concerns the large mounds of dirt that now stand in the old 2CRU compound. Asbestos from the 2CRU building is under that dirt, the soil is now starting to be moved. Can you confirm this will be done in accordance with Asbestos removal?

3. The third question is how the dust will be monitored during Construction, the Master Plan is vague in this area. Will there be dust monitors used, or will you be relying on complaints from the local residents before acting on the migration of dust?

The Development of Darwin does need to happen, and I am not against Lee Point being developed. The above is in no way trying to stop or slow down Lee Point however, I don't want my family or myself to get sick or die from any exposure to Asbestos.



Sent from Mail for Windows






OLD 2CRU Site
Nightingale Rd
Nightingale Rd
Nightingale Rd
Nightingale Rd
Nightingale Rd
Lee Point Rd
Lee Point Rd
Lee Point Rd
Addition
377

26 July 2026

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

Attention: Kaleb Thomas

Dear Kaleb

RE: Response to Submissions – PA2026/0187

At: Lot 04873 Town of Nightcliff (577 Lee Point Road, Lee Point)

Cunnington Rosse Town Planning and Consulting continue to be engaged by Defence Housing Australia regarding PA2026/0187, being a development application for excavation and fill to remediate existing erosion damage. The application was lodged on 29 May 2026 and was on public exhibition from 5 June to 19 June 2026. A total of ten (10) public and six (6) service authority submissions were received. This correspondence contains the applicants' response to matters raised in the public and service authority submissions.

1.0 Service Authority Submissions

Service authority submissions were received from:

- City of Darwin
- Northern Territory Department of Lands, Planning and Environment
- Northern Territory Department of Tourism and Hospitality (Parks and Wildlife Commission)
- NT Health (Medical Entomology)
- Power and Water Corporation (separate submissions from Services Development & Distribution Development)

1.1 City of Darwin

The submission from the City of Darwin notes Councils experience in delivering revegetation projects within the Darwin area, and raises several items for consideration (summarised in *italics* below with the applicants' response immediately thereafter:

- *Potential for works to facilitate weed establishment and spread. Successful revegetation is likely to require irrigation for at least 2 years, and consideration should be given to implementation of a monitoring program, including inspections and contingency measures;*

Temporary irrigation will be provided to new plantings as required for up to 3 years during the maintenance period. Temporary irrigation is not generally applied to direct seeding areas as this can favour the establishment of weed species and has minimal impact on successful germination and establishment. Temporary irrigation to direct seeding areas will only be used if the timing of direct seeding works does not align with the wet season, noting the preferred timing for direct seeding is December/ January subject to onset of the wet season. Weed management can be addressed via standard conditions on any resultant development permit, noting obligations on the landowner under separate legislation.

- *Further assessment required on soil suitability required, noting potential erosion risk;*

Earthworks are to be completed in accordance with best practice and specifications. The application documents include a detailed erosion and sediment control plan, and it is expected that the development, approval, implementation and monitoring of erosion and sediment control measures can be achieved through standard conditions on any resultant development permit.

- *Potential alteration to hydrological regimes and corresponding impact on groundwater availability to downstream Melaleuca's;*

Consideration has been given to potential change to hydrological regimes and associated groundwater. Sheet flow and smaller natural drainage paths have been retained. The detention basin and other landscape areas at the top of the catchment and within the works area will support infiltration of rainwater/ stormwater. The Melaleucas are situated at the bottom of the escarpment and have established and matured in response to a water table in this area. It is anticipated that the works will assist infiltration overall rather than the current situation whereby the erosion gullies are shedding stormwater directly into the mangrove community with minimal infiltration.

- *Aboricultural impact assessment should be prepared to identify impacted trees and determine protection measures;*

The works documentation includes comprehensive notes on tree protection measures to be implemented in accordance with Australian Standards.

- *Recommended condition precedent for site construction management plan to be approved by COD; and*
- *Recommended general condition regarding weed management and irrigation for first 2 dry seasons (minimum).*

Site construction management and weed management can be addressed via standard conditions on any resultant development permit.

1.2 Northern Territory Department of Lands, Planning and Environment

The DLPE submission provides input from a number of divisions, specifically (in summary):

- *Recommended Precedent and General Conditions regarding erosion and sediment control planning, approval and implementation;*
- *Outline of landowners obligations regarding weed management, and recommended permit note accordingly;*
- *Support for proposed works from Flora and Fauna Division, noting the works are unlikely to impact on important populations of threatened species or habitat critical for biodiversity;*
- *Heritage Branch advice confirming no nominated, provisionally declared or declared heritage places or objects, no recorded Aboriginal or Macassan archaeological places or objects, and likelihood of unrecorded places has been assessed as unlikely. Archaeological survey by DHA did not identify any protected places or objects within work area. No further archaeological surveys required;*
- *Water Resources – Permit to interfere with a waterway not required;*
- *Environment Division – licensing requirements under WMPC Act not triggered; and*
- *General advice regarding environmental duty.*

Any outstanding requirements identified in the DLPE submission can be addressed via standard precedent and/or general conditions on any resultant development permit, or are enforced under separate legislation.

1.3 Northern Territory Department of Tourism and Hospitality (Parks and Wildlife Commission)

The Northern Territory Parks and Wildlife Commission confirms it has no concerns with the proposal providing the proponent cooperates with previously agreed requirements.

1.4 NT Health (Medical Entomology)

The submission from NT Health confirms there are no Medical Entomology objections to the proposed development, although notes a risk of a temporary increase of sediment discharge into the downstream areas. To alleviate this risk, NT Health recommends development permit conditions requiring progress and post-work inspections by various service authorities, including Medical Entomology. It is expected that the development, approval, implementation and monitoring of erosion and sediment control measures can be achieved through standard conditions on any resultant development permit.

1.5 Power and Water Corporation

As the application relates to *excavation and fill* there are no power, water or sewer servicing requirements or capacity considerations. Submissions from both the Services (water and sewer) and Distribution (power) development arms of the Power and Water Corporation confirm there are no objections or requirements for the proposed works.

2.0 Public Submissions

Ten public submissions were received from:

- Christine Cox of 4 Kean Place, Millner
- Terrance Sirianni
- David Percival of 17 Fitzer Drive, Ludmilla
- Nancy Batenburg (13 Daniels Street, Ludmilla) and Vanessa Kaye (10 Tudawali Street, Ludmilla)
- Deborah Hall of Friends of Casuarina Coastal Reserve
- Amanda Lilleyman 73 Progress Drive, Nightcliff
- Ian Redmond, Gayle Laidlaw and David Percival, Friends of Lee Point
- Justin Tutty
- Nick Kirlew of Planning Action Network Inc.
- Sonja Pastor

Matters raised in the public submissions have been summarised and grouped into the table below, with the applicant's response provided.

Matters Raised in Submissions	Applicant Response
General Application	
• Consent Authority cannot be satisfied that proposal is consistent with CN Zone Outcome 6(d) (minimise excavation and fill) when application does not include evidence that lower-impact alternative methods were evaluated and rejected. Application declares chosen method is required without demonstrating consideration of alternative methods. Applicant has not addressed whether gullies are actively eroding or have stabilised – different outcomes are appropriate depending on situation. • Application does not contain sufficient information to enable the consent authority to adequately consider matters in S51 of the Planning Act. Authority should defer application to require this information. • Query / concern regarding staging – important infrastructure components are in separate stages however sequencing with the proposed works are important to ensure effectiveness. • Works are reliant on stage 2 of the subdivision being undertaken concurrently, which has not received final approval. Query whether that means remediation works will be delayed until 2027 dry season thus potential for further damage during 2026/27 wet season.	It is incumbent upon the applicant to lodge an application for development permit in accordance with **Section 46** of the Northern Territory Planning Act, and for the consent authority to consider and determine the application in accordance with **Sections 51, 52** and **53**. The Planning Act, particularly **Sections 46(3)** and **51,** does not require the demonstration or consideration of whether a proposed development is the 'best' outcome, or whether there are alternative options available. By extension, Zone Outcome 6(d) within **Clause 4.23** of the Northern Territory Planning Scheme does not stipulate the consideration of alternative options, rather requires the consideration as to whether the proposal adequately *minimises excavation and filling and other changes to landform.* Furthermore, consideration of the proposal against Zone Outcome 6(d) must consider that the proposed works seek to remediate the land nearer its original state, remediating the long-term erosion damage. The consideration of …*changes to landform* must be taken in this context. It is the applicants' view that all matters required by **Section 46(3)** have been adequately addressed in the original application, and that there is sufficient information to enable proper consideration by the consent authority pursuant to **Section 51.** The proposed remediation works are intended to be undertaken concurrently with Stage 2 construction works within the subdivision approved via Development Permit DP18/0409 (and altered through subsequent variations). All DP18/0409 Conditions Precedent (Conditions 1 through 10) applicable to stage 2 have been satisfied in full. Submissions from the Northern Territory Department of Lands, Planning and Environment, and the Medical

Matters Raised in Submissions	Applicant Response
• Proposal requires independent environmental, ecological, soil stability, hydrological assessment. • Project risk to water table, local flora and existing gullies and other infrastructure. • Application does not demonstrate that breeding of biting insects will be avoided. Advice from Medical Entomology should be made available.	Entomology unit of NT Health, do not identify any concerns with the proposed development regarding environmental impacts or biting insects, subject to the development being undertaken in accordance with recommended conditions.
Flora and Fauna	
• Application does not include a fauna assessment. • Will a fauna spotter / catcher be present during clearing? • Whether all old, large trees were identified and assessed as part of the application? All should be identified and measures implemented to protect them. • Whether replanting and direct seeding will occur after first rains, or will irrigation be installed. • If proposed seeding and planting rates are too high certain species may dominate to the detriment of other plants. • What works are in place to reduce Gamba and fire risk, particularly following vegetation clearing? • General objection to removal of vegetation – preservation and conservation of existing	The submission from the Northern Territory Department of Lands, Planning and Environment confirms the Flora and Fauna Division supports the proposed rehabilitation of the erosion, and notes the works are unlikely to impact on important populations of threatened species or habitat critical for biodiversity. The tree assessment was limited to significant species identified by Larrakia representatives. The intent is that all trees outside the works area are to be fully protected, irrespective of age or species. Timing of the landscape rehabilitation will be subject to overall construction timing. New planting will include temporary irrigation as required to ensure successful establishment and minimal loss. Previous experience within the project team has demonstrated that optimal results are achieved based on wet season rains rather than use of temporary irrigation. Subject to program, temporary irrigation would be installed to support germination and establishment as required.

Matters Raised in Submissions	Applicant Response
intact habitat must be prioritised over clearing and revegetation.	Intended seed mixes comprise over 30 species to ensure maximum diversity. No single species is greater than 4% of the seed mix to ensure no single species dominates.
Other Regulatory Approvals/Dealings	
• Prior NT EPA project referral and assessment does not mitigate consideration of whether current proposal requires assessment / referral. • Query timing of land transfer to NT Parks and Wildlife. • No detail regarding whether Traditional Owner consultation undertaken regarding the proposed works. Application requires free and informed consent from Larrakia Traditional Owners for all works. • Queries regarding asbestos contamination within soil stockpiles, potentially contaminated material from the former compound area being used as part of the remediation works, and any contamination within the areas intended to be used in the proposed remediation works. Queries also relate to whether broader contamination has been identified across the 2CRU site, including any proposed / required remediation, and whether assessments / clearances are publicly available.	The clearing of native vegetation as part of the erosion gully remediation is addressed in the EPBC approvals and does not require referral to the NT EPA under **Part 4, Division 3** of the *Environment Protection Act 2019.* Transfer of the conservation area is subject to agreements between Defence Housing Australia and the Northern Territory Government. DHA is committed to the timely transfer of the conservation area to the Northern Territory Parks and Wildlife Commission following remediation of the site. Defence Housing Australia has and continues to engage with traditional owners regarding the proposed works. The development of Lee Point, including the proposed works, will continue to be undertaken in accordance will statutory requirements for remediation, monitoring and certification of the site in accordance with the *Waste Management and Pollution Control Act 1998* and the relevant Work Health and Safety legislation, as well as the approved Construction Environmental Management Plan.

Matters Raised in Submissions	Applicant Response
Ongoing Monitoring	
• No detail on ongoing monitoring regarding remediation, ongoing erosion and sediment control performance, or revegetation. • Query whether dust / air monitoring will be implemented during the proposed gully remediation works. • Query monitoring / indicators post-completion to determine success?	Remediation works must be undertaken to the satisfaction of the Northern Territory Government / NT Parks and Wildlife Commission prior to transfer of the conservation area, in accordance with the Project Development Agreement and including any ongoing monitoring or defect liability requirements. Works will be undertaken in accordance with the *Waste Management and Pollution Control Act 1998* and relevant Work Health and Safety legislation, as well as the approved Construction Environmental Management Plan.
Downstream Sedimentation	
• What works are proposed to remediate existing erosion and siltation of downstream areas? • Cumulative impact of increased stormwater on Sandy Creek, including erosion, sedimentation, increased nutrient load. • Feedback indicating that extent and impact of erosion and siltation have increased substantially in recent years, causing further damage to downstream environments. • Approved Lee Point development has caused the erosion, and sits outside of the development site, thus is external to the current Lee Point approvals. Land is highly susceptible to erosion, and the proposal increases erosion risk.	DHA or its contractor will be responsible for the removal of silt and sediment downstream of the subject land, in accordance with the requirements of the NT Parks and Wildlife Commission. The erosion damage proposed for remediation is long-standing, including prior to DHA acquiring the site. The larger south-western erosion gullies currently convey stormwater from a large upstream portion of lot 4873. Once completed, the rehabilitated areas will convey overland stormwater flows from within the south-west catchment area only, substantially reducing the catchment area conveyed overland and mitigating risk of recurrence of erosion and downstream siltation. Flows from the subdivision will discharge to the detention basin in stage 2 of the subdivision, then via a stormwater outfall pipe extending along the southern boundary of lot 4873. The original application confirmed that the proposed works will have no adverse impacts on upstream catchments, with existing flow paths maintained until such time that upstream flow paths are diverted around the site during the adjacent

Matters Raised in Submissions	Applicant Response
	subdivision works. The proposed remediation works will be undertaken concurrently with the stage 2 subdivision to coordinate excavation / fill between the subdivision detention basin and the erosion gullies, and divert upstream flows around the rehabilitated area. The proposed works will maintain pre-development stormwater flows into the Casuarina Coastal Reserve and Sandy Creek, albeit in an a far-improved manner mitigating the risk of future erosion and sedimentation.
Detention Basin/Stormwater	
• Objection to adhoc nature of development – should be considered together with overall Lee Point subdivision and stormwater design. Detention basin has been omitted from this application simply because it's within a different Zone (FD) from the subject land (CN). Agency approvals for excavation and use of the fill are not included in the application, and are required. • Application doesn't include information or design details on detention basin and future drainage works, both upstream and downstream. Detention basin and external drainage works are relevant to the long-term performance of the remediation works. Application doesn't clarify whether detention basin is capable of providing the required quantity of fill, or whether the remediation methodology would be affected if the detention basin design, location or timing is altered. • Detention basin being located in Zone FD risks viability of future conservation zone area as	The broader development stormwater design does not form part of this application, nor is it required to. The overall stormwater design, including the stormwater detention basin within the stage 2 subdivision area, as well as the proposed stormwater outfall, are encapsulated within the DP18/0409 development permit, with design details and engineering approvals subject to the precedent conditions, general conditions and design approval from relevant service agencies and stakeholders (including the City of Darwin, Medical Entomology Unit and the Northern Territory Parks and Wildlife Commission). In summary, the overall stormwater design as it affects the land subject of this application, together with the adjacent catchments and discharge area, conveys flows to the detention basin before discharging through the conservation area via underground drainage/easement. The stormwater pipe and outlet have been fully designed (to convey up to Q100 pre-development flow rates). Whilst the detailed basin design is ongoing, preliminary design has been undertaken to inform: • Recoverable fill quantity for use in the gully rehabilitation works (with the estimated recoverable fill quantity exceeding the required fill quantity);

Matters Raised in Submissions	Applicant Response
an endangered species offset. Request detention basin zoning is changed from FD to more suitable zone. Other suggestions that the detention basin should be located in Zone CN. • Concern regarding effectiveness of remediation works in the interim period until the upstream / diverting stormwater system is completed. Risk of re-erosion if maintaining existing drainage regime. • Application relies on broader stormwater system without providing sufficient information to assess external stormwater works and determine whether they're appropriate. Therefore impossible to determine cumulative effects of the overall drainage regime and how the remediation works will function within the overall stormwater system. • Queries regarding future stormwater and detention basin design, including pipe discharge location, process for approval (and whether opportunity for public comment), intended planting schedules surrounding the basin, potential for a dog park to be included adjacent the detention basin, measures to ensure protection of downstream Casuarina Coastal Reserve. • Query whether success of remediation work is dependent on external stormwater infrastructure.	• Pipe and outlet design through the conservation area easement; and • Drainage flow paths (i.e. upstream catchment diverted away from gullies via basin and easement). Preliminary basin designs include the provision for a portion of the basin to be publicly accessible, however the provision, specific use and design (including planting) of these areas is subject to further design and approvals. In accordance with the zoning plan submitted in response to Condition Precedent 10 of DP18/0409, the detention basin is intended to be zoned PS (Public Open Space), however this will be subject to a separate application to the Minister for Lands, Planning and Environment to amend the Planning Scheme. The proposed remediation works are intended to be undertaken concurrently with Stage 2 construction works within the subdivision approved via Development Permit DP18/0409 (and altered through subsequent variations). All DP18/0409 Conditions Precedent (Conditions 1 through 10) applicable to stage 2 have been satisfied in full.

I confirm my client and/or representative will be present in person to respond to matters relating to the proposed development at the relevant hearing of the consent authority. Please do not hesitate to contact the undersigned with any further queries regarding the content herein.



Brad Cunnington
Cunnington Rosse Town Planning and Consulting

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Harry Chan Avenue
Darwin NT 0800

GPO Box 84
Darwin NT 0801

P 08 8930 0300
E darwin@darwin.nt.gov.au

Manager Urban Planning
Development Assessment Services
Department of Lands, Planning and Environment
GPO Box 1680
DARWIN NT 0801

Please Quote: PA2026/0187

19 June 2026

To whom it may concern

Parcel Description: **Lot 4873 Town of Nightcliff**
577 Lee Point Road, Lee Point

Proposed Development: **Excavation and fill (erosion gully remediation)**

Thank you for the development application referred to this office on 5 June 2026 concerning the above.

City of Darwin has experience delivering revegetation projects in Darwin's wet/dry tropical climate, including works at East Point and in areas adjacent to Muirhead and Rapid Creek. The following advice is based on this experience and is provided to assist the consent authority in its consideration of the proposal and to support the long-term establishment and success of the rehabilitation works.

Proposed disturbance, clearing and filling may create conditions that facilitate weed establishment and spread. Without appropriate prevention, monitoring and maintenance, disturbed and revegetated areas may become infested with high-risk species such as Gamba Grass (*Andropogon gayanus*) and Mission Grass (*Pennisetum* spp.).

This would reduce habitat value, increase fuel loads, and elevate the risk of high-intensity fires, particularly near residential areas and parklands that will be managed by the City.

The proposal provides limited detail on irrigation, monitoring and long-term maintenance. Successful revegetation in Darwin typically requires site preparation, ongoing maintenance, and supplementary irrigation during the initial establishment period, particularly across the first two dry seasons. Further consideration of these elements would support long-term success.

Should this application be approved, the following conditions pursuant to the *Planning Act 1999* and City of Darwin's responsibilities under the *Local Government Act 2019* are also requested for inclusion in the development permit issued by the Development Consent Authority.

CONDITIONS PRECEDENT

1. Prior to the commencement of works (including site preparation), the applicant is to prepare a Site Construction Management Plan (SCMP) to the requirements of the City of Darwin, to the satisfaction of the consent authority. The SCMP should specifically address the impact to Council owned public spaces and include a waste management plan for disposal of waste to Shoal Bay, traffic control for affected City of Darwin roads, haulage routes, storm water drainage & sediment control, use of City of Darwin land, and how this land will be managed during the construction phase.

2. GENERAL CONDITIONS

1. A Weed Management Plan should be prepared to prevent the establishment and spread of weeds, including high-risk species such as Gamba Grass (*Andropogon gayanus*) and Mission Grass (*Pennisetum* spp.). The plan should include follow-up weed removal within the revegetation areas for at least the first two years until the native plants are established.

2. The revegetation strategy should be revised to include irrigation for at least the first two dry seasons to support the long-term establishment and survival of revegetation.

ADVICE

1. Consideration should be given to implementing a monitoring program for the filled gullies during the first wet season following completion of works, with inspection requirements and contingency measures to confirm that erosion is not recurring.

   Kandosol soils proposed as fill (sourced from the detention basin) are consistent with the highly erosive soils present in the gully system. Further assessment is recommended to confirm their suitability and demonstrate they will perform as intended without contributing to future erosion risk.

2. Alterations to surface water flows and infiltration associated with the proposed detention basin may modify downstream hydrological regimes. This may, in turn, influence groundwater availability to Melaleuca stands and monsoon forest communities located at the base of the slope. Consideration should be given to assessing potential impacts and identifying any appropriate mitigation measures.

3. Plans indicate the contractor will be responsible for tree protection; however, this alone is not considered sufficient to maintain the safety, amenity and environmental value of retained trees.

   An Arboricultural Impact Assessment (AIA) should be prepared in accordance with AS 4970–2025 by a suitably qualified arborist (AQF Level 5+), identifying impacted trees, establishing Tree Protection Zones, and outlining protection measures. Any recommendations should be implemented where practicable to minimise impacts.

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

Yours sincerely

Signed by:
Susannah Penman
375669A30CD5AC7F

SUSANNAH PENMAN
EXECUTIVE MANAGER PLACE
AND ECONOMIC DEVELOPMENT

PowerWater

Phone 1800 245 092
Web powerwater.com.au

Record No: D2026/171639
Container No: NE550/4873
Your Ref: PA2026/0187

Kaleb Thomas
Development Assessment Services
GPO Box 1680
Darwin NT 0801

Dear Kaleb

Re: Lot 4873 (577) Lee Point Road Lee Point Town of Nightcliff

In response to your letter of the above proposal for the purpose of excavation and fill (erosion gully remediation), Power and Water Corporation (PWC) advises the following with reference to electricity enquiries:

1. PWC has no objection and requirement to the above proposal.

If you have any further queries, please contact Thanh Tang, Manager Distribution Development on 8924 5729 or email: PowerDevelopment@powerwater.com.au

Yours sincerely

(Caesar Yik)

for Thanh Tang
Manager Distribution Development
12 June 2026

PowerWater

Phone 1800 245 092
Web powerwater.com.au

Container No: LD550/4873

DLPE - Development Assessment Services
GPO Box 1680
Darwin NT 0801

Dear Kaleb Thomas

RE: PA2026/0187 - Lot 04873 Town of Nightcliff - 577 Lee Point Rd, Lee Point NT - Excavation and fill (erosion gully remediation)

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:

1. Reticulated water and sewer services are currently available in the area however the parcel is not serviced. The developer must contact relevant authorities to discuss servicing requirements for the proposed development.

2. Power and Water have no objections or requirements for the proposed development.

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

Yours sincerely

Craig Thomas

Craig Thomas
Services Development

25 June 2026

cc: Brad Cunnington
email: brad@crtpc.com.au

NORTHERN TERRITORY GOVERNMENT
Department of **LANDS, PLANNING AND ENVIRONMENT**

Level 1
Goyder Centre
25 Chung Wah Terrace

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Palmerston NT 0831

E DevelopmentAssessment.DLPE@nt.gov.au

T 08 8999 4446

18 June 2026

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

Our Ref: DLPE2026/0221
Your Ref: PA2026/0187

Dear Mr Thomas

Re: PA2026/0187 Excavation and fill (erosion gully remediation)

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

Land Resources Division

Land Management Unit

Based on a desktop assessment the Land Management Unit provides the following advice.

Due to the type of works, existing erosion, proximity to sensitive receiving environments, and presence of waterways, it is recommended that preparation and implementation of an Erosion and Sediment Control Plan (ESCP) be included as a condition on the Development Permit, in accordance with the wording below.

Conditions Precedent:

1. Prior to the commencement of works, a Type 2 Erosion and Sediment Control Plan (ESCP) must be developed in accordance with the Department of Lands, Planning and Environment (DLPE) Erosion and Sediment Control Plan (ESCP) Procedures (Note 1).

   The ESCP must be certified by a suitably qualified and experienced professional (Note 2) and must be submitted to Development Assessment Services (via email: das.ntg@nt.gov.au).

General Conditions:

1. Should the certified Type 2 ESCP require amendment, the revised ESCP must be certified by a suitably qualified and experienced professional and submitted to Development Assessment Services (via email: das.ntg@nt.gov.au).
2. All works relating to this permit must be undertaken in accordance with the certified Type 2 ESCP.

3. At completion of works, certification must be provided by a suitably qualified and experienced professional regarding satisfactory implementation of permanent erosion and sediment control measures and site stabilisation. This certification must be submitted to Development Assessment Services via email: das.ntg@nt.gov.au.

Permit Notes:

1. The DLPE Erosion and Sediment Control Plan (ESCP) Procedures factsheet is available at: https://environment.nt.gov.au/rangelands/technical-notes-and-fact-sheets/land-management-technical-notes-and-fact-sheets.

2. A suitably qualified and experienced professional in erosion and sediment control as defined by the International Erosion Control Association (IECA) Australasia – https://austieca.com.au/esc-certification/suitably-qualified-professional.

3. Information regarding erosion and sediment control can be obtained from the IECA Best Practice Erosion and Sediment Control 2008 books available at https://austieca.com.au/home and Land Management Factsheets available at https://nt.gov.au/environment/soil-land-vegetation. For further advice, contact the Development Coordination Branch: (08) 8999 4446.

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:

Common Name	Botanical Name	Declared
Gamba grass	*Andropogon gayanus*	Class B
Perennial mission grass	*Cenchrus setosus*	Class B
Olive hymenachne	*Hymenachne amplexicaulis*	Class B
Chinee apple	*Ziziphus mauritiana*	Class A
Common lantana	*Lantana camara*	Class B
Candle bush	*Senna alata*	Class B
Flannel weed	*Sida cordifolia*	Class B
Hyptis	*Mesosphaerum suaveolens*	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 is subject to a statutory weed management plan. Management obligations outlined in this plan is legally binding on all owners and occupiers. Management requirements and copies of the statutory weed management plan is available online[1].

[1] https://nt.gov.au/environment/weeds/weed-management-planning

Gamba grass, perennial mission grass and olive hymenachne are declared weeds, Class B and are listed in the Darwin Regional Weeds Strategy 2021-2026 as a Category 2 – priority weed for strategic control.

Guidelines for the prevention of weed spread are outlined in '*Preventing Weed Spread is Everybody's Business*[2]', 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 is available online[3], or alternatively contact the Weed Management Branch for further advice on (08) 8999 4567.

Should this development application be approved, the Weed Management Branch recommends the following note to be included on the development permit:

Permit note:

All land in the Northern Territory is subject to the *Weeds Management Act 2001* (WM Act). The WM Act describes the legal requirements and responsibilities that apply to owners and occupiers of land regarding declared weeds. Division 1 general duties include the requirement to take all reasonable measures to prevent land being infested with a declared weed and to prevent a declared weed from spreading. There are additional duties including a prohibition on buying, selling, cultivating, moving or propagating any declared weed and the requirement to notify the Weed Management Branch of a declared weed not previously present on the land within 14 days of detection.

Gamba grass is subject to a statutory weed management plan. Management obligations outlined in this plan are legally binding on all owners and occupiers. Management requirements and copies of the statutory weed management plan is available online https://nt.gov.au/environment/weeds/weed-management-planning.

Information regarding weed management is available on the DLPE website: https://nt.gov.au/environment/weeds, or alternatively contact the Weed Management Branch for further advice on (08) 8999 4567.

Flora and Fauna Division

The Flora and Fauna Division supports the proposed rehabilitation of the erosion in the southwestern part of 2CRU. These works are unlikely to impact on important populations of threatened species or habitat critical for biodiversity.

Environment and Heritage Division

Heritage Branch

A search has found that there are no nominated, provisionally declared or declared heritage places or objects within the proposed works area.

The search has also found that there are no recorded Aboriginal or Macassan archaeological places and objects within the subject site, and the likelihood of unrecorded Aboriginal or

[2] https://denr.nt.gov.au/__data/assets/pdf_file/0011/257987/preventing-weed-spread.pdf
[3] http://www.nt.gov.au/environment/weeds

Macassan archaeological places existing has been assessed as unlikely. An archaeological survey commissioned by Defence Housing Australia did not identify any protected Aboriginal archaeological places or objects within the proposed works area. The Heritage Branch does not believe additional archaeological surveys are necessary for this proposed work.

If archaeological places are discovered over the course of the work, establish an exclusion zone around the site and contact the Heritage Branch immediately.

The context of Heritage Branch advice

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

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

Relevant parts of the *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. Archaeological 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 proposed activity provided to the Heritage Branch. If the work expands or changes significantly, please 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.

Water Resources Division

As the proposed work is intended to restore previous natural conditions, a Permit to Interfere With a Waterway is not required.

Environmental Regulation Division

Based on the information provided, the proposal does not appear to trigger the licensing requirements of an Environment Protection Approval (EPA) under the *Waste Management and Pollution Control Act 1998* (WMPC Act). Activities requiring authorisation are listed in Schedule 2 of the WMPC Act.

Under the WMPC Act, all persons have statutory obligations to take all reasonable and practicable measures to prevent or minimise pollution and environmental harm, and to reduce the amount of waste generated. This is known as the General Environmental Duty, set out in section 12 of the WMPC Act. The proponent is responsible for ensuring that their activities comply with these obligations.

Guidelines to assist proponents to avoid environmental impacts are available on the Northern Territory Environment Protection Authority (NT EPA) website[4].

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

1. **Dust**: The proponent must ensure that nuisance dust and/or nuisance airborne particles are not discharged or emitted beyond the boundaries of the premises.

2. **Noise:** The proponent must ensure that noise levels from the premises comply with the latest version of the Northern Territory Noise Management Framework Guideline[5].

   If the proposal is situated where there are existing activities nearby that may already generate noise, please see the Guideline: Recommended Land Use Separation Distances[6].

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

   ESC measures must be employed prior to and throughout the construction stage of the development. Larger projects should plan, install and maintain ESC measures in accordance with the current International Erosion Control Association (IECA) Australasia guidelines[7].

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

   Basic advice for small development projects is provided by the NT EPA document: Guidelines to Prevent Pollution from Building Sites[8].

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

   If an Environment Protection Approval or Environment Protection Licence is not required, the proponent must store liquids only in secure bunded areas in accordance with VIC EPA Publication 1698: Liquid storage and handling guidelines[9]. Where these guidelines are not

[4] https://ntepa.nt.gov.au/publications-and-advice/environmental-management
[5] https://ntepa.nt.gov.au/__data/assets/pdf_file/0004/566356/noise_management_framework_guideline.pdf
[6] https://ntepa.nt.gov.au/__data/assets/pdf_file/0006/453192/guideline_recommended_land_separation_distances_oct.pdf
[7] https://www.austieca.com.au/publications/best-practice-erosion-and-sediment-control-bpesc-document
[8] https://ntepa.nt.gov.au/__data/assets/pdf_file/0010/284680/guideline_prevent_pollution_building_sites.pdf
[9] https://www.epa.vic.gov.au/about-epa/publications/1698

relevant, the storage must be at least 110% of the total capacity of the largest vessel in the area.

5. **Site Contamination**: If the proposal relates to a change of land use or if the site is known to be contaminated, a contaminated land assessment may be required in accordance with the National Environment Protection (Assessment for Site Contamination) Measure (ASC NEPM). The proponent is encouraged to refer to the information provided on the NT EPA website[10] and the NT Contaminated Land Guidelines[11].

6. **Waste Management - Import and Export of Fill**: The proponent must ensure all fill imported or exported as part of the activity must be certified virgin excavated natural material (VENM) in accordance with the NSW EPA guidelines[12].

   All imported fill material must be accompanied by details of its nature, origin, volume, testing and transportation details. All records must be retained and made available to authorised officers upon request. The proponent should also consider the following NT EPA Fact Sheet: Illegal Dumping - What You Need to Know[13].

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

   If the proposal is situated where there are existing activities nearby that may already generate odour or smoke, please see the Guideline: Recommended Land Use Separation Distances[14].

8. **Water:** The proponent must ensure stormwater is not polluted, refer to water management in the NT EPA guidelines to Prevent Pollution from Building Sites[15].

   If this activity requires the discharge of waste to water or could cause water to be polluted, then a waste discharge licence under the *Water Act* 1992 may be required. Please refer to the Guidelines on Waste Discharge Licencing under the Northern Territory *Water Act 1992*[16]**.**

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

Yours sincerely



Maria Wauchope
Executive Director Land Resources

[10] https://ntepa.nt.gov.au/your-environment/contaminated-land
[11] https://ntepa.nt.gov.au/__data/assets/pdf_file/0020/434540/guideline_contaminated_land.pdf
[12] https://www.epa.nsw.gov.au/your-environment/waste/classifying-waste/virgin-excavated-natural-material
[13] https://ntepa.nt.gov.au/__data/assets/pdf_file/0008/285740/factsheet_illegal_dumping_what_you_need_know.pdf
[14] https://ntepa.nt.gov.au/__data/assets/pdf_file/0006/453192/guideline_recommended_land_separation_distances_oct.pdf
[15] https://ntepa.nt.gov.au/_media/waste-and-pollution/pdf/guidelines/guideline_prevent_pollution_building_sites.pdf
[16] https://ntepa.nt.gov.au/__data/assets/pdf_file/0005/950603/guidelines-waste-discharge-licensing.pdf

From:	Danielle Sawyer on behalf of Parkplanning PWCNT
To:	Das NTG
Subject:	RE: "PA2026/0187 Lot 04873 Town of Nightcliff" - New Application Submitted
Date:	Monday, 29 June 2026 8:12:42 AM
Attachments:	image001.png image003.png image004.png image005.png image006.png

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Good afternoon,

Please see response to your request for comment on the above application:

> **The Parks and Wildlife Commission has no concerns providing proponent cooperates with previously agreed requirements.**

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
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: Das NTG <Das.NTG@nt.gov.au>
Sent: Thursday, 4 June 2026 4:19 PM
To: Parkplanning PWCNT <parkplanning@nt.gov.au>
Subject: 'PA2026/0187 Lot 04873 Town of Nightcliff' - New Application Submitted

Dear Parks and Wildlife Commission of the Northern Territory,

A new development application has been received over:

- Lot 04873 Town of Nightcliff, 577 Lee Point Rd, Lee Point NT

For the purpose of:

- Excavation and fill (erosion gully remediation)

In accordance with the requirements of the Planning Act 1999, you are invited to review the application material through ILIS and provide written advice or comments no later than 19/06/2026.

You can request a longer submission period to provide advice or comment on this application if required, by emailing the project officer or das.ntg@nt.gov.au. Please include reasons in support of the extension.

If you have any enquiries, please feel free to contact Development Assessment Services Darwin, 8999 6046.

Kind Regards,
Development Assessment Services

NORTHERN TERRITORY GOVERNMENT | NT HEALTH

Building 19 Royal Darwin Hospital 105 Rocklands Drive Tiwi NT 0810

Postal address
Medical Entomology NT Health PO Box 413266
Casuarina NT 0811

E medicalentomology.rdh.ths@nt.gov.au

T 08 89228337

11 June 2026

File reference
EFILE 2025/17387

Senior Project Officer
Development Assessment Services
Department of Infrastructure, Planning and Logistics
Floor 1, Energy House, 18-20 Cavenagh Street,
Darwin GPO Box 1680, Darwin, NT 0801

Dear Senior Planner

Re: PA2026/0187 Excavation and Fill (Lee Point erosion gully remediation). Lot 4873 Town of Nightcliff.

Thank you for the opportunity to comment on the above Development Application. Medical Entomology, NT Health comments are provided below.

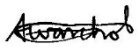
1. There are no Medical Entomology objections to the proposed erosion gully remediation project. The project proposes to remediate significant erosion gullies that have deposited large amounts of sediment into the mangrove and monsoon forest areas of Casuarina Coastal Reserve and subsequently resulted in increased mosquito breeding.
2. There is likely to be some risk that the project temporarily increases sediment discharge into the downstream Sandy Creek mangroves and monsoon forest area, if sediment control structures fail to capture most of the sediment runoff during the following wet seasons. Sediment control structures should therefore be robust and perhaps overengineered to withstand extreme rainfall events.
3. Whilst Medical Entomology is not a landowner, it does provide a larval mosquito control service in Casuarina Coastal Reserve (CCR) on behalf of the Parks and Wildlife Commission NT (PWCNT), and therefore has an interest in the successful rehabilitation of the erosion gullies. The main potential mosquito breeding issue would be further sedimentation in the tidal and interdunal depressions downstream of the erosion gullies, if sediment control structures fail due to unprecedented weather event etc. If new sediment shifts downstream, there should be a contingency plan for the developer to be able to enter downstream CCR land and remove the sediment, where the new sediment has been deemed to cause an issue.
4. Medical Entomology requests to be on the Development Permit General Conditions as an authority that carries out combined wet season progress and post works inspections in conjunction with PWCNT and other relevant authorities. The main focus would be a non-worsening of downstream conditions.

Recommended Development conditions

a) Wet season progress works and post works inspections should be carried out between the Developer, PWCNT, Medical Entomology and the relevant ESCP agency, to inspect downstream areas for sediment runoff.

Please contact me if there are any queries with this letter.

Yours sincerely



Allan Warchot
Advice and Control Officer