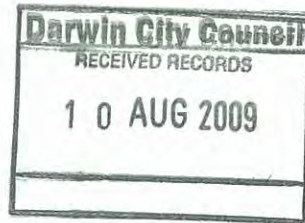


7 August 2009



The Chief Executive Officer  
Darwin City Council,  
GPO Box 84,  
DARWIN NT 0801



**SKYCITY Entertainment Group Limited**

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Attention: Mr Brendan Dowd

Dear Brendan,

**Car Park Access to Little Mindil – Lot 7651 Town of Darwin**

**Background**

SKYCITY Darwin Pty Ltd (**SKYCITY**) was selected by the NT Government as the successful proponent for the development of a low rise Tropical Tourist Resort in the Mindil Beach locality, facilitated by the sale of Lot 7651 Town of Darwin (Little Mindil) to SKYCITY.

The proposal submitted by SKYCITY was unique from competing proposals in that the low rise Tropical Tourist Resort would be constructed on SKYCITY's existing Gala Lawns rather than Little Mindil. Little Mindil is to be developed by SKYCITY as an open area and car park for SKYCITY events with certain guaranteed rights of public access and public use of Little Mindil. The design concept plan for Little Mindil is attached, showing the improvements to be made. This design concept is consistent with that presented by SKYCITY to Council in September 2007.

**Little Mindil Development Features**

Key features of the Little Mindil development are:

- levelling the Little Mindil site, grassing the site and the introduction of shade trees;
- revegetation of the escarpment including the removal of weeds and the maintenance of the vegetation incorporating a weed control program;
- creation of a monsoon vine forest landscape buffer at base of the escarpment;
- creation of a permanent public access easement on the southern side of the creek over a shared pedestrian and cycle pathway to be constructed along the top of the creek bank to link the existing pedestrian pathway on Gilruth Avenue to Little Mindil beach and a proposed promenade along the beach;
- lighting of pathways for public safety;
- removal of rubbish from the creek and the promotion of existing trees and mangroves;
- creation of a series of story boards along the Creekside public access pathway about the history of Little Mindil to present day;

- the provision of additional landscaped car parking linked with the existing car park via a new box culvert bridge (the bridge is to have the ability to accommodate emergency vehicle access to Little Mindil)

SKYCITY has also agreed with the Territory to construct a new promenade along the Little Mindil beachfront to link to Myilly Point to Council land on the northern side of the creek via a pedestrian footbridge.

The design has been developed to provide an enhanced amenity to be enjoyed by the public through the improvements outlined above.

### **Public Access Requirements**

SKYCITY wishes to facilitate public vehicular access to Little Mindil by way of a direct route through the existing Casino Car Park located on Council land (part of Lot 5772 Town of Darwin). The proposed access route is shown on the attached map and takes account of the existing topography, infrastructure and set up of the car park. The proposed access route can accommodate a 12.5m long heavy duty rigid truck (such as a fire truck or large service vehicle).

SKYCITY has determined that vehicular access to Little Mindil is not possible directly from Gilruth Avenue because of safety reasons. SKYCITY has also considered alternative access routes through SKYCITY land and at other points through Council land however such alternatives are not viable for the following reasons:

1. Alternative 2 on the attached sketch plan (whether accessed from SKYCITY land or Council land) must avoid the existing sacred site and then has the negative features of:
  - a. increasing the likelihood of interaction between vehicles and pedestrians moving from the car park towards the open space area, creating safety issues;
  - b. requiring additional road works and traffic on Little Mindil, reducing amenity;
  - c. requiring cars to enter the car park at one end rather than the centre, resulting in negative traffic flow issues within the car park;
2. Alternatives 1a, 1b and 1c on the attached sketch plan (whether accessed from SKYCITY land or Council land) were considered within the confines of the requirements of avoiding the sewerage pump station facility and the drainage system and outlet and were deemed unsuitable because:
  - a. they may encourage cars to cut corners through the two 90 degree bends immediately prior to the creek crossing;
  - b. they are less direct and intuitive for traffic flow; and
  - c. alternatives 1b and 1c can only accommodate an 8.8m long medium duty rigid truck.



### Form of Access Rights

To facilitate the proposed vehicular access by the preferred access route SKYCITY is seeking from Council an easement (to be registered on the title to Lot 5772 Town of Darwin) which would allow SKYCITY to:

- (a) construct (to the extent any additional works are necessary) and maintain the access route; and
- (b) have a right of way over the access area, which means that SKYCITY, its patrons and the public are able to (with or without vehicles) enter on and pass over and along the access route to gain access to the Little Mindil car park.

### Compensation

SKYCITY proposes that the compensation to be provided to Council for the grant of the requested easement is the landscaping of the Council road reserve between Gilruth Avenue and Little Mindil, further enhancing the amenity of the area for the general public.

SKYCITY believes that its works proposal (rather than any cash payments) is fairly reflective of:

- (1) the benefit that the general public will derive from the additional infrastructure and amenity provided by SKYCITY on Little Mindil;
- (2) the fact that SKYCITY will be responsible for costs of the construction and maintenance of any improvements associated with the access route;
- (3) the consistency of the access route proposal with existing facilities on Council's Lot 5772, noting that SKYCITY has rights to maintain such car park facilities until 2030; and
- (4) the lack of any viable access alternatives.

### Timing and Processes

SKYCITY is presenting its Tropical Tourist Resort and Little Mindil developments to Council at its meeting of 11 August 2009. It is hoped that this presentation will assist Council in understanding the proposed developments and the importance of the proposed access route in the overall scheme. SKYCITY is also looking forward to receiving any feedback from Council in relation to the proposed developments.

Because resolution of the issue of access is a matter to be considered by the Development Consent Authority as part of SKYCITY's Development Application under the *Planning Act*, and SKYCITY is looking to commence site works on Little Mindil before the end of 2009, your early response to the above would be appreciated.

If you have any queries or wish to discuss any aspect of the above, please contact me.

Yours sincerely



**Richard Angove**  
Manager, Capital Projects (Aust)

Encl.







