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To: [eia NTEPA](#)
Subject: NTEPA Consultation - North One Hotel and Apartments
Date: Tuesday, 2 November 2021 2:13:09 PM
Attachments: [Lyn-EPA-Submission-2-November-2021.pdf](#)

Consultation title: North One Hotel and Apartments
Closed date: 2021-11-02T23:59:00

Your details

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Are you making this submission on behalf of an organisation?: No

Organisation name:

Submission contents

Enter your submission below. Maximum of 500 words: See Attached

Submission files

Attachment 1: Lyn-EPA-Submission-2-November-2021.pdf, type application/pdf, 134.6 KB
Attachment 2: No file uploaded
Attachment 3: No file uploaded
Attachment 4: No file uploaded
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Acknowledgement

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Submission to NT EPA – 1st November, 2021

The NT EPA invites public comment on a referral for standard assessment submitted by KTT Investment Pty Ltd to develop the land adjacent to Lot 07651, Town of Darwin (25 Gilruth Avenue, The Gardens) into accommodation for tourism, consisting of beachfront and lagoon villas, a hotel, serviced apartments, dining facilities, a market, function centre, bar and recreation facilities.

I am making this submission as I fear a great loss of my amenity and sanity if the proposal goes ahead. I acknowledge that I am not a professional expert on the environment but during my 75 years I have learnt to live with both nature and Darwin's growth, but this proposal will significantly impact both myself and future generations who have a duty to protect Darwin and what it offers.

Before I set out my objections, I would like to point out that the developer has failed to provide the community consultation required by NTEPA. Note EP Act Section 43 There is inadequate time in the NTEPA process for the community to respond with any understanding of the project

Little Mindil is part of Darwin's dwindling coastline. To permit building up to the foreshore sets a dangerous precedent as the coast presents a particularly dynamic environment where change is often the norm. Hazards exist in relation to both cliffs and sand dunes. Waves, wind and salt spray play a significant part causing dunes to move and cliff faces to erode. Of particular significance are extreme events that cause destruction on a scale that ignores efforts at coastal protection. The coastal zone will experience the most direct physical impacts of climate change. Indications are that the sea level will rise by up to 0.8 metre in the near future and of course it won't stop there.

Recently the NTG built a sea wall along the pathway of the Little Mindil site. This was a major operation taking some 5 months and significant taxpayer's money. This demonstrates the potential of damage to this area. Given Darwin's tropical climate and climate change this new wall will be washed away and eroded again at the next major weather event which will expose the whole area to erosion.

The NTG announced a Ribbons of Green policy, linking walkways from the Parliamentary precinct to Cullen Bay and then to East Point eventually. The NT Government has already spent millions on this project which will now be interrupted as there will be no green space at Little Mindil. The planned unfettered access to the green space will not be available if the development proceeds.

North One plans demonstrate that the Little Mindil site includes the escarpment, creek and foreshore. North One stated openly in a small select meeting of local residents who they had only given 24 hours notice of the meeting, that it intends to re-route the heritage listed Nurses Walk through their resort grounds property. In the plan the creek walkway appears to be maintained but all walkways including the beach walk in front of the Resort are marked on the plans as 'public pathway potential to be re-directed to benefit views of the development'. The pathways within the complex are marked 'no public access', this would mean that as soon as they have control they would deny all public access to and around the site. It is logical that their proposed luxury apartments on the sea will not allow for the public to have unfettered access for security and

safety reasons. It should be remembered that the Casino also promised beach access but this was rescinded not long after opening. Does this mean that the Nurses Walk will only be used by their guests? How are the many thousands of people expected to access the beach, markets, major events etc.

It should be noted that the developer's representative has since rescinded these comments following the public outcry but they remain in the documents and will be renegotiated to suit their clients and not the existing users and future Darwin residents. In general the developers plans are poorly presented as they are full of misdirection, not to scale and extremely long.

It should be known that the developer refused outright to hold public information sessions and the one session that it did hold was restricted to a very small select group of residents who were only given 48 hrs notice of the meeting. During this meeting the developers representative was unable to answer at least 50% of questions but promised to send answers to all attendees. This response was only received by some attendees and came well after DCA submissions were closed. This demonstrates that the developer does not consider public opinion and has no respect for the Darwin public or environment.

There is no heavy duty vehicle access for trucks or equipment from the road to the beach. DIPL recently completed erosion remediation on Little Mindil to restore the footpath and wall, to improve pedestrian safety. How then will future work be carried out following the next storm, cyclone or weather event which now causes erosion on a regular basis. Without road access no maintenance can be carried out on the entire Mindil Beach area as there is no road access from the Casino or Mindil Beach carpark. During the recent remediation work which took many months trucks and equipment were parked on Little Mindil for the entire time. Trucks dumped huge boulders at the base of the escarpment and they were moved into place one by one. A long, noisy, dusty process. The beach first had to be excavated involving tractors, diggers and other equipment and the site had to then be rehabilitated following remediation. Future work must be taken into consideration before allowing this development to proceed. The equipment necessary for this type of work cannot be driven over a degraded beach following storms and destruction, it needs ready access and storage for long periods of time.

The developer in answer to a residents question now state that access to the beach will be via an internal road linking Gilruth Avenue to the foreshore. From there the foreshore can be accessed through the space between the substation and the apartment building and villas.

This road is not on their plans and in fact the developer informed us that in front of the villas at the cliff base was a water feature, not a road. It is also not explained how in fact this road will link to Gilruth Avenue. Presently, the substation is accessed through the Casino carpark and across the bridge and of course this will no longer be possible.

Road access from Gilruth Avenue to the development. We were informed that ingress and egress would be in one direction downwards on Gilruth Avenue. When asked the impact of this road would have on the heavy foot and scooter traffic, the developer stated that a Pram Crossing is proposed and that pedestrians etc will be able to safely use this crossing. I cannot even begin to imagine what this means, but if as I suspect it involves building at least another lane of traffic from the Smith street roundabout downhill. This will have a major impact on the escarpment as it will probably require blasting into the fragile escarpment to provide safe access to the site. It would also involve the removal of another power pylon as there is one situated right near the road. It is interesting to note that in 2009 Skycity determined in a letter to the Darwin City Council that vehicular access to Little Mindil is not possible directly from Gilruth Avenue because of safety reasons. How then 12 years later can this access suddenly be found to be acceptable and risk free to pedestrians etc. given the increased volume of traffic over the intervening years? There still is no safe way to access this site from Gilruth Avenue which is off a busy road and situated between an escarpment on one side and a tidal creek and bridge on the other. You only have to look at the entrance to the Casino to see how much of a detrimental impact this type of entrance will make on the Little Mindil site. The road will also need the Darwin City Council verge and I am unaware if the DCC have sold or gifted this public land to the developer.

A small scale archaeological assessment was carried out on the Little Mindil site for the developers. It finds that the area had been and still is a significant area to the local Larrakia People of Darwin. This area may still have burial sites and that archaeological monitoring should be conducted during any ground disturbance. This creek is still a well used source of food for the local indigenous people. The site has potential to reveal information about Aboriginal funeral practices and the early Chinese settlement of Darwin, including Chinese wells and dwellings. It is recommended that the developer remove at least 1 metre of soil to investigate these possibilities. In saying that it should be noted that when the site was sold to Skycity Casino they completely leveled the sand dunes and removed all native vegetation prior to top soiling and planting grass. It is doubtful that removal of only 1 metre of soil would reveal anything but the initial beach area prior to their remediation they would need to remove at least 2 metres of soil over a large part of the site.

The Noise Impact Statement is totally confusing for a lay person like myself. However, from what I can glean a noise logging survey was taken between 8th to 15th February 2021. One monitor was placed in Burnett Place and was about 1 metre in height. This provided them with a wealth of information most of which indicated acceptable noise levels to immediate neighbors. However, it was found that non-compliance is predicted during the day, evening and night time periods from patrons from amplified noise emissions to Ground Level Food and Beverage Bar and the Level 1 poolside bar. These levels will exceed the night time limit at

Mindil Beach Casino Resort. There are a number of recommendations for controlling these emissions e.g. keeping a noise diary, train staff in the handling of complaints, communicate with neighbors for all functions and events that include live music etc. All of these possible solutions are non-enforceable and just plain nonsense. What I don't understand is that how they can estimate noise levels when there is none there and then find that it will all be at an acceptable level. Given that they admit some of the noise will be created from amplified music, patron noise, mechanical plant, delivery, truck and loading activities, air-conditioning plants, car door slams and movements and not to mention holiday makers partying, how can they determine that the constant noise from all these sources/actions to be acceptable to surrounding residents? I can tell you that I have lived overlooking the Casino for 27 years now and over those years they have tried to abate some of the noise e.g., building an exterior wall with containers. However only this week they had another nighttime outdoor event and I can tell you that unless you are a very heavy sleeper you have to lock up and turn on the aircon to quell the noise until the party is over. I cannot imagine what it will be like with this massive noisy resort and their constant noise. It is well known that noise travels up and noise from this development will doubtlessly travel through the golf course and up and down the beach. At present loud noise from the Amphitheatre, Ski Club, Mindil Beach and even the Glenti on the Esplanade is heard over a large part of Darwin, but most of this noise is bearable as it is not constant.

Little Mindil Creek. This creek is still constantly used especially on the tides by fishermen both aboriginal and European. It runs under the road through the Golf Course and should not be interfered with. As I said the developer's plans are hard to read and unclear, but it does seem that the creek in some drawings disappears into a culvert or similar. This should not be permitted as what will happen in high tides and exceptional weather events?

The Little Mindil site is an acknowledged previous dump site and is basically sandy soil. The developer intends to build the site up with fill to 5.80m AHD instead of carrying out remediation of the site. This is not viable given that the asbestos has to be dug up, identified, covered with plastic and buried under concrete. The amount of fill proposed would not allow the developer just to cover the asbestos given the footings required for the 7-story building and the sub-basement. The cost of this would be exorbitant given that the recent playground site cost \$4m. This additional cost has not been included in their proposal.

Building up of the site. If the developer builds up the site but they only intend building up the footprint of the resort. What will the impact of this be on the creek and escarpment with the runoff during peak storm surge? They state that due to the site's immediate proximity to an open water body, no remedial measures are required. Will this mean that toxic residues can run into the surrounding waterways?

The developer advises that they intend to underground the power cables and remove the power pylons. They do not state at whose cost this exercise will be but do not intend to dig down but will only cover the power cables. I am sure that this work would have to be carried out by Power and Water Authority and wonder if PAWA are aware of this matter and have costed it or have it in their forward estimates.

This massive resort is not in keeping with the environment and ambience of Darwin and its lifestyle. The resort intends building 8.2m from the foreshore site boundary, surely this would not be allowed in any other jurisdiction especially now that Australia along with the rest of the world is more aware of the impact of not respecting our Coast and foreshores. This developer does not demonstrate a sympathy with the Darwin public nor show respect for our unique environment. They have refused to be open and honest with the public about their proposed development and they do not appear to realise that the protection of Little Mindil and its environment matters to us as a society.

When the Casino was built in 1983 it was restricted to 3 levels so that it didn't overshadow the surrounding escarpment and natural native areas. These proposed 6 story buildings will in fact be around 9 stories with plant equipment on top. As a nearby resident I object to the fact that I will forever lose my view of the ocean, that I will be constantly bombarded by noise, and my air will be forever polluted by the recycled air from 100's of air conditioners and cooking smells etc. Instead of being able to enjoy Dry season prevailing breezes and able to leave all of the windows open for months of end I will have to close up and reside in permanent air-conditioning.

I am greatly concerned that the public are not aware of this development and certainly not aware of the height of the resort which exceeds the escarpment by 3 stories. As mentioned earlier the developer has failed to provide the community consultation required by NTEPA and this has been a deliberate tactic and has ensure that the public are not aware. Perhaps the NTEPA can take action against the developer for this dishonest act.

Finally, shared public access to the whole block including public parking was guaranteed by previous government surely this must mean something. I believe the site should be brought back from the Casino and returned to the people of Darwin and following generations. It is not too late to correct past mistakes.



Lyn Martin

