

Submission to NT EPA – 1 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 writing this submission as a Territorian in his 70s who has lived, worked, and raised a family and now helping to raise grandchildren for over 40 years in Darwin.

During this period, I have had the pleasure of watching Darwin grow into the vibrant City that it is whilst having time to enjoy its laid-back relaxed lifestyle. My family and friends have all participated and enjoyed what the NT offers residents and visitors alike having played sports, fished, camped, and enjoyed the beach and waterways. Over the years have used the Little Mindil beach at will for swimming and relaxing and trust that this city beach is still available for future generations. Therefore, I am against the building of this huge resort which does not belong in this precious space and is not in keeping with the Darwin environment and now recognised global warming effects.

Specifically, my concerns are

1. 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
2. Height of the proposed building. The proposal will construct a building which is some 2-1/2 stories above the escarpment. In the past all proposal on the Little Mindil site were encouraged not to go beyond the height escarpment due to the fragility of the escarpment as well as a loss of view and amenity for residents living in the area. The escarpment itself is quite brittle and its likely to be impaired by construction near it and above it.

It is interesting that the Casino in 1983 was restricted to 3 stories by the then planning authority which and I am assuming was driven by environmental and amenity factors. So there seems no logic now to more than double or even triple the height of the building in this facility. Similarly, it would be interesting to know what remedial action is planned to mitigate any damage to the existing escarpment.

3. The proposed road reserve and road ingress and egress. The proposal is based on constructing a new road turning off Gilruth Avenue well before the current ingress to the Casino. This ingress will require at least an additional lane to Gilruth Avenue and will disrupt pedestrian and scooter traffic on the footpath alongside Gilruth Avenue. This footpath has constant flow during the week but significant traffic flow of pedestrians and scooters of a Thursday afternoon and evening as well as Sunday afternoon and evening whilst Mindil markets are held. It also has enormous traffic flow when there are major events at Mindil Beach and the Botanic Gardens including the Amphitheatre. I understand that the City of Darwin has raised questions on this road which will create a significant traffic hazard and increase the probability of fatal accidents.

Finally, 10 years ago it was determined that such a road was not possible by both the Casino and Darwin City Council.

4. The existing creek. You will be aware that the existing creek is tidal and flows under the road into the Golf Course and is a popular fishing area for locals and indigenous people. The proposal appears to significantly alter the structure of the creek and it appears that it will flow through culverts in the future. Given the nature of our high tides, surges and cyclones, the proposal fails to address the impact that it will make on the creek. I accept that I am no expert but the paucity of information in the proposal certainly does not allay my fears.
5. Noise Level. The proposal suggests that any noise emanating from the development will be absorbed by remediation processes and will have only low impact on surrounding amenities and residences. Again, the information is not adequate and there is no discussion on noise level emanating from functions or normal operations which will not cease each day until 3 am. I have experienced the noise levels from the Casino for the past 27 years and I would suggest that noise level emanating from this development will be at least twice as high as that of the Casino due to the size of the development and the proximity to nearby residences. Noise levels emanating from people staying at the resort or living in the apartments have not been discussed.
6. Asbestos. The proposal basically ignores the issue of asbestos which is certainly throughout the Little Mindil beach and the creek. The development will certainly disturb the land and waterway, and this must have an asbestos impact. I refer to the small playground at the old hospital site and the amount of asbestos as well as the cost of handling the asbestos. Both were enormous but I would have thought pale into insignificance compared to Little Mindil proposal. This must be addressed
7. Archaeological Study. I am attaching a recent archaeological study which I am sure that the NT EPA are aware of. This study demonstrates that there is a lot of cultural significance on this area and none of this has been considered by the developer. I believe it is essential that the developer is required to respond to the study and outline what remedial work will be undertaken to address the issues raised by the study.
8. Recently the NTG promoted a 'Ribbons of Green' policy for Darwin whereby the Mindil Beach foreshore was to be linked by a walkway from Cullen Bay to the Museum. This walkway is presently used by people each day with a considerable number during market days and major events. This access will be gone forever, placing more strain on other beach access including Gilruth Avenue. Little Mindil beach is constantly used by walkers, joggers, exercise groups, anglers and market and concert goers.
9. There was a covenant in place over the open space which was removed last year with no notification or consultation to the community. The extinguishment was made by a public servant without any external consultation which I understand the covenant required
10. The development seeks reduced setbacks at the escarpment and Gilruth Avenue and there is no public parking to facilitate the guaranteed public access to the foreshore. There is also inadequate parking for the number of units proposed.

11. The drawings supplied are not to scale and some drawings contain two scales. A1 sized drawings should be available to all interested parties.

In summary there are significant environmental issues that the developer has failed to address, and it would be very disappointing if NT EPA disregarded the environmental issues in the same way as the developer. I strongly urge you to reject this proposal for the benefit of existing and future generations of Territorians

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