

Jervois Road Activation - Expression of Interest Process



DARWINWATERFRONT
CORPORATION

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1. The Opportunity

1.1. Introduction

The Darwin Waterfront Corporation is calling for Expressions of Interest (**EOI**) from experienced proponents (**Proponents**) to develop and activate a parcel of Northern Territory Government owned land at the intersection between Huges Avenue, Kitchener Drive and Jervois Road (**Project**).

This EOI represents the first phase (**EOI Phase**). The objective of the EOI Phase is to facilitate high-quality proposals and shortlist one or more suitably qualified and experienced Proponents (each a **Shortlisted Proponent**) to proceed to the second phase, which is the Request for Proposals phase (**RFP Phase**). The Corporation may choose to not progress beyond the EOI Phase.

1.2. Opportunity

The Darwin Waterfront Corporation's vision is to develop the Darwin Waterfront in a consistent, master planned way that maximises public utility, activates the precinct and that continues to deliver premium offerings for locals, corporate and leisure visitors.

The Project presents an opportunity to develop and activate an area steeped in Darwin's history to maximum effect.

The Developer will carefully consider and integrate the history, heritage and neighbouring properties including the Administrator's Residence and Deckchair Cinema. Surrounding greenspace can be incorporated into non-exclusive ancillary functions of the Project (such as for example hosting weddings) and all proposals must prioritise the maximisation of public green space, public foreshore access and innovative design.

1.3. Project Objectives

The objectives of the Project (**Project Objectives**) are to develop a use of the Project Site that:

- a. Respects and complements the history, heritage and surrounding land uses;
- b. is sustainable in terms of the financial and commercial model under which it is delivered;
- c. aligns with the delivered Darwin Waterfront; and
- d. is developed and operated by an experienced Proponent.

1.4. Project Deliverables

The Developer will:

- a. undertake all necessary due diligence, including investigative assessments, planning and design;
- b. design, finance and construct the Project;
- c. operate and maintain the facilities; and
- d. ensure the development and operation complies with all relevant regulatory frameworks applicable from time to time.

1.5. Project Location

1.5.1. Project Site

The Darwin Waterfront Corporation has identified a site for the development located on the waterfront in the Darwin CBD (**Project Site**). The Project Site is at the intersection of Huges Avenue (Darwin's oldest road), Kitchener Drive (connecting the developed Waterfront Precinct and Fort Hill Parklands) and Jervois Road (connecting to the Deckchair Cinema and the City). The site is directly opposite Goyder Park, has sweeping Darwin Harbour views and provides a rare and exciting opportunity to develop within the vibrant Darwin Waterfront Precinct.

Project Site particulars	Details
Property	Part Lot 10881 Town of Darwin
Size	850sqm (approximate)
Zoning	Central Business (CB)
Municipality	Darwin Waterfront Precinct is managed by Darwin Waterfront Corporation under the <i>Darwin Waterfront Corporation Act</i> .

It is critical that the Project design integrates with the Darwin Waterfront Precinct, and is sympathetic to surrounding land uses.

Alternate sites for the Project within Lot 10881 **will not** be considered.

The proposed boundaries shown in Figure 1 below are indicative only, with final boundaries of the Project Site to be determined having regard to the Successful Proponent's development proposal and future survey.

The Darwin Waterfront Corporation will negotiate tenure throughout the RFT Phase. Freehold tenure is not available. Proponents should assume a sub-lease from the Darwin Waterfront Corporation (who will hold a head-lease from the Northern Territory Government. The Project Site may need to be subdivided from Lot 10881. Final tenure and terms, negotiated through the RFP Phase, will reflect the Project proposal and the nature of the Project investment.

EOI proposals should include high-level details of desirable tenure terms.

Additional land around the Project Site may be available for licencing ancillary to the Project. EOI proposals should indicate if this is desirable for negotiation in the RFP Phase.

Figure 1 - Project Site



1.5.2. Guiding Design Principles

The Darwin Waterfront Corporation has developed the following guiding design principles for the Project to assist Proponents. Proponents are encouraged to consider these principles when formulating proposals.

Guiding design principle	Description
Context and character	Respond to and enhance the distinctive characteristics of the waterfront area, the history of this site and its unique physical and cultural context
Connectivity and legibility	Connect culturally and physically to the surrounding waterfront and planned development and demonstrate integration with the precinct as a whole
Legibility	Create clear connections and easily identifiable elements to help people find their way around
Landscape quality	Embed landscape within the built form and its immediate surrounds as an integrated approach
Built form and scale	Ensure massing and height are appropriate for the location and to the waterfront's context and intended future character. Built height should be limited to 2 storeys.
Sustainability	Design optimises sustainability, delivering positive environmental, social and economic outcomes
Inclusivity	Design a place that is inclusive and allows everyone to participate regardless of age, ability or background

Guiding design principle	Description
Safety	Employ Crime Prevention Through Environmental Design principles to create a safe environment with good natural surveillance and active ground floor uses
Sound	Consider and demonstrate sensitivity to the immediate area, which includes historic residential and executive facilities, an outdoor cinema and public parklands with Heritage value.

In addition to the above, proponents must have regard to the Central Darwin Area Plan (Focus Area B Darwin Waterfront).

1.5.3. Darwin Waterfront Redevelopment (Stage 2)

The masterplan for the redevelopment of the Darwin Waterfront Precinct proposes to transform the precinct into one of Australia's leading integrated tourism and lifestyle destinations. The masterplan includes re-developed waterfront pools, tropical snorkelling lagoon, endless surf facility, accommodation offerings, park lands, play areas and commercial and retail opportunities.

The masterplan, which is subject to change, is available at www.waterfront.nt.gov.au/masterplan

1.5.4. Heritage, Sacred Site and Native Title considerations

The Project Site is located in close proximity to Goyder's Park and is in the area of the original Goyder's survey party camp. The area also has other heritage considerations like the Administrator's Residence and the history around Lover's Walk, Hughes Avenue and the old stairway. A Significant Tree also exists on the site.

Remotely proximate to the Project Site (directly adjacent to the DeckChair Cinema) is Recorded Sacred Site 5073-83 which features a Banyan Tree and a Spring. The Project Site is partially included in the Restricted Works Area for this Recorded Sacred Site, however the restriction is limited to a prohibition on any works or damage to any banyan tree or spring – neither are on or near the Project Site.

The NT Government's position is that there are no native title implications affecting the Project Site, and the NT Government is prepared to make a warranty to that effect.

2. Competitive Process

2.1. EOI Phase

The EOI Phase is the first phase of the Darwin Waterfront Corporation's competitive process to facilitate private sector delivery of the Project.

The purpose of the EOI Phase is to:

- raise awareness of the Project;
- invite concise, high-quality EOI Responses from experienced Proponents; and
- shortlist Proponent(s) to proceed to the RFP Phase.

EOI Responses should be concise and conceptual, limited to a maximum of 10 pages with some high-level concept design documentation.

2.2. RFP Phase

The Darwin Waterfront Corporation intends to shortlist one or more Proponents to proceed to the RFP Phase. The purpose of the RFP Phase is to:

- a. enable Shortlisted Proponent(s) to finalise all necessary due diligence;
- b. provide an opportunity for interactive meetings between Shortlisted Proponents and the Darwin Waterfront Corporation to assist in development of high quality proposals;
- c. enable Shortlisted Proponent(s) to submit proposals; and
- d. select a Shortlisted Proponent to undertake the Project.

2.3. Indicative Timeline

Indicative timeline for the progress of the Project is as follows. It is subject to change at the Darwin Waterfront Corporation's discretion.

Phase	Target Date
EOI Open	2 February 2026
Closing Time for EOI Responses (4:00pm AEDT)	2 March 2026
EOI evaluation and selection of Shortlisted Proponent(s)	ASAP

The Corporation reserves the right to change the dates in the indicative timeline set out above as it considers necessary or appropriate.

3. Evaluation Process

The Darwin Waterfront Corporation is committed to a process that is transparent, accountable and compliant with proper probity requirements.

The Darwin Waterfront Corporation will establish an Evaluation Committee to evaluate EOI Responses based on the Evaluation Criteria with a view to selecting one or more Shortlisted Proponents.

In evaluating EOI Responses, the Darwin Waterfront Corporation may take into account:

- a. the EOI Responses;
- b. any information provided by the Proponent in response to requests for clarification from the Darwin Waterfront Corporation;
- c. any information gathered by or brought to the attention of the Darwin Waterfront Corporation from the activities and considerations during the EOI Phase; and
- d. any other information that the Darwin Waterfront Corporation, in its absolute discretion, considers relevant to evaluating the EOI Responses.

There is no guarantee that any Proponent will be shortlisted or that there will be any subsequent stage of the Project.

Where the Darwin Waterfront Corporation and Evaluation Committee (in their absolute discretion) deem it necessary, the Evaluation Committee may conduct interactive processes with Proponents to assist in its evaluation and decision on shortlisting. The interaction may involve general enquiries with Proponents to

better understand or clarify their EOI Responses, but is not an opportunity to amend or vary the EOI Response. Any such interaction will be subject to appropriate probity arrangements.

3.1. Evaluation Criteria

The Evaluation Criteria that will be used to assess EOI Responses are outlined below.

The Darwin Waterfront Corporation reserves the right to vary or amend the Evaluation Criteria at any time with notice, take into account any information from its own and other sources in evaluating EOI Responses, accept or reject any EOI Response at any time irrespective of the extent to which it satisfies any of the Evaluation Criteria, and, at its absolute discretion, give preference to any one or more Evaluation Criteria over another.

3.1.1. Suitability (threshold criterion)

The Proponent will be evaluated on their suitability and the suitability the size and nature of their proposed Project. This is a threshold criterion only and will be assessed on a pass/fail basis.

The EOI Response Form must make it clear which entities comprise the Proponent

Proponents must provide the following information in respect of the Proponent and any Proponent Member:

- a. name, address, ABN/ACN number;
- b. name, address, telephone number and email address of the relevant contact person(s);
- c. details of any current or pending criminal charges or significant litigation that may impact on the Proponent; and
- d. where more than one entity comprises the Proponent, each entity's role in the Project.

If an EOI Response does not contain all necessary information required by the Darwin Waterfront Corporation, the Darwin Waterfront Corporation may request the Proponent to provide further information.

3.1.2. Capability and experience

Proponents must provide information to demonstrate the Proponent's prior skills and experience in successfully undertaking projects of a similar size, scale, nature and complexity.

3.1.3. Financial Capacity

Proponents will be evaluated on their financial capacity to complete the Project. Proponents are required to provide an outline of how the Proponent will fund the Project.

3.1.4. Proposal

Proponents will be evaluated on their proposal and the extent to which it aligns with the Project Objectives and Darwin Waterfront Precinct.

3.1.5. Program and Deliverability

Proponents will be evaluated on the proposed program and capacity to deliver the Project.

4. Communication and Enquiries

During the EOI Phase, Proponents may submit questions, requests for clarification and requests for further information.

The Darwin Waterfront Corporation will respond to Proponents and where applicable, coordinate requests for clarification or further information. Information provided to one Proponent may be provided to all potential Proponents to ensure appropriate probity.

5. Lodgement of EOIs

5.1. Closing Time

EOI Responses are to be received before **4:00pm (AEDT) on 2 MARCH 2026 (Closing Time)**.

5.2. Lodgement Requirements

EOI Responses are to be lodged via email to darwinwaterfront@nt.gov.au

Despite any intellectual property or ownership rights that may be set out in an EOI Response, the Darwin Waterfront Corporation is entitled to retain all documents and materials submitted as part of the EOI process.

EOI Responses lodged will not be returned to Proponents.

5.3. Darwin Waterfront Corporation Enquiries

After the Closing Time, the Darwin Waterfront Corporation may contact Proponents in relation to their EOI Responses to seek clarification or supplementary information.

5.4. Late Lodgement

Without limiting the Darwin Waterfront Corporation 's rights, if:

- an EOI Response is not lodged in the specified way by the Closing Time, the Darwin Waterfront Corporation may, in its absolute and sole discretion accept, consider, reject, or not consider, the EOI Response; and
- an EOI Response is lodged in the specified way by the Closing Time, and the Proponent seeks to lodge a further document relating to the EOI Response after the Closing Time, the Darwin Waterfront Corporation may, in its absolute and sole discretion accept, consider, reject, or not consider, that further document.

6. Terms and Conditions

6.1. Acceptance of Terms and Conditions

By submitting an EOI, the Proponent and Proponent Members acknowledge and agree to be bound by any terms and conditions provided to them through the process and all other provisions of this EOI.

6.2. Non-Conforming EOI Response

Without limiting any other provision in this EOI, the Darwin Waterfront Corporation in its absolute discretion may evaluate or not evaluate any EOI Response, which it deems to be non-conforming.

6.3. Proponents to undertake own Due Diligence

Proponents are required to undertake independent enquiries in connection with the Project.

6.4. Media and other Communications

Proponents must not use any media or other public communication channels:

- in a way which may reflect adversely on the Darwin Waterfront Corporation; or
- to comment about matters associated with the EOI Phase.

If a Proponent considers that it must make a market, public or media statement in relation to or in connection with the EOI Phase, it must first, to the extent reasonably possible, discuss the content of such statement with the Darwin Waterfront Corporation, and comply with any requirements which the Darwin Waterfront Corporation may stipulate in relation to the statement.

6.5. Influences

Without limitation to any other provision of this EOI, Proponents must not seek to influence the Darwin Waterfront Corporation in relation to the EOI Phase in any way (including but not limited to the offering or provision of favours, gifts, entertainment or other acts which could be construed as special treatment) other than through the EOI Phase requirements.

At the sole discretion of the Darwin Waterfront Corporation, any breach of this requirement may lead to exclusion from the EOI Phase.

6.6. Change in Circumstances

Proponents must inform the Darwin Waterfront Corporation promptly in writing of any material change to any of the information contained in the Proponent's EOI Response, and of any material change in circumstance which may affect the completeness or accuracy of any information provided in, or in connection with, the EOI Response.

6.7. Other Darwin Waterfront Corporation Rights and Discretions

Notwithstanding any other provision of this EOI, the Darwin Waterfront Corporation may do any one or more of the following at any time in its absolute discretion without giving reasons:

- withdraw, vary, amend, supplement or replace this EOI and/or cancel, vary or suspend or waive any aspect of the EOI Phase or other phases, including the stages or timing of the EOI Phase or other phases;
- reject any or all EOI Responses due to any non-compliance with this EOI or for any reason;
- vary the scope of the Project;
- seek further information to clarify any part of an EOI Response;
- negotiate with one or more Shortlisted Proponents and enter into Project Agreements without prior notice to any other Proponent;
- readvertise for new proposals or enter into discussions with any new party;
- conduct due diligence investigations as required and in any manner it considers appropriate;
- amend the Evaluation Criteria prior to the Closing Time, by giving written notification to Proponents;
- take into account any information from its own and other sources relating to Proponents as part of the evaluation process or relating to Proponents as part of any negotiations; or
- take such other action as it considers, in its absolute discretion, appropriate in relation to the EOI Phase.

6.8. No Claim

To the extent permitted by law, Proponents will have no claim against the Darwin Waterfront Corporation or the Northern Territory Government arising out of:

- this EOI or the EOI Phase;
- the Darwin Waterfront Corporation 's exercise, or failure to exercise, any rights under this EOI; or
- the negotiations conducted with a Proponent.

6.9. Conflicts of Interest

Proponents must make, in writing to the Darwin Waterfront Corporation, full, frank and prompt disclosure of any actual, potential or perceived conflict of interest:

- that exist or may exist at the time of submission of its EOI Response; and
- which may arise after the time of submission of its EOI Response.

The Darwin Waterfront Corporation reserves the right, in its absolute discretion, to undertake investigations to satisfy itself that there are no conflicts of interest or potential or perceived conflicts of interest which may preclude a Proponent from becoming a Shortlisted Proponent.

6.10. Probity Checks

The Darwin Waterfront Corporation may undertake probity checks in connection with the involvement of the Proponent in the EOI Phase. Such probity checks may include, in respect of each relevant person or entity:

- investigations into commercial structure, business and credit history;
- prior contract compliance;
- any criminal records or pending charges;
- interviews with any referees nominated; and
- research into any relevant activity that is or might reasonably be expected to be the subject of regulatory investigation.

6.11. No Contract

This EOI is not an offer, and the submission of an EOI Response will not result in a contract.

6.12. Admissibility

The Darwin Waterfront Corporation may, in its absolute discretion, declare an EOI Response inadmissible for assessment in circumstances where the Proponent is bankrupt or in liquidation.

The Darwin Waterfront Corporation may, in its absolute discretion, declare an EOI Response inadmissible for assessment where, in the reasonable opinion of the Darwin Waterfront Corporation (being based on fact or a reasonable belief), the Proponent has engaged in “improper conduct” as that term is defined in the *Independent Commissioner Against Corruption Act 2017 (NT)*.

6.13. No liability for Costs

The Darwin Waterfront Corporation and Northern Territory Government will not be responsible or liable for payment or reimbursement of any costs, expenses or loss which may be incurred by any person in the preparation of an EOI Response or otherwise in connection with the EOI Phase.