

HERITAGE IMPACT ASSESSMENT: MYILLY POINT PRECINCT AND 25 GILRUTH AVENUE, THE GARDENS, LITTLE MINDIL BEACH



**A report for:
KTT Investment Pty Ltd**

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August 2021

Cover photo: UAV view of the Myilly Point Heritage Precinct

EXECUTIVE SUMMARY

KTT Investment Pty Ltd propose to build a hotel site, apartments and villa complex at Little Mindil Beach adjacent to the Myilly Point Precinct (colloquially known as the 'Myilly Point Heritage Precinct'), which is comprised of four heritage houses, a vacant lot where a house used to stand and their surrounds. Ellengowan Enterprises was engaged to compile and review the heritage documents relating to the precinct, to determine the proposed development's impact, if any. The precinct includes the Myilly Point escarpment, on which the houses are situated, affording them a view of Mindil Beach. The houses were designed by Beni Burnett and represent quintessential tropical design features, which epitomises past and current lifeways in Darwin. Run by the National Trust of the Northern Territory, the houses and precinct are highly significant to the Darwin community. It is a special place in the Darwin psyche.

The results of this report indicate that there is no significant conflict with the proposed Little Mindil Beach development on the Myilly Point Heritage Precinct. It is crucial that any developments at Little Mindil Beach be sympathetic to the context of the adjacent Myilly Point Heritage Precinct. This proposal, in its current design, will have minimal impacts on the Myilly Point Heritage Precinct, as the site is screened by existing vegetation along the escarpment, which preserves the site's context and as the six storey component of the development is located approximately 100 metres from Burnett House, the wind impact assessment demonstrates that due to this separation, there will be negligible impact on sea breezes reaching Burnett House, thereby maintaining the integrity of the passive cooling design concepts.

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1.0 INTRODUCTION

1.1 Background and consultancy brief

Urbanscope (Australia) Pty Ltd on the behalf of KTT Investment Pty Ltd commissioned Ellengowan Enterprises to undertake a heritage desktop assessment of the Myilly Point Heritage Precinct and 25 Gilruth Avenue, Little Mindil Beach. The assessment was to determine the impact their proposed development on Little Mindil Beach, a six-storey hotel site and single storey villas, would have on the heritage precinct. The hotel, referred to as ‘North One Hotel and Apartments’, was originally conceived with 3x2 bedroom private villas, 7x3 bedroom executive suites, 19 hotel villas, 46x2 and 3 bedroom apartments and 131 hotel rooms (Hachem, n.d.). This assessment provides the following data:

- Heritage Branch, Northern Territory Government – review of assessment documents and photographic material
- Compile historical data
- Literature review

The Myilly Point Heritage Precinct comprises of four heritage listed tropical style houses constructed in the 1930s and the escarpment on Lot 3481, Little Mindil Beach (Fig. 1). The following provides a review of the assessment documents, which indicates that the proposed works will not impact on the heritage precinct.

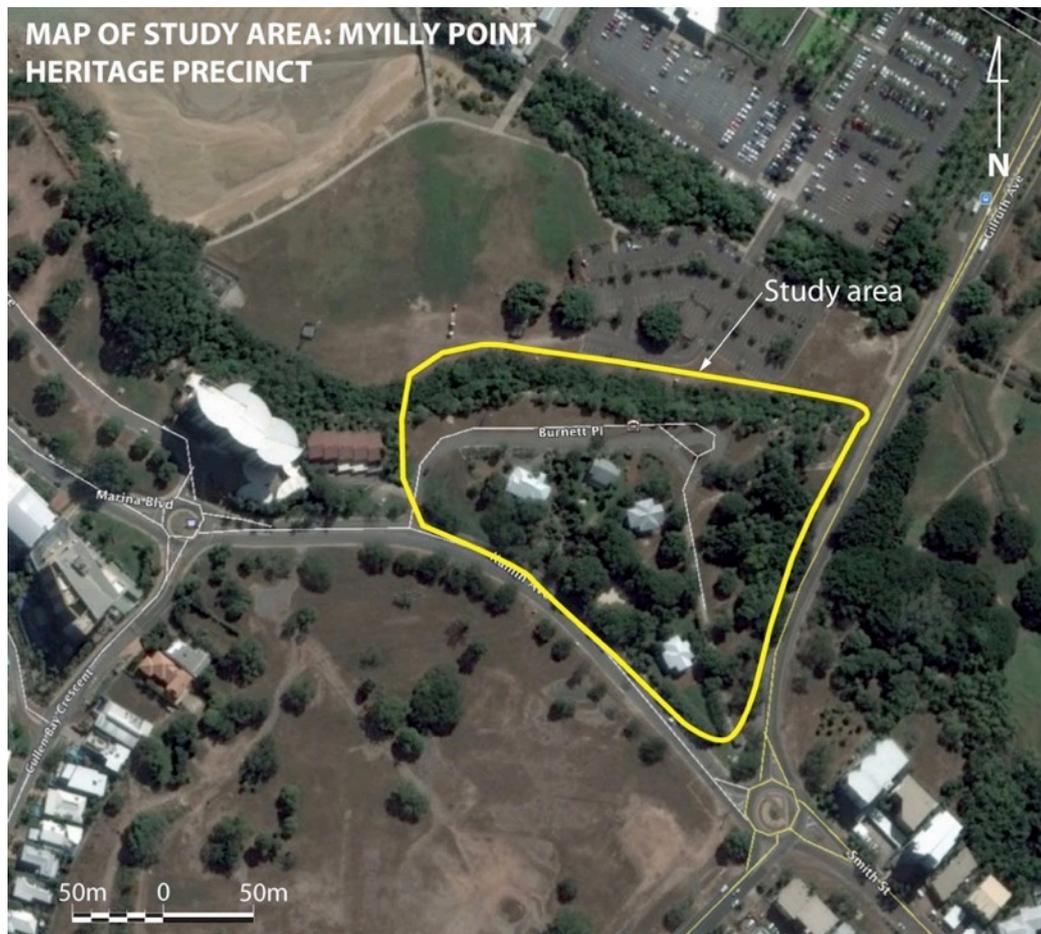


Figure 1. Location of the Myilly Point Heritage Precinct study area (After Google Earth).

1.2 Site description and heritage listing

The Myilly Point Precinct is a 0.053km² (5.3 hectares) peninsula with high cliffs between 16 to 20 metres, which afford the site views of Darwin Harbour (Jones, 1985:5). The four heritage listed houses and their associated gardens are located on what is now known as Burnett Place (formerly Temira Crescent) on the Myilly peninsula and comprise Lot numbers: 1098, 1099, 1100, 1101 and 1102 (Fig. 2). The houses were designed by the prominent government architect from the 1930s, Beni Burnett, from whom the National Trust's house is named after (Cook, 1990; Myilly Point Master Plan, 2021:10; Allom, 1988:8). They were built in 1938 and 1939 for senior public servants and represented passive cooling design concepts that are an anathema to today's reliance on air conditioning:

Both the Darwin Hotel and the Darwin Hospital [including the Burnett houses] were conceived and designed as tropical buildings with emphasis of cross ventilation and the free movement of air necessary for comfort in tropical environments. Both drew comment in the press of the day for their careful consideration of those principles (Allom, 1988:9).

The heritage precinct was to be extended to include the former nurses quarters, associated with the Darwin Hospital and later the Northern Territory University, but that building has subsequently been demolished (Fig. 3). The Heritage Precinct incorporates the Myilly Point cliff face, or escarpment that forms the southern boundary of Little Mindil Beach (Appendix 1). The house plans for three of the listed properties are shown in Figures 4 to 7. No house plan was included for Lot 1098, the Giese residence, probably because it was still privately occupied by the Gieses (Myilly Point Master Plan, 2012:11). That plan was included in Allom (1988:12) (Fig. 8). The house on Lot 1100 was demolished after Cyclone Tracy in 1974 (Allom, 1988:2). The typical housing style is shown in Figure 9, Burnett House, which is the location of the Northern Territory's National Trust.

In recognition as a rare example of the 'B' type house, Lot 1098, Audit House, was the first to be 'entered into the List of Significant Sites of the National Trust' (Northern Territory) (Allom, 1988:2). The houses were in a dilapidated state in the mid 1980s but have been refurbished to their original condition and were nominated for heritage listing:

The three houses have been nominated to the Australian Heritage Commission for inclusion on the Register of the National Estate on the basis that they are an 'intact precinct of late 1930's [sic] housing', demonstrating 'typical tropical design and planning of that era'. It is also suggested that they are 'house types now relatively rare in Darwin', and 'a cohesive precinctural group' (Hunt, 1984:1).

The houses were nominated for heritage listing to the National Estate, or the Register for the National Estate (RNE), in May 1983 by Messrs Savage and Tonkin. The precinct was entered into the RNE on 23 March 1985 (Allom, 1988:4). *The Environment Protection and Biodiversity Conservation Act* (EPBC) 1999, enacted in 2000, has since superseded the RNE. The Myilly Point Heritage Precinct is not listed on Australia's Commonwealth Heritage List, or the National Heritage List (see: Department of Agriculture, Water and the Environment). The site, however, is listed on the Northern Territory Heritage Register, as of 1995 (Appendix 2).

A background to the site's historical listing is provided:

LISTINGS: In April 1983 The [sic] houses were listed as significant in a Public Housing Survey and a Survey of Twentieth Century Buildings. In May of the same year they were nominated for the Register of the National Estate. The five allotments and four houses were formally entered into the Register on 23rd of March 1985 following considerations and much public debate over development proposals for the area in 1984. The Myilly Point Precinct is currently being assessed for recommendation as a Heritage Place under the Conservation Act 1991. It is hoped the recent nomination of the precinct to the Northern Territory Register will

secure the preservation and accessibility of these houses for future generations to appreciate (Myilly Point Master Plan, 2012:11).

The 'Myilly Point Precinct' was formally gazetted as a heritage place on 4 January 1995 (see Appendix 2). It has since been referred to by the National Trust NT and other organisations such as the Aboriginal Areas Protection Authority (AAPA), as the 'Myilly Point Heritage Precinct', most likely in response to its heritage listing (National Trust NT, 2021). The Significance statement is as follows:

The Myilly Point Precinct represents the conclusion of a Commonwealth Government policy for an 'approved housing scheme' for high-ranking government officers, originally formulated under the first major town planning scheme of the early 1930s. The creative talents of the architect B.C.G. Burnett together with a new material, asbestos cement, were to change the built fabric of Darwin. Burnett designed a series of homes adapted to the climatic conditions of the Top End which included the use of lightweight materials such as asbestos cement sheeting, corrugated roof cladding and a unique form of louvres with patterning by casement windows. The use of asbestos cement louvres with glass casement windows provided full screened walls that could be adjusted to suit prevailing weather conditions. All roofs were steeply pitched with an asbestos ridge vent at the top. Air circulated from open eaves through the ceiling space and out the ridge.

A number of individuals significant in the history and development of the Top End have been associated with the houses, such as Hugh Barclay who was Director of Lands at the time of the Territory Rice Project and H.C. Giese Director of Welfare.

The houses have had continuous use as housing from their date of construction. Overall there has been little alteration to the original fabric or design. Where this has occurred it has been sympathetic to the structure. The houses represent a major design development and the best surviving examples of B.C.G. Burnett's work for civilian occupation as opposed to military housing (Heritage Council NT, 1995).

A subsequent study in 1984 of the heritage precinct was prepared in two stages, the first detailing the specific conservation works on each of the houses, but the second, of relevance to this study, was 'intended that ... the management plan – be commissioned immediately and indeed public submissions on the future of the site and buildings had been sought in late 1984' (Allom, 1988:4). Considerations were, therefore, being made not just about the houses, but also about their location, or context:

In the draft document of November 1985, it was proposed that the site should be extended to include the Former Nurses' Quarters of the old Darwin Hospital. That building, it was argued, was not only of significance as an individual building of merit but was, because of its proximity to the already acknowledged significant housing precinct and because of its tropical style, an integral part of the historic area (Allom, 1988:5).

The context of the Myilly Point Heritage Precinct was seen to include the old hospital site. No mention is made of Little Mindil Beach. That concern came later, specifically the escarpment, in the Myilly Point Master Plan (2012). One of the most significant statements about the context of Myilly Point Heritage Precinct is alluded to and to which development in the area must follow, is that they must be sympathetic to area's scenic quality:

The Myilly Point buildings' continued use as housing from the date of their first construction and the general absence of unsympathetic adaptation or modification is important. Much original fabric and structural systems survive in good condition. The group is also significant for their arrangement within a subdivision that acknowledges the emerging awareness of tropical town planning principals current at that time.

THE LOCATION OF THE GROUP ADJACENT TO THE EDGE OF THE ESCARPMENT THAT MARKS THE END OF THE PLATEAU ON WHICH DARWIN AND ITS CLOSE

WESTERN SUBURBS ARE LOCATED GIVES THE GROUP A SCENIC QUALITY THAT IS NOTEWORTHY [my emphasis] (Allom, 1988:17).

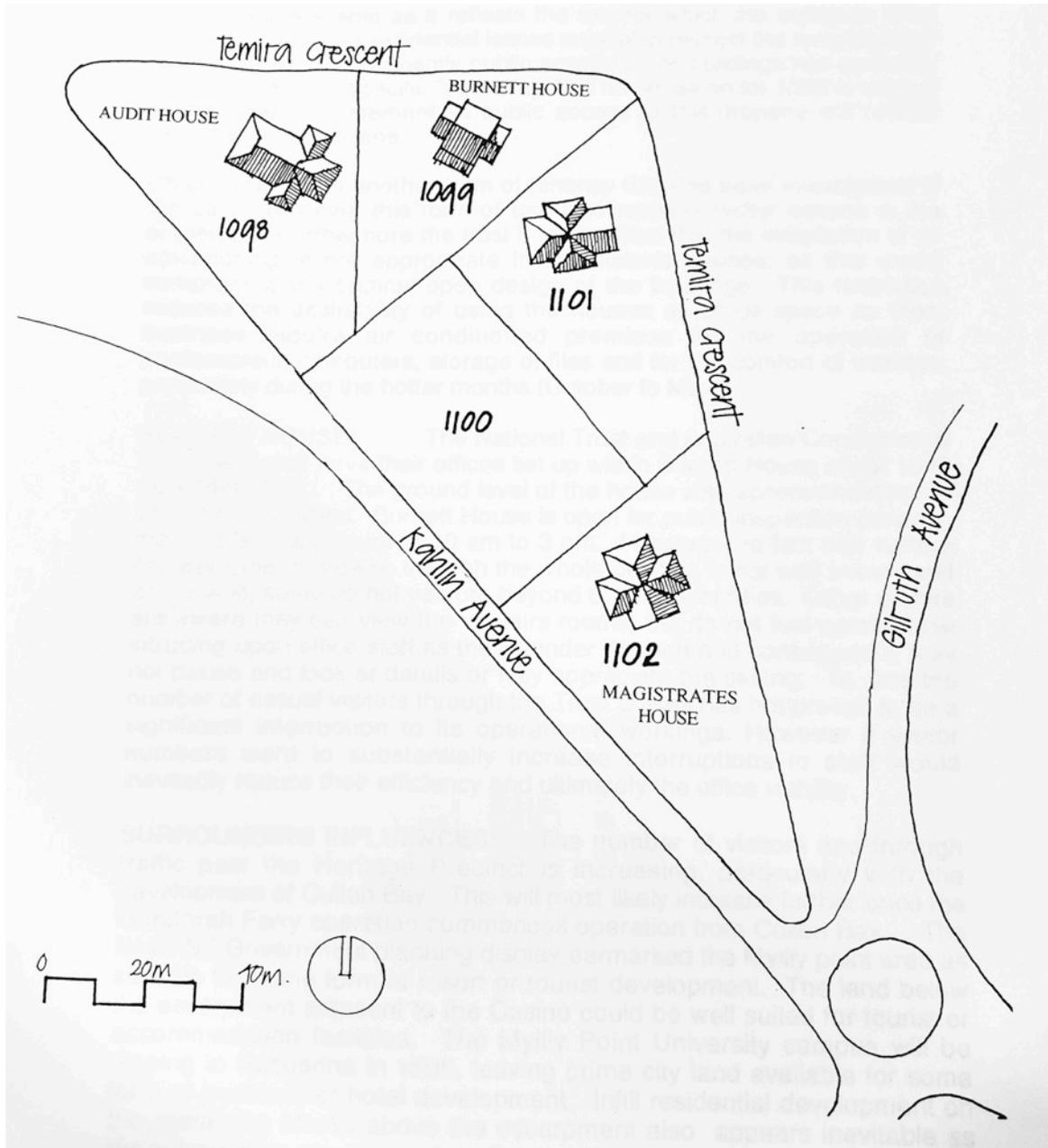


Figure 2. 'The Heritage Precinct' (Myilly Point Master Plan, 2012).

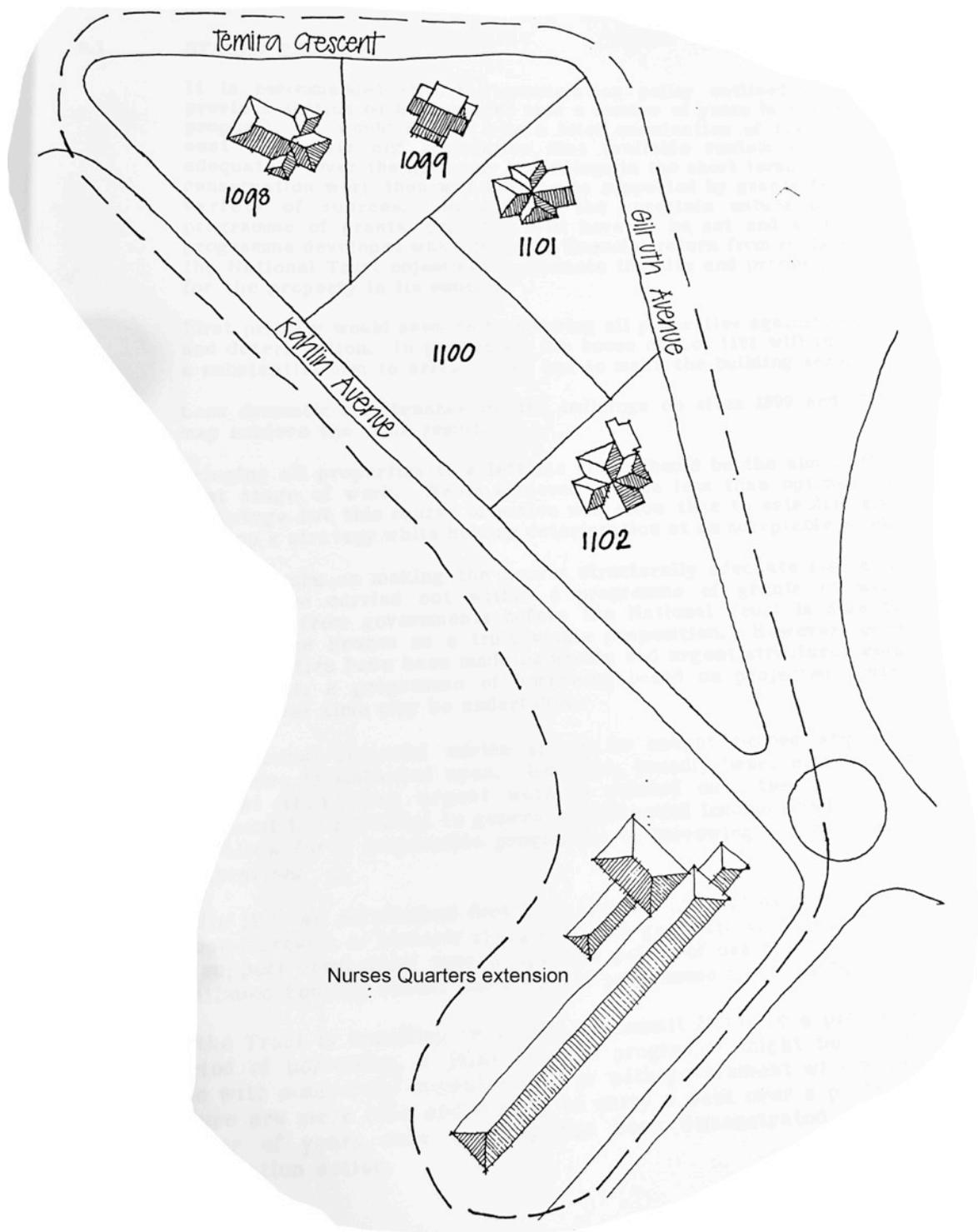
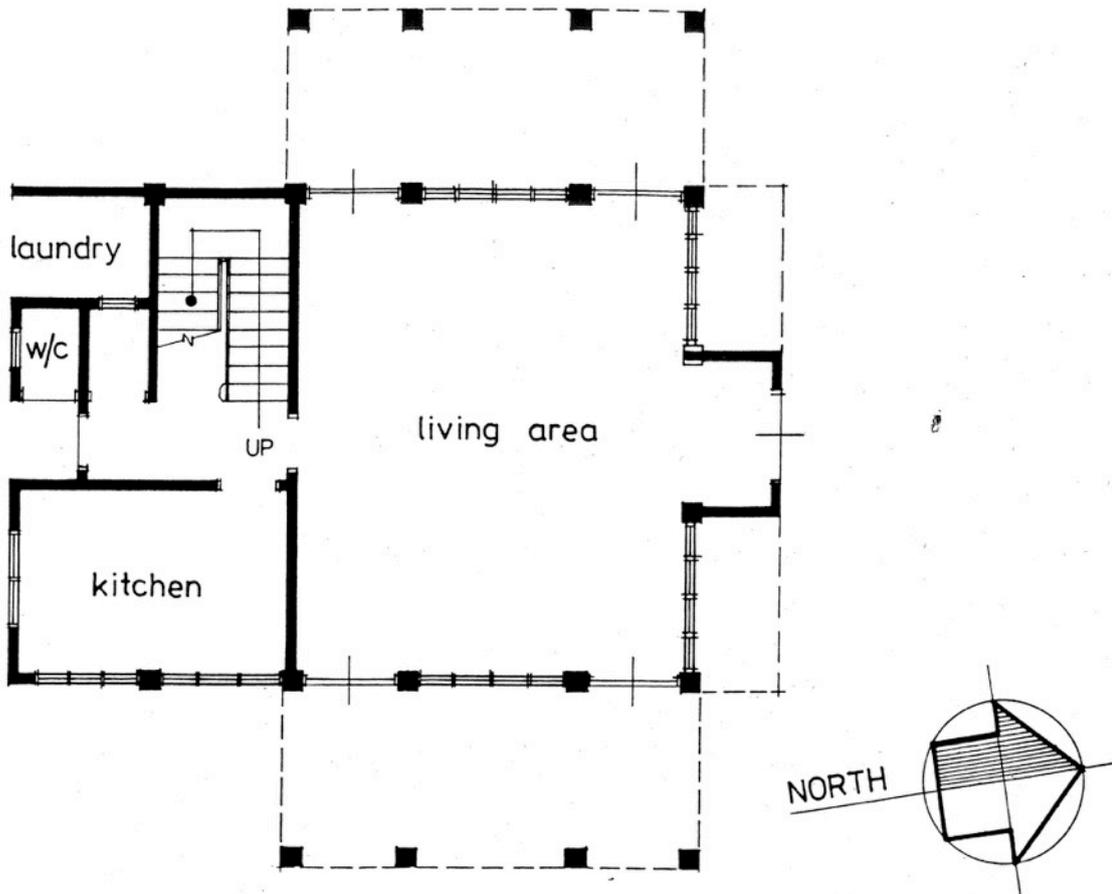


Figure 3. 'Proposed precinct extended (Allom, 1988:32)



GROUND FLOOR PLAN OF HOUSE TYPE 'K'
ON LOT 1099
scale 1:100

Figure 4. 'Ground floor plan of house Type 'K' on Lot 1099' [Burnett House] (Hunt 7a).

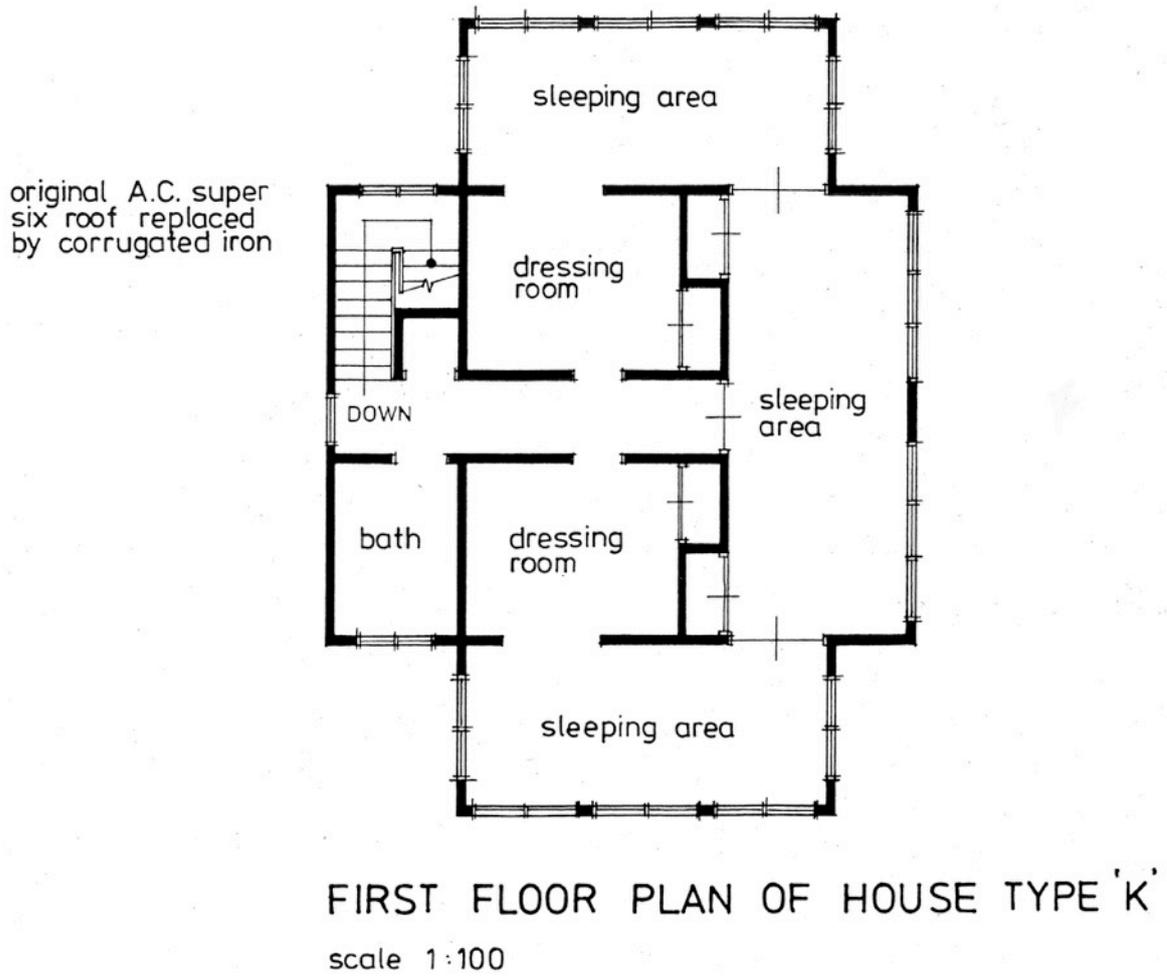


Figure 5. 'First floor plan of House Type "K" [Lot 1099 - [Burnett House] (Hunt 7b).

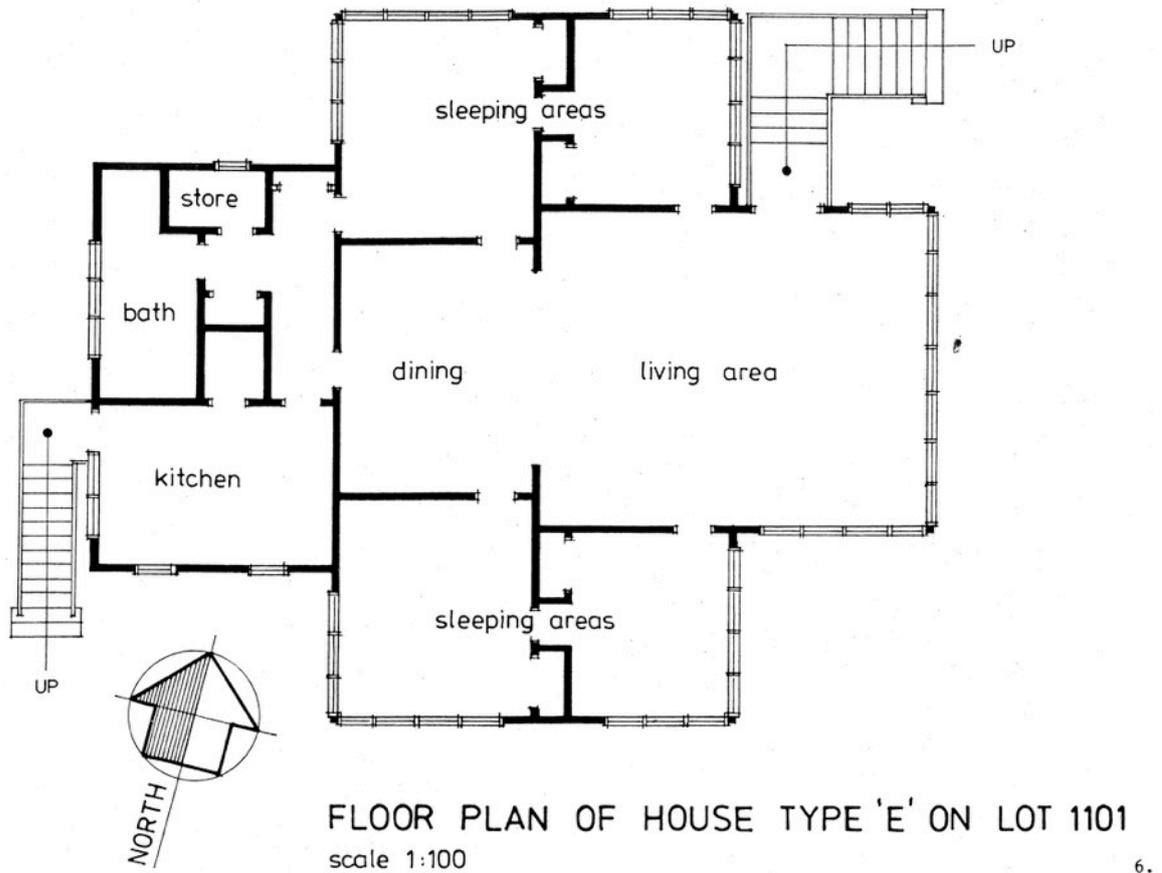


Figure 6. 'Floor plan of House Type 'E' on Lot 1101 [National Trust of the Northern Territory]' (Hunt, 6).

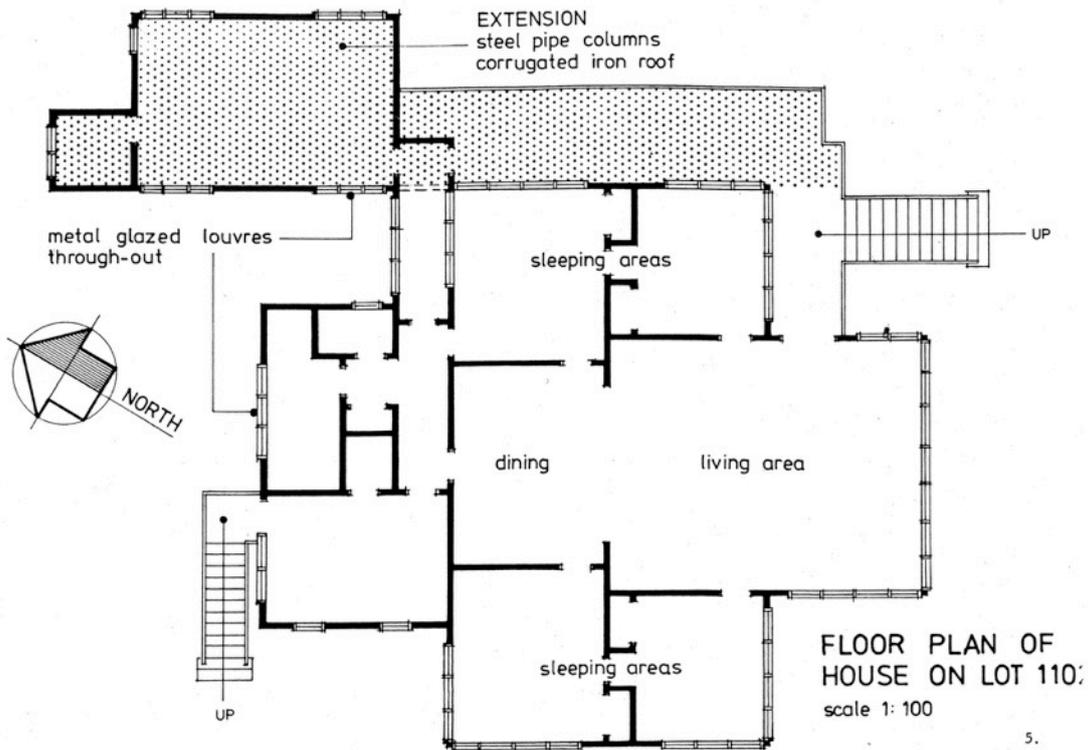


Figure 7. 'Floor plan of house on Lot 1102' [Magistrate's House] (Hunt, 5).

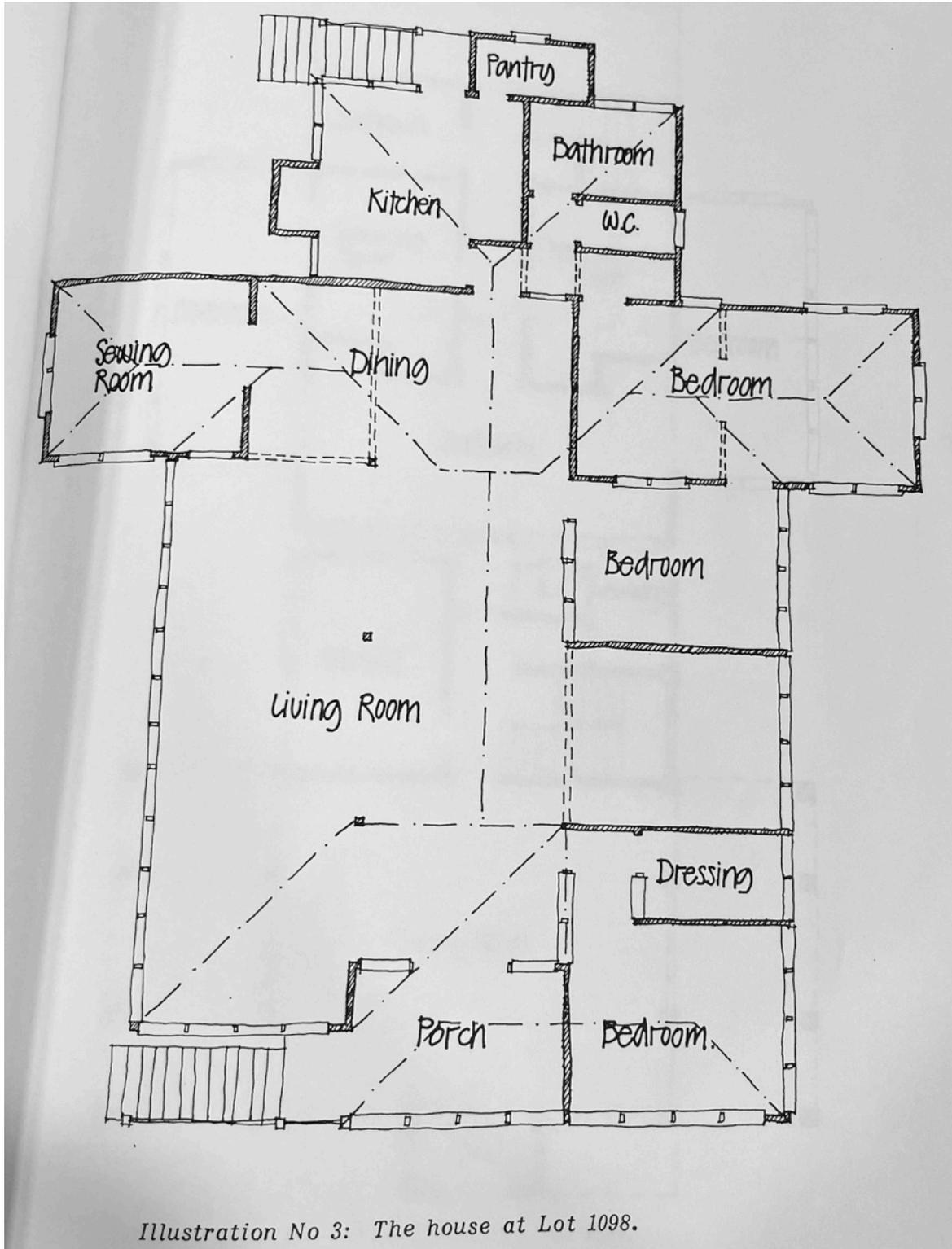


Illustration No 3: The house at Lot 1098.

Figure 8. Lot 1098, Audit House, or Giese House, 1st floor plan (Allom, 1988:12).



Figure 9. 'BURNETT HOUSE: is open for public inspection during office hours. Photo courtesy of M Evans' (Myilly Point Master Plan, 2012:14).

2.0 LITERATURE REVIEW

2.1 Myilly Point background and previous proposals

The investigation into the heritage listing documents on file at the Heritage Branch, Northern Territory Government indicated that no further documents were stored apart from what is readily available from the Northern Territory Library. Seven documents were located, with the main resource used in this report being the Myilly Point Master Plan (2012). Others included conservation documents, beyond the scope of this research (National Trust, 1999). The plan outlines the objectives in the management of the precinct and provided recommendations for its use by the public. Significantly it states that vistas are maintained from a number of viewing points along the peninsula and how the context of the site should be preserved:

Rotary Walk and Lookout

The Rotary club's continued efforts in beautify [sic] the Darwin foreshore and providing and maintaining community facilities should be applauded and encouraged.

The recommendations listed below would further enhance the facility Rotary has provided:

... Provide interpretative signage with information about both cultural and natural features within the vista (Myilly Point Master Plan, 2012:4).

The focus of works at the site was not just on preserving the fabric of the built heritage, but also the context of the site by preserving and enhancing its context:

Remnant vegetation: The escarpment cliffs along Myilly Point need to be formally recognized as a 'green belt' on planning and land use documents to ensure wildlife and pedestrian links providing an effective buffer between the Heritage Precinct and future developments of the surrounding area (Myilly Point Master Plan, 2012:5).

Some of the earliest views of Myilly Point are shown in Figures 10 and 11. Three previously proposed development areas are shown in Figure 12, old Darwin Hospital site, Myilly Point and Mindil Beach, including Little Mindil Beach. Figures 13 and 14 show the area prior to the demolition of the old Darwin Hospital. There was no high-rise development in the 1920s, but the site's context has been preserved in the intervening years. Only one high rise building has been constructed on Myilly Point, No. 4 Kahlin Avenue, otherwise known as the Myilly Towers, but that building is to the west of the heritage precinct and does interrupt the area's vistas.

The Myilly Point Master Plan (2012) also included a search of the Aboriginal Areas Protection Authority (AAPA) database on any Aboriginal sacred sites that may have been recorded for the area. This is included in Appendix 3. No sacred sites were recorded, although that did not mean that there were no such sites there, but only that the Traditional Owners, the Larrakia People of Darwin, recounted none. No previous archaeological sites were recorded either on the peninsula or at the adjacent Little Mindil Beach and Mindil Beach proper, except for a particularly significant class of Aboriginal site type i.e., human burials. Many were found in the 1980s and early 1990s and there still may be other burials yet to be discovered. The area has a high potential for additional burial sites (Jung, 2020).

This report has identified two previous proposals for a mix-hotel and casino site on Little Mindil Beach the first by Jones Lang Wootton. The development in 1983 was to include 'a 616 room high rise hotel, 320 room village – hotel, casino, 3 200 m² convention centre, 18 000 m² retail space, 41 000 m² office space and a marina' (Jones 1985:1). Interestingly no design plans or concept drawings were provided for that development. By 1985 another proposal was to create an erroneously termed 'low-rise' development of more modest proportions, consisting of approximately seven storeys, which abuts and encroaches over the escarpment:

400-room, low-rise resort hotel constructed in two phases; 3,000 square metre casino; 5,000 square metre speciality retail, restaurant and tavern area, 2,000 square metre convention and exhibition facility; car parking for a peak of 1,500 cars contained in structured car park; an extensive beach pool recreation area (H.W.C.K.G., 1985).

Prior to the proposed hotel/casino/conference centre proposals, Little Mindil Beach was viewed as a potential marina site (Appendix 4). The marina was eventually built in Cullen Bay, a decade and half later.

Some constraints, or limitations were acknowledged for the proposed Little Mindil Beach hotel: ‘The physical constraints limiting the site’s development include: ... Retention of certain privately owned dwellings and heritage housing requiring access’ (Jones, 1985:5). Significantly, the Jones Lang Wootton proposals were that Little Mindil Beach was to be converted into a series of pools and that the main hotel complex was to be built into the side and one the top of the escarpment, but further to the north of the Myilly Point Heritage Precinct (Appendix 5).

Overall the assessment reports suggest an inevitability of the area’s development for the growth of Darwin’s infrastructure:

The latest NT Government planning display earmarked the Myilly Point area as suitable for some form of resort or tourist development. The land below the escarpment adjacent to the Casino could be well suited for tourist or accommodation facilities. The Myilly Point University campus [i.e., the then Northern Territory University] will be moving to Casuarina in 1996, leaving prime city land available for some form of business or hotel development. Infill residential development on the remaining blocks above the escarpment also appears inevitable as the surrounding amenity and quality of the area increases (Myilly Point Master Plan, 2012).

The Myilly Point Master Plan (2012), however, maintained the escarpment and vistas from the Myilly Point Heritage Precinct, in essence preserving the context of the site. The clearing of invasive weeds and inappropriate vegetation along the escarpment was to facilitate the vistas across Mindil Beach from the Heritage Precinct (Appendix 6).



Figure 10. Brown, Percy, (1920). Myilly Point. Available at: <https://hdl.handle.net/10070/734896> [accessed 17 July 2021].



Figure 11. Kettle, Ellen S. (Ellen Sarah), (1968). Myilly Point. Available at: <https://hdl.handle.net/10070/319774> [accessed 17 July 2021].

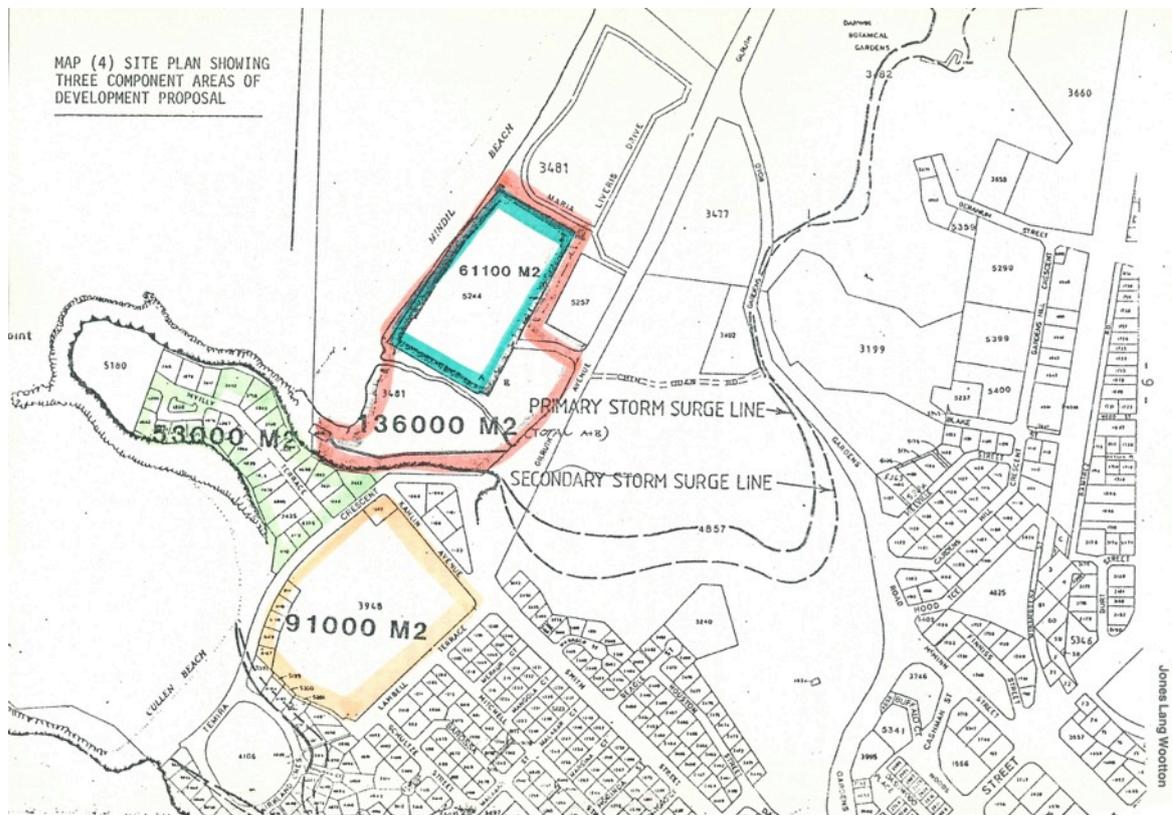


Figure 12. Map of three component areas of development proposals (Jones, 1985:9).



Figure 13. Myilly Point Heritage Precinct 1985 and Little Mindil Beach, prior to the demolition of the Northern Territory University campus (former Darwin Hospital) at Myilly Point (Jones, 1985).

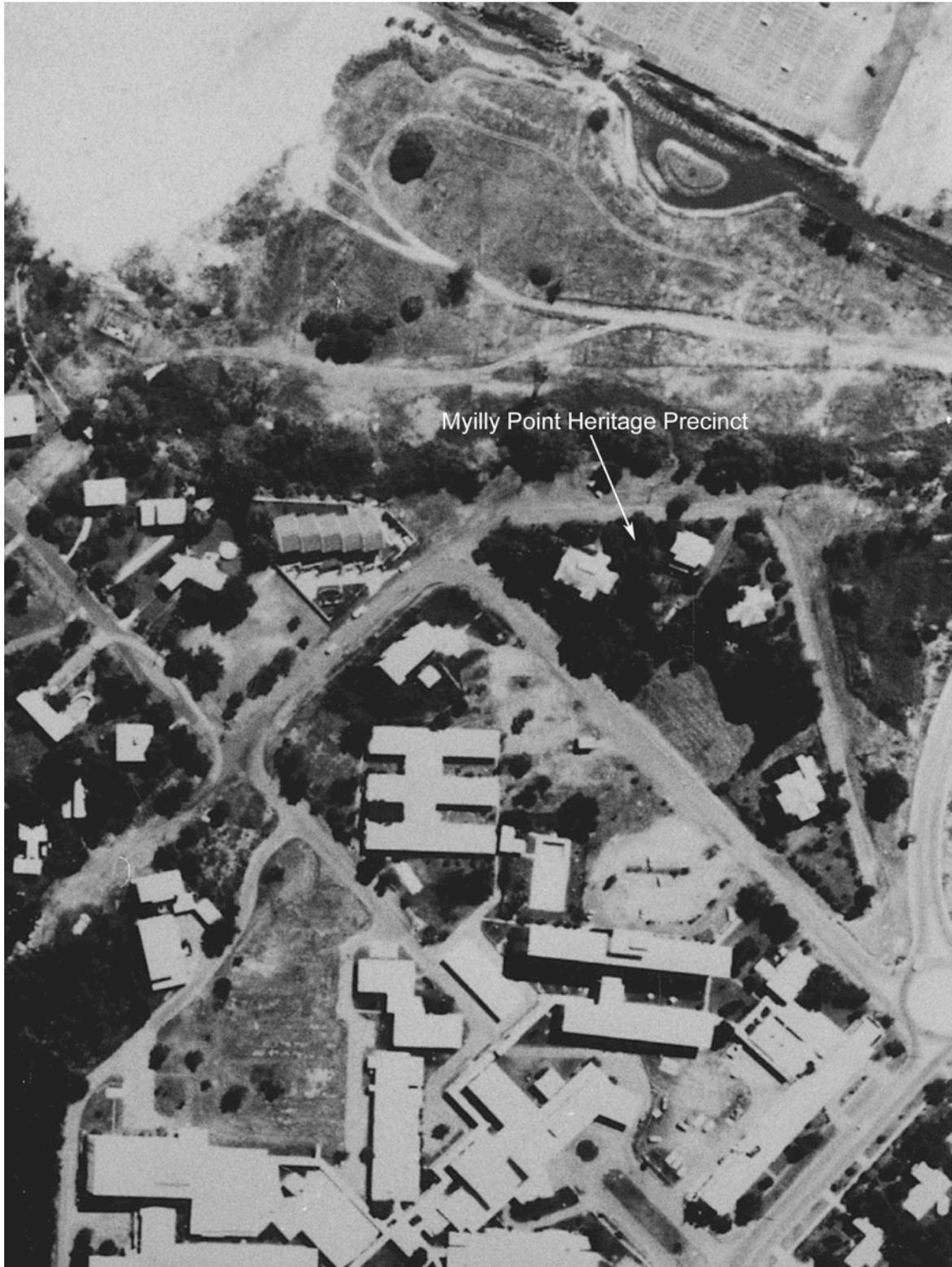


Figure 14. Aerial view of Myilly Point, hospital site and Little Mindil Beach ca. 1985 (Jones, 1985:9).

2.2 North One Hotel and Apartments

The main concerns with any high-rise development on Little Mindil Beach identified in the initial management plan was the encroachment on the scenic values of the nearby Myilly Point Heritage precinct (Allom, 1988). These concerns were addressed by a visual impact assessment by Clouston Associates (2021). The existing vegetation along the escarpment screens the majority of Little Mindil Beach. Furthermore, the proposed viewing platforms in the Myilly Point Master Plan (2012), which were to provide vistas across Little Mindil Beach from the Myilly Point Heritage Precinct, were abandoned.

The vegetation along the escarpment and within the property screens the lower levels of the development and only permits highly filtered views of the upper levels. It is anticipated that a moderate visual impact will occur with a short section of the upper levels and roofline of the development being visible. The overall visual amenity will continue to be dominated by the escarpment vegetation. The glimpse through to East Point Reserve and harbour would be lost (Clouston Associates, 2012:25).

A ratings scheme was applied to the viewing areas, which assessed the impact on the views from the Myilly Point Heritage Precinct from the ground level and from the first floor of Nos 2 and 4 Burnett Place. The following ratings have been assigned to each viewpoint, with moderate impacts indicated by shaded cells (see Appendix 7 for view locations) (After Clouston Associates, 2021:27):

Viewpoint	Location	Rating
1	View west	2 Burnett Place at ground level Low
2	View west	2 Burnett Place at 1st floor level Moderate
3	View north	2 Burnett Place at ground level Moderate
4	View north	2 Burnett Place at 1st floor level Moderate
5	View west	4 Burnett Place at ground level Low
6	View west	4 Burnett Place at 1st floor level Moderate
7	View north	4 Burnett Place at ground level Moderate/ Low
8	View north	4 Burnett Place 1st floor level Moderate

On the basis of the rating scale, it was concluded that the proposed development would, overall, have a moderate impact on the Myilly Point Heritage Precinct, but it should not be an obstacle to approval of the development:

On balance it is the professional opinion of the authors of this assessment that the scale, character and visual catchment of the proposal will result in a moderate impact overall. On the basis that the proposal complies with the relevant planning heights and set-backs associated with the parcel of land, it is our opinion that the visual impacts on the heritage properties of the proposal does not constitute reasons to hinder planning approval (Clouston Associates, 2021:27).

The impact of the development on the site context of the Myilly Point Heritage Precinct was, therefore, negated, but the Director of the National Trust NT, Grace Foulds, raised another concern, which was the possible blocking of sea breezes (Hamilton, J. pers. comm., 26 July 2021). In response to this concern, SLR Consulting Australia Pty Ltd was engaged to do a wind assessment of the site. Of primary relevance to their report is their conclusion in regards to the surrounding areas, including the Myilly Point Heritage Precinct:

Around the development comprises of parkland, beach areas and mostly low residential buildings in all directions. Furthermore, there are 2 medium rise buildings, namely Mindil Beach Casino Resort and Myilly Point towers [sic] located north and south respectively.

North One Hotel and Apartments is situated close to the beach and will be built on the low-lying land at an RL of approximately 6.0m and with a maximum height of 27m. The

development is designed to have a large setback from surrounding areas and has a large cliff of approximately 19m to the south of the development.

Due to the recessed design of the development and the large setback from the surrounding areas it is expected that the development will have a negligible impact on the north to westerly sector winds or sea breezes that will impact the southerly buildings on top of the cliff (SLR, 2021:36).

The set back design of the proposed development, therefore, will have a minimal impact on the sea breezes flowing through the heritage precinct. Figures 15 to 18 show the latest concept plans of the proposed works, showing the setback from the escarpment and the screening effect on vistas already from existing vegetation.

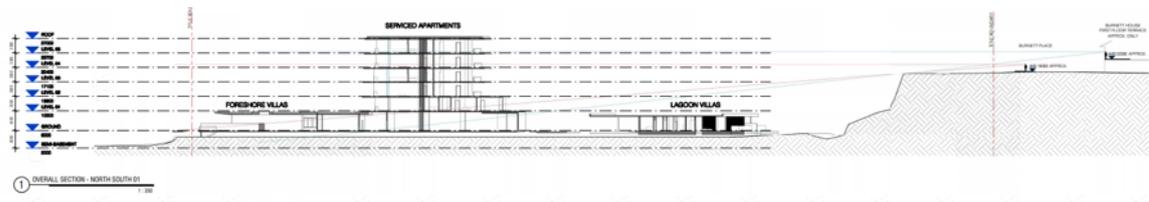


Figure 15. Latest proposed hotel site, Little Mindil Beach (After Hachem, n.d.:68 and 69).



Figure 16. 'Photographic Render - Indicative Outlook (from roadway in front of building) corresponds to Viewpoint 3. Note: Possible landscape mitigation approaches including cascading roof top planting and planters on floor levels not shown' (Clouston Associates, 2021:9).



Figure 17. 'Photographic Render - Indicative Outlook (from roadway in front of building) corresponds to Viewpoint 5. Note: Possible landscape mitigation approaches including cascading roof top planting and planters on floor levels not shown (Clouston Associates, 2021:9).



Figure 18. 'Planned Landscaping and Existing Landscaping' (SLR, 2021:26).

3.0 CONCLUSIONS

3.1 Conclusions

This report has been a desktop review of heritage assessment documents relating to the Myilly Point Heritage Precinct, in Darwin Northern Territory. The aim was to determine what impacts the proposed development would have on the heritage precinct.

The proposed development will not have a direct impact on the heritage precinct proper, although there were concerns of any development at Little Mindil Beach on the context of the Myilly Point Heritage Precinct. These have been assuaged by subsequent environmental reports that concluded that the vistas, hence context, were already obscured by the screening effect of the vegetation along the escarpment below the Myilly Point Heritage Precinct and that sea breezes would not be impeded through the precinct, as the proposed development is setback from the escarpment, creating a sufficient air gap. Appendices 5 and 6 show what vistas would have been preserved should viewing platforms been built out from the escarpment, but these developments did not eventuate. Maintaining the vegetation screening along the escarpment, which is protected by a covenant, will alleviate any impact the proposed development will have on the Myilly Point Heritage Precinct.

REFERENCES

- Allom Lovell Marquis-Kyle and Australian Heritage Commission. 1988. *Myilly Point conservation area, Darwin: management plan*. Australia: Allom Lovell Marquis-Kyle.
- Cabinet submission 881. 1980. Marina complex – suitable site. URL: https://tfhc.nt.gov.au/__data/assets/pdf_file/0003/266295/Decision_1026_small.pdf. Accessed 15 July 2021.
- Clouston Associates. 2021. Little Mindil – 25 Gilruth Ave, The Gardens: visual impact study. Unpublished report. Clouston Associates. Landscape Architects, Urban Designers, Landscape Planners. Level 5, 21 Knuckey Street, Darwin NT 0801.
- Cook, P. & National Trust of Australia (Northern Territory). 1990, *Myilly Point / compiled by Penny Cook*, National Trust of Australia, Northern Territory, Darwin.
- Department of Agriculture, Water and the Environment. (URL: <https://www.environment.gov.au/heritage/places/commonwealth-heritage-list>). Accessed 17 July 2021.
- Hachem. n.d. Little Mindil Darwin: Hachem concept presentation. Supplied.
- Heritage Council Northern Territory. 1995. Myilly Point Precinct, 2 Burnett Place, Larrakeyah. URL: http://www.ntlis.nt.gov.au/heritageregister/f?p=103:303:::NO:P303_PLACE_ID:109#. Accessed 17 July, 2021.
- Hunt Giles & Partners. 1984. *Architectural assessment, lots 1098, 1099, 1101 & 1102, Myilly Point, Darwin, N.T.*: Hunt Giles & Partners.
- H.W.C.K.G. (Firm). 1985. *Casino/tourist resort: Myilly point, Darwin*: HWCKG, 1985.
- Jones Lang Wootton (Firm). Hotel & Resort Division *et al.* 1985. *Myilly point Darwin: report on the development mix analysis and indicative feasibility for the Myilly Point and old Darwin hospital site casino complex*. Sydney: Jones Lang Wootton.
- Jung, S. 2020. Archaeological survey of hotel & apartment development site in Darwin – Little Mindil Beach. Unpublished report for KTT Investment Pty Ltd.
- Myilly point masterplan (2012). Darwin: National Trust and Mode Design.
- National Trust of Australia (Northern Territory) and Architects Studio Pty Ltd. 1999. *Conservation works on lot 1101 Myilly Point, Darwin: final report*. Darwin, N.T.: Architects Studio Pty.
- National Trust NT. 2021. ‘New tours for Myilly Point Heritage Precinct’. URL: <https://www.nationaltrust.org.au/news/new-tours-for-myilly-point-heritage-precinct/>. Accessed 25 August 2021.
- SLR. 2021. North One Hotel and Apartments: desktop environmental wind study. Unpublished report. SLR Consulting Australia Pty Ltd. Tenancy 202 Submarine School, Sub Base Platypus, 120 High Street, North Sydney NSW 2060.

APPENDIX 1 – Myilly Point Heritage Precinct master plan (Myilly Point Master Plan 2012)

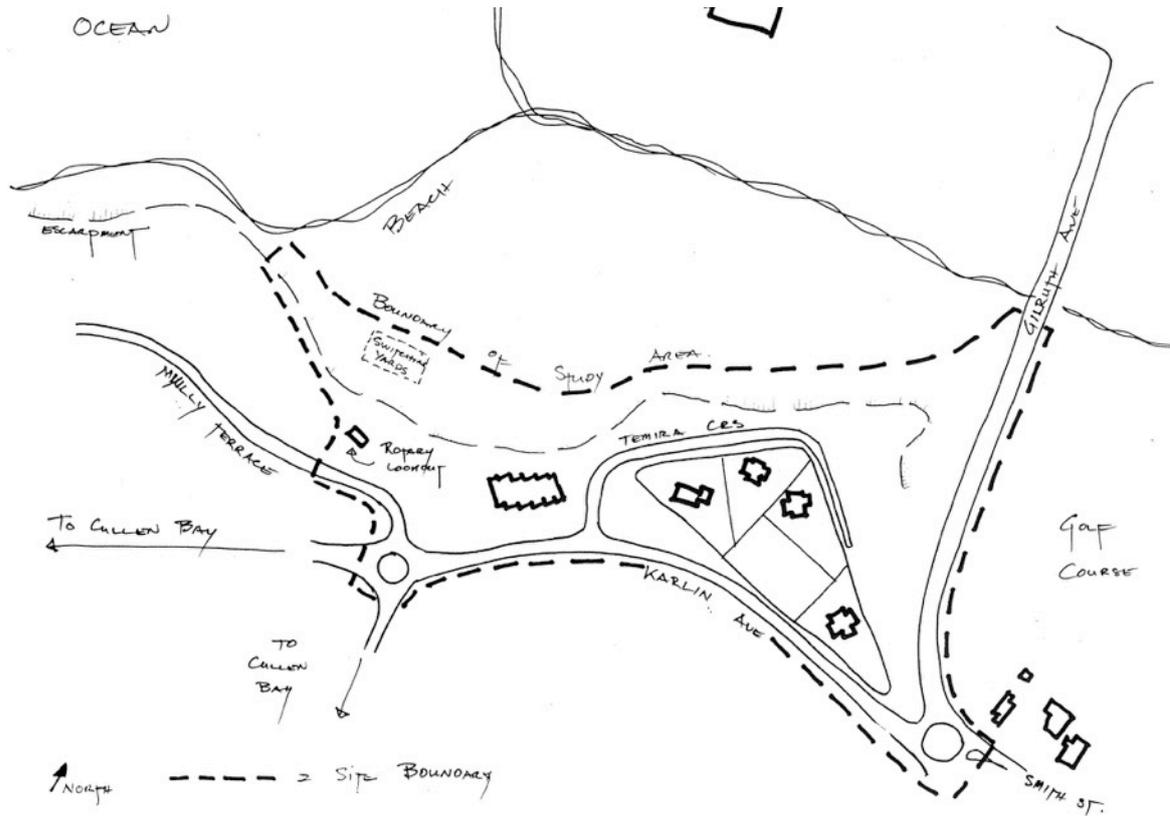


Figure 19. Boundary of study area. Note inclusion of extensive area of the cliff top.

APPENDIX 2 – Myilly Point Precinct – Instrument
(file:///Users/silvanojung/Downloads/Instrument.pdf. Accessed 16 July 2021).

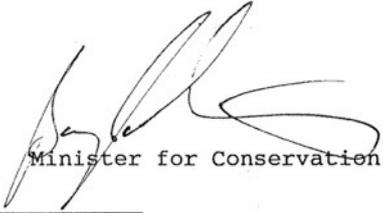
NORTHERN TERRITORY OF AUSTRALIA

Heritage Conservation Act

DECLARATION OF HERITAGE PLACE

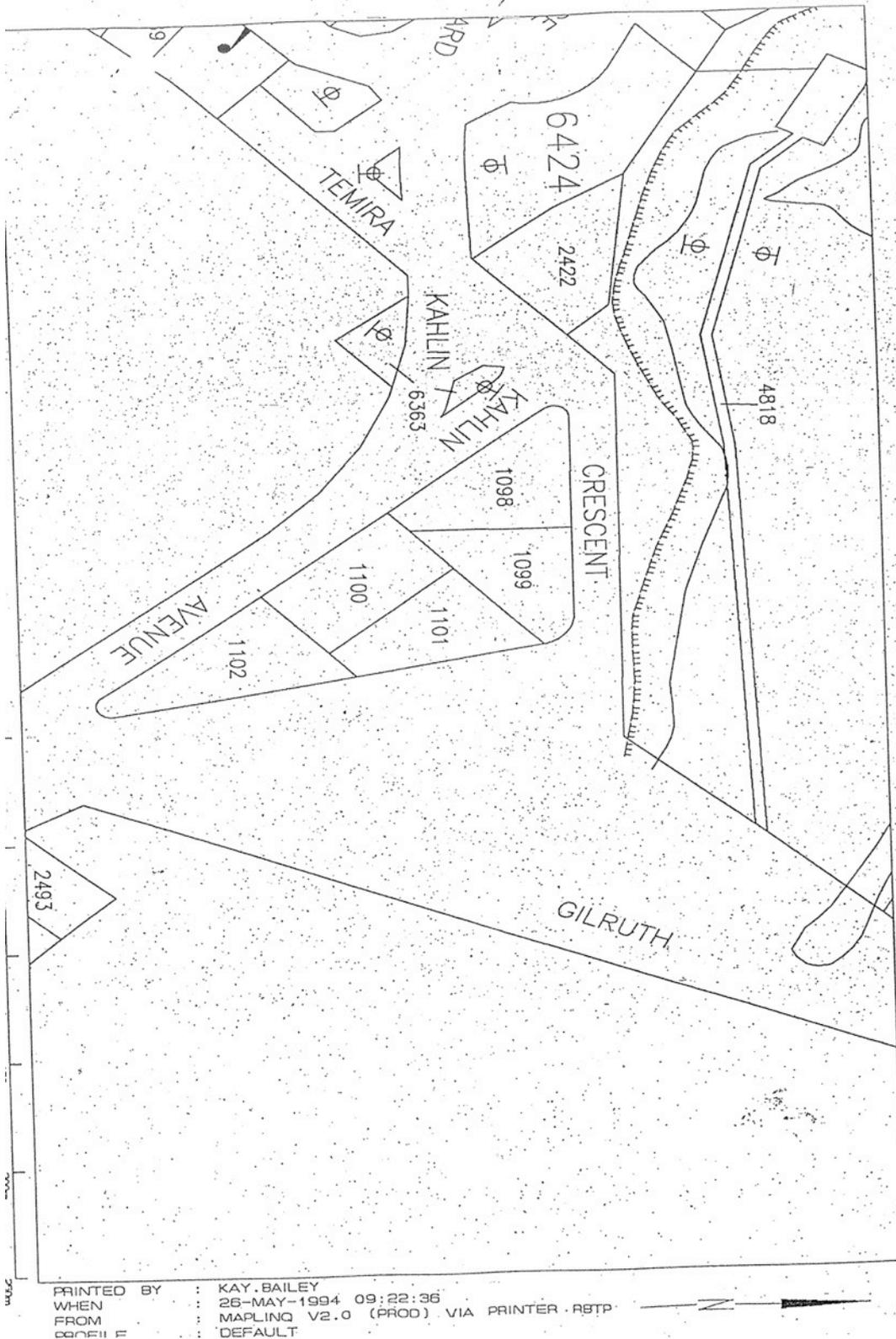
I, BARRY FRANCIS COULTER, the Minister for Conservation, in pursuance of section 26(1)(a) of the *Heritage Conservation Act*, on the recommendation of the Heritage Advisory Council and within the time specified in the section, declare the area specified in the Schedule, known as Myilly Point Precinct, to be a heritage place.

Dated 23 December 1994.


Minister for Conservation

SCHEDULE

ALL THOSE PARCELS OF LAND in the Northern Territory of Australia containing a total area of 9380 square metres more or less being Lots 1098 to 1102 (inclusive) Town of Darwin and being more particularly delineated on Survey Plan OP1104, lodged with the Surveyor-General, Darwin.





NORTHERN TERRITORY OF AUSTRALIA

Government Gazette

ISSN-1038-233X

No. 51

DARWIN

4 January 1995

Control of Roads Act

I, TREVOR GARGAN, Assistant Secretary, Operations, pursuant to the powers of the Minister for Transport and Works in the Northern Territory under Section 11A of the *Control of Roads Act* delegated to me by instrument dated 23rd May 1992, as from midnight 28 December 1994 until further notice advise that the Butterfly Gorge Access Road is closed as a result of various locations saturation of the black soil flats.

Dated 28th December, 1994.

T. GARGAN
Assistant Secretary,
Operations

1/95

Heritage Conservation Act

DECLARATION OF HERITAGE PLACE

I, BARRY FRANCIS COULTER, the Minister for Conservation, in pursuance of section 26(1)(a) of the *Heritage Conservation Act*, on the recommendation of the Heritage Advisory Council and within the time specified in the section, declare the area specified in the Schedule, known as Myilly Point Precinct, to be a heritage place.

Dated 23rd December, 1994.

B. F. COULTER
Minister for Conservation

SCHEDULE

ALL THOSE PARCELS OF LAND in the Northern Territory of Australia containing a total area of 9380 square metres more or less being Lots 1098 to 1102 (inclusive) Town of Darwin and being more particularly delineated on Survey Plan OP1104, lodged with the Surveyor-General, Darwin.

2/95

Poisons and Dangerous Drugs Act

PERMIT TO IMPORT AND USE HEPTACHLOR AND CHLORDANE

I, MICHAEL ANTHONY REED, the Minister for Health and Community Services, in pursuance of section 89 of the *Poisons and Dangerous Drugs Act*, permit a pest control operator who holds a license under section 56 of the Act ("the licensee") to import into the Territory, or use in the Territory, heptachlor and chlordane ("the poisons"), being Schedule 6 poisons, subject to the following conditions:

- (a) the licensee shall have successfully completed a course -
- (i) conducted by the Northern Territory University entitled "Use of Organochlorines Termiticides: Refresher Course"; or

- (ii) an equivalent course approved by the Chief Medical Officer;
- (b) the licensee shall only use or apply the poisons -
- (i) in the treatment of soil prior to the construction of a new building; and
- (ii) in accordance with the document entitled "Code of Practice for the Safe Use of Termiticides" as approved by the 108th Session of the National Health and Medical Research Council in November 1989 and published by the Commonwealth of Australia in 1990;
- (c) notwithstanding paragraph (b), where the prior approval of the Chief Medical Officer has been granted, chlordane may be used for the treatment of a termite infestation in an existing building;
- (d) the licensee shall, in a register (each page of which is to be numbered consecutively) -
- (i) maintain records indicating -
- (A) the date of receipt;
- (B) the source of supply;
- (C) the amount; and
- (D) the active ingredient and concentration; of each consignment of the poisons obtained by the licensee; and
- (ii) maintain records indicating -
- (A) the date;
- (B) the location;
- (C) the amount; and
- (D) the type, of each use or application of the poisons by the licensee;
- (e) the Chief Medical Officer, or a person authorised in writing by him, may, at any reasonable time, enter premises and examine and, if he or she thinks fit, copy or remove for copying, books (including a register referred to in paragraph (d)), documents and other records found on the premises which contain information relevant to the use of the poisons; and
- (f) the licensee shall, at the request of the Chief Medical Officer or an authorised person referred to in paragraph (e), produce a register referred to in paragraph (d),

on and from 1 January 1995.

Dated 30th December, 1994.

M. A. REED
Minister for Health and
Community Services

3/95

26/08/2021

Site Details



Heritage Council
Northern Territory

[Back to search results](#)

Myilly Point Precinct

2 Burnett Pl, Larrakeyah

[General](#) | [Significance](#) | [Gallery](#) | [Resources](#)



[More images...](#)

Status

Declared

Type

Place

Nominated

01/APR/93

Nomination Accepted

10/MAY/93

Assessment Report Considered

06/JUN/94

Signed By Minister

23/DEC/94

Publish Notice Of Declaration

21/JAN/95

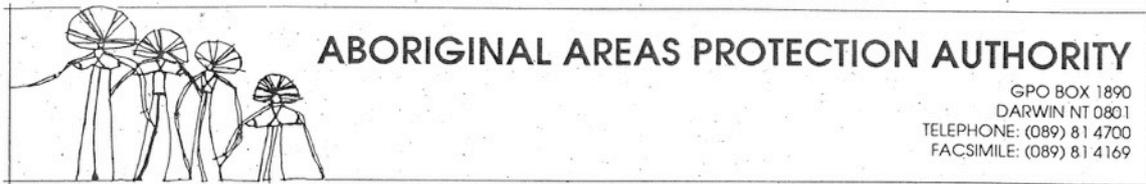
Gazetted

04/JAN/95

LGA

Darwin Municipality

APPENDIX 3 – Letter Aboriginal Areas Protection Authority (Myilly Point Master Plan 2012).



File: 90/312

Ref: 10371

27 June, 1994

Ms Anne Ransom
Landscape Architect
Ecosystems
GPO Box 4400
DARWIN NT 0801



RE: ABORIGINAL SITES WITHIN THE AREA OF MYILLY POINT HERITAGE PRECINCT.

Referring to your fax dated 21 June, 1994 seeking advice on the location of Registered sacred sites within the above area, I advise that the Aboriginal Areas Protection Authority has no Registered or Recorded sites within the area.

This does not necessarily mean that there are no sacred sites located in this area, but rather reflects the situation that Aboriginal custodians for this area have not sought protection for sacred sites under Northern Territory law and that no other information on the location of sites is available to the Authority.

The *Aboriginal Sacred Sites Act 1989* enables a person, wishing to make use of or carry out works on land in the Northern Territory, to request that the Aboriginal Areas Authority consult with custodians and provide written advice specifying the constraints (if any) to a particular development imposed by the existence of sacred sites. Section 20(3) of the Act also provides the opportunity for an Applicant to discuss the project with Aboriginal custodians at a meeting convened by the Authority.

The written advice provided by the Authority following the completion of the procedures established in Sections 20-22 of the Act is termed an "Authority Certificate" and sets out the conditions (if any) on which, under the Act, the proposed work may be carried out or use made of the land. As long as the holder of a Certificate complies with its conditions the holder is indemnified against prosecution under any of the offence provisions of the Act.

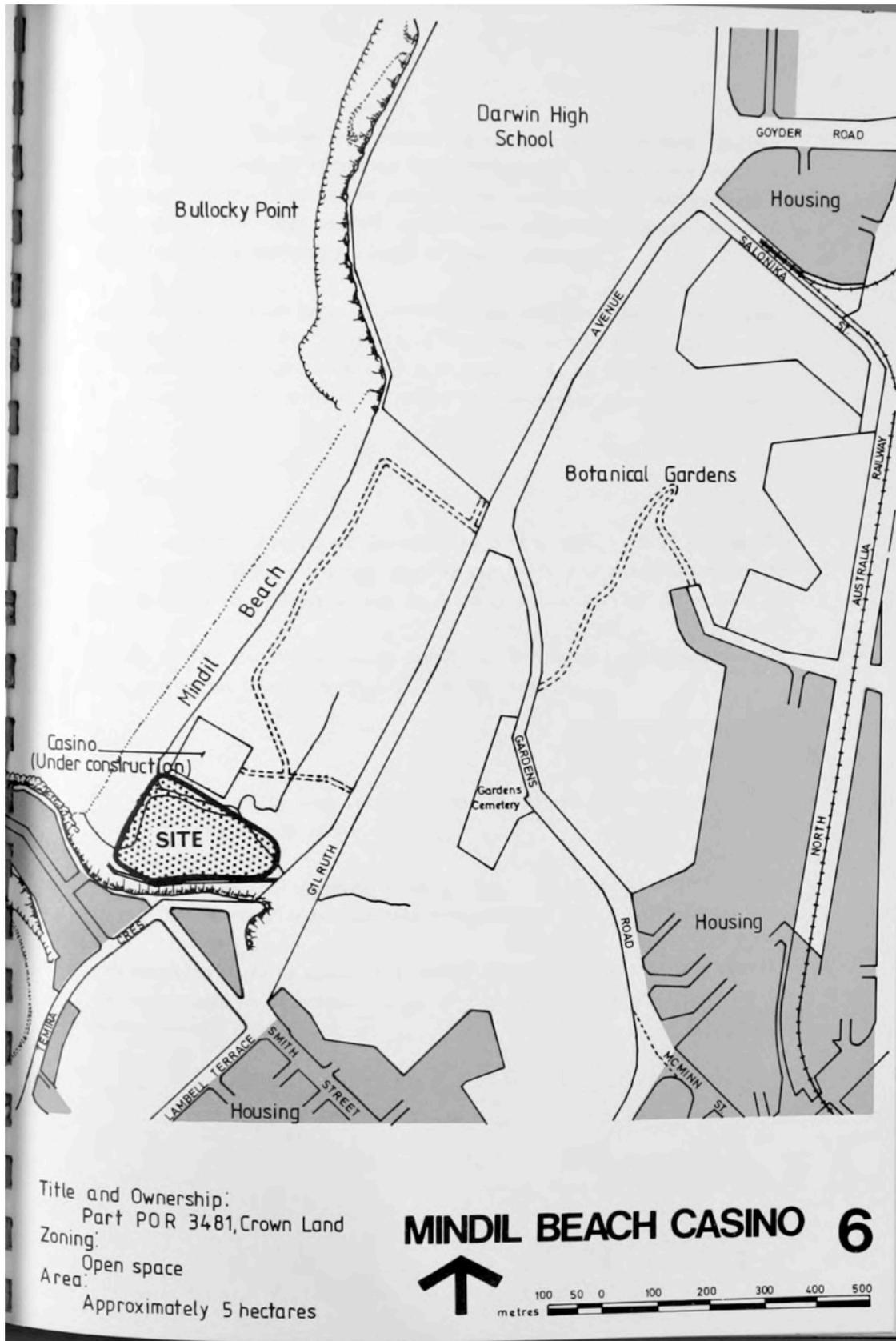
If you have any queries, please do not hesitate to contact Mr Barry Renshaw on 81.4700.

Yours faithfully

DAVID RITCHIE
Chief Executive Officer

AL10371

APPENDIX 4 – Proposed Little Mindil Beach Marina plans (Cabinet Submission 881, 1980).



APPENDIX 5 – Myilly Point Resort Plan 1985. Arrows indicate direction of preserved vistas (After H.W.C.K.G., 1985).





Myilly Point Heritage Precinct to the left of frame, overlooking pools (H.W.C.K.G., 1985).

APPENDIX 7 – Viewpoints (After Clouston Associates, 2021)



