

# OPEN SECTION

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## DARWIN CITY COUNCIL

### ENVIRONMENT & INFRASTRUCTURE COMMITTEE

MONDAY 20 JULY 2009

MEMBERS: Member R K Elix (Chairman); The Right Worshipful, The Lord Mayor, Mr G R Sawyer, Member J L Sangster; Member G A Lambert; Member H D Sjoberg.

OFFICERS: Acting Chief Executive Officer, Mr F Crawley; General Manager Infrastructure, Mr L Cercarelli; Manager Climate Change & Environment, Mrs P Robinson; Manager Infrastructure Projects, Mr D Lelekis; Manager Infrastructure Maintenance, Mr K Smith; Assistant Committee Administrator, Mrs A Adams.

**Enquiries and/or Apologies: Amanda Adams**

**E-mail: [amanda.adams@darwin.nt.gov.au](mailto:amanda.adams@darwin.nt.gov.au) - PH: 89300 685**

**OR Phone Committee Room 1, for Late Apologies - PH: 89300 519**

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### *Committee's Responsibilities*

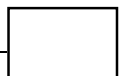
* Car Parking	* Public Facilities
* Council Buildings	* Roads
* Drainage	* Street Lighting
* Environmental Management	* Traffic Management
* Parks and Reserves	* Urban Enhancement
* Plant Management	* Waste Management

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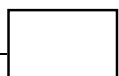


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Environment & Infrastructure Committee Meeting - Monday, 20 July, 2009

### **1 MEETING DECLARED OPEN**

### **2 APOLOGIES AND LEAVE OF ABSENCE**

#### **2.1 Apologies**

#### **2.2 Leave of Absence Granted**

### **3 ELECTED MEMBERS CONFLICT OF INTEREST DECLARATION**

### **4 CONFIDENTIAL ITEMS**

Nil



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Environment & Infrastructure Committee Meeting - Monday, 20 July, 2009**5 WITHDRAWAL OF ITEMS FOR DISCUSSION****COMMITTEE'S DECISION**

THAT the Committee resolve under delegated authority that all Information Items and Officers Reports to the Environment & Infrastructure Committee Meeting held on Monday, 20 July, 2009, be received and all recommendations contained therein be adopted by general consent with the exception of Item Number .....

DECISION NO.20\() (20/07/09)

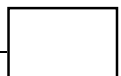
**6 CONFIRMATION OF MINUTES PERTAINING TO THE PREVIOUS ENVIRONMENT & INFRASTRUCTURE COMMITTEE MEETING****COMMITTEE'S DECISION**

THAT the Committee resolve that the minutes of the previous Environment & Infrastructure Committee Meeting held on Monday, 22 June, 2009, tabled by the Chairman, be received and confirmed as a true and correct record of the proceedings of that meeting.

DECISION NO.20\() (20/07/09)

**7 BUSINESS ARISING FROM THE MINUTES PERTAINING TO THE PREVIOUS ENVIRONMENT & INFRASTRUCTURE MEETING****8 INFORMATION ITEMS**

Nil



ENCL: YES

## DARWIN CITY COUNCIL

DATE: 09/07/09

### REPORT

**TO:** ENVIRONMENT & INFRASTRUCTURE  
COMMITTEE/OPENA

**APPROVED:** DL

**FROM:** GENERAL MANAGER INFRASTRUCTURE

**APPROVED:** LC

**REPORT NO:** 09TS0110 DL:cb

**COMMON NO:** 497836

**SUBJECT:** WOOLNER ROAD BLACK SPOT PROJECT PROGRESS REPORT -  
JULY 2009

#### ITEM NO: 9.1

#### SYNOPSIS:

Council has approved the construction of a roundabout in Woolner Road as part of its 2008/09 Black Spot Program. Additional Australian Government and Council funding has been approved which allows the project to proceed.

Additional funding will also be provided by the Northern Territory Government for the inclusion of works at the Stuart Highway/Woolner Road Street intersection and along Illiffe Street, as described below.

The scope of this project now includes:

- **Part A** – Woolner Road upgrade - Bishop Street to Brewery Place including road re-alignment of Illiffe Street, a new car park for the NT Fire and Rescue Services, a new roundabout at Brewery Place, landscaping and irrigation, and other works;
- **Part B** – Stuart Highway/Woolner Road intersection upgrading works; and
- **Part C** - Illiffe Street stormwater drainage works.

The total scope of works is depicted in **Attachment A**.

This report provides Council with an update on project progress and project finances, and is the second of a series of monthly progress reports on this project.

**GENERAL:**

Progress in regard to the main aspects of the Woolner Road Upgrade – Stuart Highway to Brewery Place project is summarised below:

**Tendering and Contract Award**

Three tenders were received for the combined project, with Downer EDI Works, Wolpers Grahl and Ciarla Constructions making submissions. On the basis of best value for money, a contract has been awarded to Downer EDI Works' for the project.

**Commencement Date**

The project commencement date was 9 June 2009 (date of Acceptance of Tender) and works commenced on-site on Tuesday, 30 June 2009 following an induction meeting held at the Downer EDI Works site office.

**Public Relations, Information and Media Event**

A media event occurred on-site on Friday 12 June 2009 with Darwin City Council, Northern Territory Government and Australian Government representatives amongst those present.

Letters were mailed out and/or letter-dropped to residents/owners/occupiers/entities of properties along Bishop Street, Illiffe Street, Brewery Place, Jolly Street and City Valley, informing of the works planned and the timing of same after the abovementioned media event.

Variable message boards were in place from 14/07/2009 to 29/07/2009 to inform road users of the planned works and possible traffic disruption during the works. These have now been removed as they do not form part of the Traffic Management Plan being implemented by the Contractor on this project.

The media campaign (including print and radio) to be undertaken over the life of the project to ensure the community is well informed has now moved to a construction focus. When construction is completed the media campaign focus will shift into post-construction mode, acknowledging the roles the key players had in delivery of a successful outcome and thanking the travelling public for their patience during the project delivery period.

**Contract Period**

The contract period for this project is 16 weeks. The works are expected to be completed by the end of October 2009.

**Aboriginal Areas Protection Authority Certificate (AAPA)**

An AAPA Certificate covering the area of works was applied for in April 2009, has been issued and the conditions outlined in the approval are being addressed.

### **Land Tenure Issues**

Portions of Crown land will be converted into road reserve as the result of the works. Darwin City Council staff are liaising with Northern Territory Government Officers to progress and finalise these arrangements. This land tenure process will not delay the project.

Negotiations are also taking place with Telstra Corporation in regard to a property boundary that will require truncation and the associated land issues.

### **FINANCIAL IMPLICATIONS:**

The estimated cost of the project (excluding Northern Territory Government's components) prepared by quantity surveyors prior to going to tender was \$2.88million. This includes all civil works, landscaping, marketing/communication and contingencies.

Council has secured funding from the Australian Government Black Spot Program totalling \$1,672,000. The difference is being funded by Council in the 2008/2009 and 2009/2010 financial years.

The Northern Territory Government components will be fully funded by Government with Council undertaking project management on their behalf.

A Schedule of Rates Contract has been awarded to Downer EDI Works Pty Ltd for an estimated value of \$2,056,826 (GST exclusive). In addition to this component Council will be undertaking a number of associated activities directly, e.g. service relocation.

#### **Estimated Income**

Source	Budget	
Australian Government	\$1,672,000	Payments as per grant conditions
Northern Territory Government	\$407,400	Payments as per agreed conditions
Darwin City Council	\$1,208,000	Funding over 2008/2009 & 2009/2010
<b>Total</b>	<b>\$3,287,400</b>	

#### **Estimated Expenditure**

Project Component	Budget	Actual To Date
Part A (Blackspot)	\$1,978,885	\$190,970
Part B (NTG)	\$215,326	\$26,540
Part C (NTG)	\$192,074	\$5,250
Contingencies	\$300,000	Nil
<b>Total</b>	<b>\$2,686,285</b>	<b>\$222,760</b>

*(Note: all figures are GST exclusive)*

### **STRATEGIC PLAN IMPLICATIONS:**

The issues addressed in this Report are in accordance with the following Goals/Strategies of the Darwin City Council 2008 – 2012 as outlined in the 'Evolving Darwin Strategic Directions: Towards 2020 and Beyond':-

#### **Goal**

1 Achieve Effective Partnerships and Engage in Collaborative Relationships

#### **Outcome**

1.1 Improve relations with all levels of Government

#### **Key Strategies**

1.1.1 Effectively engage with Territory and Australian Government officials, particularly in the Darwin region

1.1.3 Develop partnerships and joint projects with other levels of government

1.1.4 Play a strategic role in the planning and developmental processes that impact Darwin

#### **Goal**

3 Assist Individuals and the Community Stay Connected with the Darwin Region

#### **Outcome**

3.2 Enhance transport systems

#### **Key Strategies**

3.2.2 Continue to manage and maintain the municipal road network and infrastructure to a standard that meets the needs of the community

### **LEGAL IMPLICATIONS:**

Nil.

### **ENVIRONMENTAL IMPLICATIONS:**

Nil.

### **PUBLIC RELATIONS IMPLICATIONS:**

The Infrastructure Department will work closely with the Marketing and Communications Manager to implement the public relations and communications strategy for this project to ensure that the general public, funding bodies and other stakeholders are well informed.

Council will make use of paper, radio and television media to promote this key project.



**COMMUNITY SAFETY IMPLICATIONS:**

Positive. The Woolner Road Project meets the criteria for Black Spot funding and as such, has a history of accidents. Delaying the project would have negative implications for community safety.

**DELEGATION:**

Nil.

**CONSULTATION:**

Team Leader Design  
Manager Communication & Marketing  
General Manager Infrastructure  
Business Support Officer Infrastructure  
Various DPI Officers

**PROPOSED PUBLIC CONSULTATION PROCESS:**

Extensive public and stakeholder consultation has been undertaken during the planning and design phases and will continue as required prior to and during construction.

Ongoing as per the adopted public relations and communications strategy.

**APPROPRIATE SIGNAGE**

Signage delineating a Black Spot, Northern Territory Government and Council funded project has been erected prior to construction commencing and will be in place for the duration of the project.

**RECOMMENDATIONS:**

THAT it be a recommendation to Council:-

THAT Report Number 09TS0110 DL:cb entitled Woolner Road Black Spot Project Progress Report - July 2009, be received and noted.

**DROSSO LELEKIS**  
**MANAGER INFRASTRUCTURE**  
**PROJECTS**

**LUCCIO CERCARELLI**  
**GENERAL MANAGER**  
**INFRASTRUCTURE**

Any queries on this report may be directed to Drosso Lelekis on 8930 0414.

ENCL: YES

## DARWIN CITY COUNCIL

DATE: 10/06/09

## REPORT

TO: ENVIRONMENT & INFRASTRUCTURE  
COMMITTEE/OPENA

APPROVED: JW

FROM: GENERAL MANAGER INFRASTRUCTURE

APPROVED: LC

REPORT NO: 09TS0098 JW:cb

COMMON NO: 1494696

SUBJECT: PERMIT TO OCCUPY AREA OF LAND ADJACENT TO LOT 4356  
MARLOW ROAD, BERRIMAH BY KORMILDA COLLEGE

## ITEM NO: 9.2

**SYNOPSIS:**

A request has been received from Kormilda College to purchase a portion of the Marlow Road, Berrimah, road reserve for the purpose of expanding their school grounds for the use of horticultural and rural studies.

This report recommends that a permit be issued to Kormilda College to occupy a portion of road reserve on Marlow Road for the purposes of environmental and horticultural studies and training for the College.

**GENERAL:**

In December 2008 Kormilda College approached Council requesting the possibility of acquiring the Marlow Road, Berrimah, road reserve which is located close to the College at lot 1044. It is proposed to use the area to further the horticultural and rural studies including such things as crop planting, companion crops, land management and reclamation techniques.

The area of road reserve being discussed is bordered by Northern Territory Government land on both sides.

The correspondence to Council from the College regarding the matter and the subsequent discussions indicated that they have negotiated with the Northern Territory Government the transfer of lot 4356 and are in further discussions for the transfer to the College of lots 1534 and 389 at some time in the future depending on the Tiger Brennan Road works. **Attachment A**, indicates the relevant areas.

The section of Marlow Road being considered is currently undeveloped with numerous service corridors located in the vicinity, i.e. overhead power lines. It is considered unlikely that Council will require the use of the Marlow Road, road reserve for traffic purposes in the foreseeable future.

It is proposed to issue a permit to occupy the road reserve from Berrimah Road to Tiger Brennan Road to the College, with the following stipulations;

- The permit is dependant on the College acquiring lot 4356 from the Northern Territory Government, (Correspondence to Department Planning Infrastructure has been initiated to confirm the status of the surrounding lots.)
- That there is no objections from the Minister, and
- That no permanent structures are to be built on the land.

The benefit of issuing a permit to occupy is the flexibility to develop the road at a later time if the situation changes and the speed of the transaction. The alternative to a permit is a road closure which limits flexibility, is a long process and is considered unnecessary.

A permit to occupy will enable the College to use the area for environmental and horticultural studies and training as proposed by the College in their initial correspondence. They have no objections to the issuing of a permit.

Prior to the issuing of a permit Council must undertake a temporary closure in accordance with the Local Government (Administration) Regulations.

### **FINANCIAL IMPLICATIONS:**

It is not proposed to charge an annual permit fee for the occupation of the road reserve however any initial costs to set up the permit will be charged to the College.

### **STRATEGIC PLAN IMPLICATIONS:**

The issues addressed in this Report are in accordance with the following Goals/Strategies of the Darwin City Council 2008 – 2012 as outlined in the 'Evolving Darwin Strategic Directions: Towards 2020 and Beyond':-

#### **Goal**

- 1 Achieve Effective Partnerships and Engage in Collaborative Relationships

#### **Outcome**

- 1.2 Effectively engage with community

#### **Key Strategies**

- 1.2.1 Engage, communicate and work collaboratively with the community including schools.

**LEGAL IMPLICATIONS:**

An occupation permit will be issued for 5 years with a 5 year option. The permit will provide that Council may terminate the permit at any time by providing 12 months notice in writing, the permit holder will be required to provide \$20 million public liability insurance and indemnify Council.

The following provisions of the Local Government (Administration) Regulations will apply:

**20. Substantial temporary road closure**

(1) If a council proposes to close a road temporarily but for a substantial period (at least 1 month), the council must, before proceeding with its proposal, consult with the Minister (or the Minister's nominee) and the MLA for the electoral division in which the road is situated.

(2) The council:

(a) must carefully consider written submissions made by the Minister (or the Minister's nominee) and the MLA in the course of the consultation; and

(b) must not proceed with the closure unless satisfied that the reasons for the closure justify the disruption to traffic resulting from the closure.

(3) However, this regulation does not apply if:

(a) the road to be temporarily closed is a laneway; or

(b) the road closure is urgently necessary in the interests of safety.

**ENVIRONMENTAL IMPLICATIONS:**

There are no environmental implications to Council.

**PUBLIC RELATIONS IMPLICATIONS:**

The College has an aim to offer horticulture/agriculture studies as part of its curriculum which requires open space to undertake the practical requirements. The use of the road reserve is a logical extension and in conjunction with the land offered by Government will provide a good training area.

An offer by Council to provide the section of road reserve is a positive move for the community and the education of students in environmental studies. The extension of the College into this area will provide substantial learning abilities.

PAGE: 4  
REPORT NUMBER: 09TS0098 JW:cb  
SUBJECT: ACQUISITION OF LAND ADJACENT TO LOT 1044 MARLOW ROAD,  
BERRIMAH BY KORMILDA COLLEGE

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**COMMUNITY SAFETY IMPLICATIONS:**

The area will be fenced and considered by the public as College land.

**DELEGATION:**

Nil

**CONSULTATION:**

Manager Business Services – Liam Carroll

**PROPOSED PUBLIC CONSULTATION PROCESS:**

In line with Councils statutory requirements it is proposed to

- Advertise the closure in the NT News,
- Inform adjacent land owners, i.e. Department Planning Infrastructure and section 5389 Hundred of Bagot, consisting of the Hidden Valley Industrial Estate, and
- Local area MLA.

**APPROPRIATE SIGNAGE**

Nil

PAGE: 5  
 REPORT NUMBER: 09TS0098 JW:cb  
 SUBJECT: ACQUISITION OF LAND ADJACENT TO LOT 1044 MARLOW ROAD,  
 BERRIMAH BY KORMILDA COLLEGE

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### **RECOMMENDATIONS:**

THAT it be a recommendation to Council:-

- A. THAT Report Number 09TS0098 JW:cb entitled Acquisition of Land Adjacent to Lot 4356 Marlow Road, Berrimah by Kormilda College, be received and noted.
- B. THAT Council issue a Permit to Occupy to Kormilda College for the area of Marlow Road reserve adjacent to lot 4356 and extending from Berrimah Road to Tiger Brennan Road as indicated on the **Attachment A** of Report Number 09TS0098 JW:cb, subject to;
  - Ministerial consent,
  - The acquisition of lot 4356 from the Northern Territory Government,
  - That no permanent structures are to be built on the land,
  - All fees and charges associated with the permit, excluding an annual fee being paid by Kormilda College, and
  - The permit being for a period of five years with a five year option.
  - No objections received during consultation phase of Temporary Closure
- C. THAT Darwin City Council pursuant to Section 32 (2) of the Local Government Act 2008 hereby delegates the Chief Executive Officer the power to undertake temporary closure of Marlow Road accordance with the Local Government (Administration) Regulations and consult with the Minister for Local Government in relation to this matter as prescribed within section 20 of the Local Government (Administration) Regulations.
- D. THAT Darwin City Council pursuant to Section 32 (2) of the Local Government Act 2008 hereby delegates the Chief Executive Officer the power to negotiate and authorise the Permit to Occupy for the area of Marlow Road reserve standard closure adjacent to lot 4356 and extending from Berrimah Road to Tiger Brennan Road as indicated on the **Attachment A** of Report Number 09TS0098 JW:cb.

**JOY WELSHMAN**

**DEVELOPMENT TEAM LEADER**

**LUCCIO CERCARELLI**

**GENERAL MANAGER INFRASTRUCTURE**

Any queries on this report may be directed to Joy Welshman on 8930 0413.

ENCL: YES

**DARWIN CITY COUNCIL****DATE:** 22/06/2009**REPORT****TO:** ENVIRONMENT & INFRASTRUCTURE  
COMMITTEE/OPEN A**APPROVED:** JW**FROM:** GENERAL MANAGER INFRASTRUCTURE**APPROVED:** LC**REPORT NO:** 09TS0102 JW:cb**COMMON NO:** 1558291**SUBJECT:** OFFER OF LAND - LOT 5249 HENRY WRIGLEY DRIVE, MARRARA**ITEM NO: 9.3****SYNOPSIS:**

The Minister for Planning and Lands has written to Council with an offer of land over Lot 5249, (**Attachment A**) following an initial request made by Council in 1998. (**Attachment B**)

The initial process was delayed due to Native Title issues which have now been resolved. The Council requires to sign and seal attached documents in order to accept the Minister's offer.

**GENERAL:**

This Report recommends the acceptance of the offer from for the transfer land from the Government to Council to be incorporated into the Yankee Pools area of Rapid Creek.

In 1998 Council as a result of the Rapid Creek Catchment Advisory Committee applied for a transfer of section 5249, Hundred of Bagot from the Northern Territory Government. In 1999, the Northern Territory Government offered this section to Darwin City Council.

Due to time delays involved in undertaking the required survey and subdivision consent and a land title claim, the offer lapsed and has been renewed twice.

In 1999 and 2000 Council resolved to accept the offer.

**Incorporation of Section 5249(A) Hundred of Bagot into Yankee Pools Area**

File No.DS5 Report No.99/TS1581 RDM:cp (13/09/99)

- A. THAT Report Number 99/TS1581RDM:cp entitled Incorporation of Section 5249(A) Hundred of Bagot into Yankee Pools Area be received and noted.
- B. THAT the offer be accepted and the documents be executed under the Council's Common Seal and signed by the Lord Mayor and Chief Executive Officer.

DECISION NO.17\4775 (28/09/99)

Carried

**Signing and Sealing of Acceptance of Offer Section 5249 (A) Hundred of Bagot(Into Yankee Pools Area)**

External Ref No.00A0139 MJ:lae (25/10/00)

- A. THAT Report Number 00A0139 MJ:lae entitled Signing And Sealing Acceptance Of Offer Section 5249(A) Hundred Of Bagot (Into Yankee Pools Area) be received and noted.
- B. THAT the offer from Lands Planning & Environment to Council for additional land, being Section 5249(A) Hundred of Bagot, for incorporation into land identified for the management of Yankee Pools area at Rapid Creek, be accepted and the following documents be authorised to be executed under the Council's Common Seal and signed by the Lord Mayor and Chief Executive Officer:

- (i) Letter of Offer from Lands Planning and Environment

DECISION NO.18\765 (31/10/00)

Carried

The transfer of this area is still supported by Council officers as it will enhance the native corridor of the Yankee Pools area. As a result of lapsed time and the Minister's recent offer Council is required to repeat the process and again accept the Government's offer under Common Seal.

The document for signing has been prepared by the Lands Administration Division of Department of Planning and Infrastructure **Attachment A**. In addition, a further extension to this correspondence has been sought and granted to facilitate this report, the appropriate survey and signing. The extension of the offer is granted until the 30 September 2009.

**FINANCIAL IMPLICATIONS:**

There will be a cost in transferring titles and ongoing costs with maintenance. The area is native bushland and will be maintained as such as part of the native area already mentioned by Council.



**STRATEGIC PLAN IMPLICATIONS:**

The issues addressed in this Report are in accordance with the following Goals/Strategies of the Darwin City Council 2008 – 2012 as outlined in the 'Evolving Darwin Strategic Directions: Towards 2020 and Beyond':-

**Goal**

- 1 Achieve Effective Partnerships and Engage in Collaborative Relationships

**Outcome**

- 1.1 Improve relations with all levels of Government

**Key Strategies**

- 1.1.1 Effectively engage with Territory and Australian Government officials, particularly in the Darwin region.  
1.1.4 Play a strategic role in the planning and developmental processes that impact Darwin.

**LEGAL IMPLICATIONS:**

This issue is not considered confidential.

**ENVIRONMENTAL IMPLICATIONS:**

The area has been previously identified by the Rapid Creek Advisory Committee as an area of significance for flora and fauna.

**PUBLIC RELATIONS IMPLICATIONS:**

Nil

**COMMUNITY SAFETY IMPLICATIONS:**

Nil

**DELEGATION:**

Nil

**CONSULTATION:**

Nil

**PROPOSED PUBLIC CONSULTATION PROCESS:**

Nil

**APPROPRIATE SIGNAGE**

Nil

**RECOMMENDATIONS:**

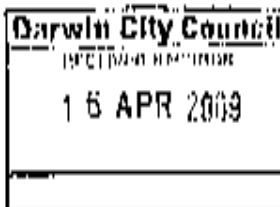
THAT it be a recommendation to Council:-

- A. THAT Report Number 09TS0102 JW:sv entitled Offer Of Land - Lot 5249 Henry Wrigley Drive, Marrara, be received and noted.
- B. THAT Council accept the offer from Minister for Planning and Lands Section 5249(A) Hundred of Bagot, for incorporation into land identified for the management of Yankee Pools area at Rapid Creek.
- C. THAT Darwin City Council, pursuant to Section 26 (2) of the Local Government Act 2008, hereby authorises the document (**Attachment A**) attached to Report Number 09TS0102 JW:cb, entitled, Offer of Land - Lot 5249 Henry Wrigley Drive, Marrara be executed under the Council's Common Seal and signed by the Lord Mayor and Chief Executive Officer

**JOY WELSHMAN**  
**DEVELOPMENT TEAM LEADER**

**LUCCIO CERCARELLI**  
**GENERAL MANAGER INFRASTRUCTURE**

Any queries on this report may be directed to Joy Welshman on 8930 0413.



## MINISTER FOR PLANNING AND LANDS

PARLIAMENT HOUSE  
STATE SQUARE  
DARWIN NT 0801

GPO BOX 1146  
DARWIN NT 0801  
TELEPHONE (08) 8901 4047  
FACSIMILE (08) 8901 4149

Mr Graeme Sawyer  
The Right Worshipful  
The Lord Mayor of Darwin  
GPO Box 84  
DARWIN NT 0801

Dear Lord Mayor

I am aware that Darwin City Council has made application for title over Section 5249, Hundred of Bagot on two occasions in the past and that the second of these applications could not proceed due to the presence of a native title claim over the area. Following the determination of the Federal Court in the Larrakia A claims, native title is no longer an impediment to the issue of title to Section 5249.

I am therefore pleased to offer the Darwin City Council (ABN 11 503 313 301) an estate in fee simple, at nil cost, over proposed Section 5249, Hundred of Bagot. A copy of approved Survey plan S2007/189 showing proposed Section 5249 is at Appendix A.

This offer is subject to:

- any easements required by the relevant service authorities and the Northern Territory Government, being granted at nil cost to the Northern Territory of Australia;
- Darwin City Council paying any stamp duty applicable over proposed Section 5249, as assessed by the Commissioner of Taxes;
- Darwin City Council signing the enclosed copy of this letter and survey plan at Appendix A, **on each page under seal**, thereby signifying its acceptance of the conditions of the offer, and returning the enclosed documents within 60 days of the date of this letter to:

Director  
Land Administration  
Department of Planning and Infrastructure  
GPO Box 1680  
DARWIN NT 0801  
Attention: Ms Merinda Tinkham



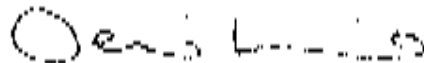
It has been noted that Council have previously paid document preparation fees in relation to proposed Section 5249. Council will not be required to pay the fee again.

In the event that the above requirements pertaining to dot points one and two cannot be met within three (3) months from the date of this letter, this offer will automatically lapse, unless Council have sought and been granted a written extension of time prior to the expiry date.

Once the above requirements have been met, an estate in fee simple will issue over proposed Section 5249, subject to the statutory requirements of the *Crown Lands Act*.

Please contact Ms Merinda Tinkham, the Department's representative, on telephone 8999 8596 should you require further information or assistance on this matter.

Yours sincerely



DELIA LAWRIE

14/4/2019



Page 1 of 1.



# DARWIN CITY COUNCIL

CIVIC CENTRE DARWIN NORTHERN TERRITORY  
LORD MAYOR'S OFFICE

98/751619 RDM:nc  
MONSTER : 11/7/98

DATE	1 - 10 - 98
FROM	98/1985
TO	

30 SEP 1998

Ken Mack Palmer MLA  
Minister for Lands, Planning & Environment

PO Box 3146

DARWIN NT 0801

Dear Minister

## RAPID CREEK CATCHMENT ADVISORY COMMITTEE : YANKEE POOLS LAND MANAGEMENT

The Rapid Creek Catchment Advisory Committee has been attempting to facilitate a management process and maintenance regime for the land covering the "Yankee Pools" area.

The land concerned is held by four owners, namely Defence, Airports International Group, Department of Lands, Planning & Environment (as VCL) and Darwin City Council. The small triangle of land held by DCC at the Henry Whitley Drive end of the site should appropriately be increased in width by at least 50 metres. This would, in the event that any commercialisation of the VCL takes place, provide a more appropriate buffer to the sensitive riverine vegetation and environment of the creek.

Acting in accordance with the intent of the Rapid Creek Management Plan and the Rapid Creek Catchment Advisory Committee, I seek your approval to the excision of a 50 metre wide strip of VCL alongside the Darwin City Council triangle of land (shown on the attached photocopy) and transfer to Darwin City Council in freehold title.

Please let me know if you require any further information to fully consider this matter

Yours faithfully

GEORGE BROWN  
LORD MAYOR

ENCL: YES

**DARWIN CITY COUNCIL****DATE:** 30/06/09**REPORT****TO:** ENVIRONMENT & INFRASTRUCTURE  
MEETING/OPENA**APPROVED:** SD**FROM:** GENERAL MANAGER INFRASTRUCTURE**APPROVED:** DL**REPORT NO:** 09TS0106 DL:cb**APPROVED:** LC**COMMON NO:** 1254709**SUBJECT:** BAGOT OVAL UPGRADE PROJECT – OVERVIEW AND STATUS**ITEM NO: 9.4****SYNOPSIS:**

This report provides an overview and status of the Bagot Oval upgrade project and makes recommendations in regard to the delivery of the project, should the additional funding required to complete the works not be forthcoming from the Football Federation NT (FFNT) or the Northern Territory Government (NTG).

\$80,000 was provided to the project through the 2004/05 Budget and further sums of \$300,000 and \$100,000 were received in 2006/07 and 2007/08 respectively. This resulted in a total project budget of \$480,000.

\$469,020 was carried over from the 2007/08 budget to 2008/09 as the result of the August 2007 tenders being well in excess of the available budget, however, no new funding was provided in 2008/09.

The current available budget for the project is \$454,790 as outlined in the Financial Implications of this report.

**GENERAL:**

The project first went out to tender in August 2007 at which time tenders were received with values between \$800,000 and \$1,200,000, well in excess of the budgeted figure. The project was placed on hold in December 2007 while the tender document was re-assessed to reduce the scope and gain support from Football Federation NT (FFNT) for the revised scope.

A consultant (Strategic Leisure) was engaged by Council in July 2008 to work with Council Officers and the facility user groups to finalise a concept plan for the site and to reach agreement on a reduced scope of works to progress the project to tender again. The original concept plan provided by Strategic Leisure was rejected by FFNT. Council officers then revised the plan and modified the contract documents

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(including drawings and specifications). In January 2009 the FFNT accepted the final concept plans and tender documents were finalised on that basis.

Prior to going to tender, an updated cost estimate was prepared to establish the estimated value of the revised scope of works. This updated cost estimate was \$800,000, which was still in excess of the project budget.

Following discussions with the FFNT regarding the funding shortfall, tenders proceeded on the basis that the FFNT would seek to fund any monetary shortfall from alternative funding sources should the tenders received exceed the available project budget. A copy of this letter from the FFNT is included as **Attachment A** of this report. Furthermore, it was considered that the market situation had changed significantly as the result of the Global Financial Crisis and the chances of obtaining more competitive tender prices were greater this time around.

Tender documents were released in March 2009 and 3 tenders were received by the closing date in April 2009. Tenders received were again in excess of the available budget and consequently the FFNT were requested to source additional funds (\$190,000) as per their commitment in the letter dated 27 January 2009. The FFNT undertook to approach the NTG to source the funding shortfall, so the project could proceed.

The FFNT were provided with a deadline of 5 May 2009 to finalise an agreement to source the additional funds, this deadline was not met and an extension was granted to 29 May 2009. During this time, two tenderers were short listed and interviewed in order to maintain project momentum. The FFNT sought to source the additional funds required through the NTG.

As the deadline of 29 May 2009 was not met, in the spirit of cooperation with FFNT to deliver this important project, a Council Officer sought and secured a 14 day extension of the tender validity period from the two short listed tenderers for the project. The revised tender validity period expired on 22 June 2009 and the FFNT were given until 12 June 2009 to provide confirmation of the additional funding. Both of these deadlines passed and the FFNT were no closer to securing the additional funding required to complete the project. Council Officers have managed to secure a further extension of the tender validity period to 17 July 2009, to give this project a further life line.

At the Capital City Committee Meeting on 25/06/09, Council made representations for funding and received an undertaking from the Chief Minister and the Deputy Chief Minister that the NTG would commit the \$190,000 (excluding GST) of additional funding required to undertake the project. On 26/06/09, a Memorandum of Understanding was issued by the Department of Natural Resources, Environment, the Arts and Sport confirming that a grant of \$190,000 (excluding GST) will be made available to the Darwin City Council for the Bagot Oval Upgrade project. A copy of this correspondence is included as **Attachment B** of this report.



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The tender assessment process was immediately completed by Council Officers and the Contract has been awarded to Tyco Flow Control Pty Ltd (trading as Water Dynamics). The Contract commenced on 2 July 2009 and is for a period of 10 weeks. It is expected that construction works will commence shortly and that the project will be completed by 10 September 2009.

### **FINANCIAL IMPLICATIONS:**

Work Order number 5363.

Initial budget allocated	\$480,000
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Less consultancy fees, tender costs, etc	\$25,210
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Current budget	<b>\$454,790 (excluding GST)</b>
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The funding shortfall to be supplied by the NTG is (\$172,727 of these funds have already been received by Council)	<b>\$190,000 (excluding GST).</b>
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<b>BUDGET TOTAL:</b>	<b>\$644,790 (excluding GST)/</b>
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The value of the Contract awarded to Tyco Flow Control Pty Ltd (trading as Water Dynamics) is **\$603,240 (excluding GST).**

### **STRATEGIC PLAN IMPLICATIONS:**

The issues addressed in this Report are in accordance with the following Goals/Strategies of the Darwin City Council 2008 – 2012 as outlined in the 'Evolving Darwin Strategic Directions: Towards 2020 and Beyond':-

#### **Goal**

2 Enhance Darwin's Active, Positive and Flexible Lifestyle

#### **Outcome**

2.2 Increase recreational, cultural and heritage experiences

#### **Key Strategies**

2.2.2 Promote Darwin as a host city for sport, culture and other events

#### **Outcome**

2.4 Increase community facilities

#### **Key Strategies**

2.4.1 Provide facilities and programs which encourage healthy lifestyle choices

### **LEGAL IMPLICATIONS:**

Nil.

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**ENVIRONMENTAL IMPLICATIONS:**

Nil.

**PUBLIC RELATIONS IMPLICATIONS:**

There is significant public and media interest in this project and delivering this project may have positive public relations implications for Council.

**COMMUNITY SAFETY IMPLICATIONS:**

Nil.

**DELEGATION:**

Nil.

**CONSULTATION:**

Community Recreation Coordinator  
 Capital Works Coordinator-Parks and Reserves  
 Manager Infrastructure Maintenance  
 General Manager Infrastructure

**PROPOSED PUBLIC CONSULTATION PROCESS:**

Nil.

**APPROPRIATE SIGNAGE**

A project notice board shall be provided acknowledging both the Darwin City Council and Northern Territory Government, for their contributions to this project.

**RECOMMENDATIONS:**

THAT it be a recommendation to Council:-

THAT Report Number 09TS0106 DL:cb entitled Bagot Oval Upgrade Project - Overview and Status be received and noted.

**DROSSO LELEKIS**  
**MANAGER INFRASTRUCTURE**  
**PROJECTS**

**LUCCIO CERCARELLI**  
**GENERAL MANAGER**  
**INFRASTRUCTURE**

Any queries on this report may be directed to Drosso Lelekis on 8930 0414.

## FOOTBALL FEDERATION



Football Federation Northern Territory

360 Glenview Drive

4th Floor, Mt. Stuart Building, PO Box 100

NT 08241 2224 3

Mobile 0841 8514 1

4th Floor Football Federation Building

www.footballfederation.nt.gov.au

27 January 2008

Dear Mr Cernatelli,

I am writing to provide Football Federation NT's (FFNT) acceptance of the proposed Bagot Park playing field upgrade as per Attachments A, B and C. The Football Federation NT does not wish to pursue either option of the conceptual design developed by Strategic Planning and now seek to progress these works in accordance with the design reflected in Attachments A, B and C.

To clarify the scope of work, the relevant activities the FFNT does NOT wish to include are:

- Removal of one large African Mahogany
- Removal of three Grimaldia trees adjacent to the children's playground
- Relocation of the playground

Alternatively, the FFNT approves:

- The development of a uniform playing surface, totalling not less than 25,000Sq meters with a drainage fall of 1% as shown in Attachment A.
- The establishment of an irrigation system as shown in Attachments B and C

Furthermore, FFNT request the establishment of two conduits to accommodate future lighting of the main playing field. FFNT see the construction stage as the most appropriate opportunity to place these conduits and do NOT consider their placement as a commitment by Council to establish this lighting at a future stage.

- The location and trenching activities are proposed to be coordinated with Council's Superintendent during the construction works and the FFNT will ensure appropriate certification requirements are met.
- All material and trenching costs associated with laying of the conduit will be met by the FFNT

The FFNT acknowledges that any Darwin City Council (Council) approval to include the above mentioned conduits within the scope of works for this project does not in any way commit Council to the approval of a lighting design. Any future lighting design will be subject to the normal Council approval process.

The FFNT acknowledge the magnitude of the available budget for the upgrade works at Bagot Oval and that should the tenders received for the project be in excess of the available budget, then the FFNT will seek to fund the shortfall from alternative sources. Furthermore, the FFNT acknowledges that the project will not proceed to construction until any shortfall in funds is made available to Council or a formal commitment is in place to facilitate the funding body making these funds available by the very early stages of construction of the project.

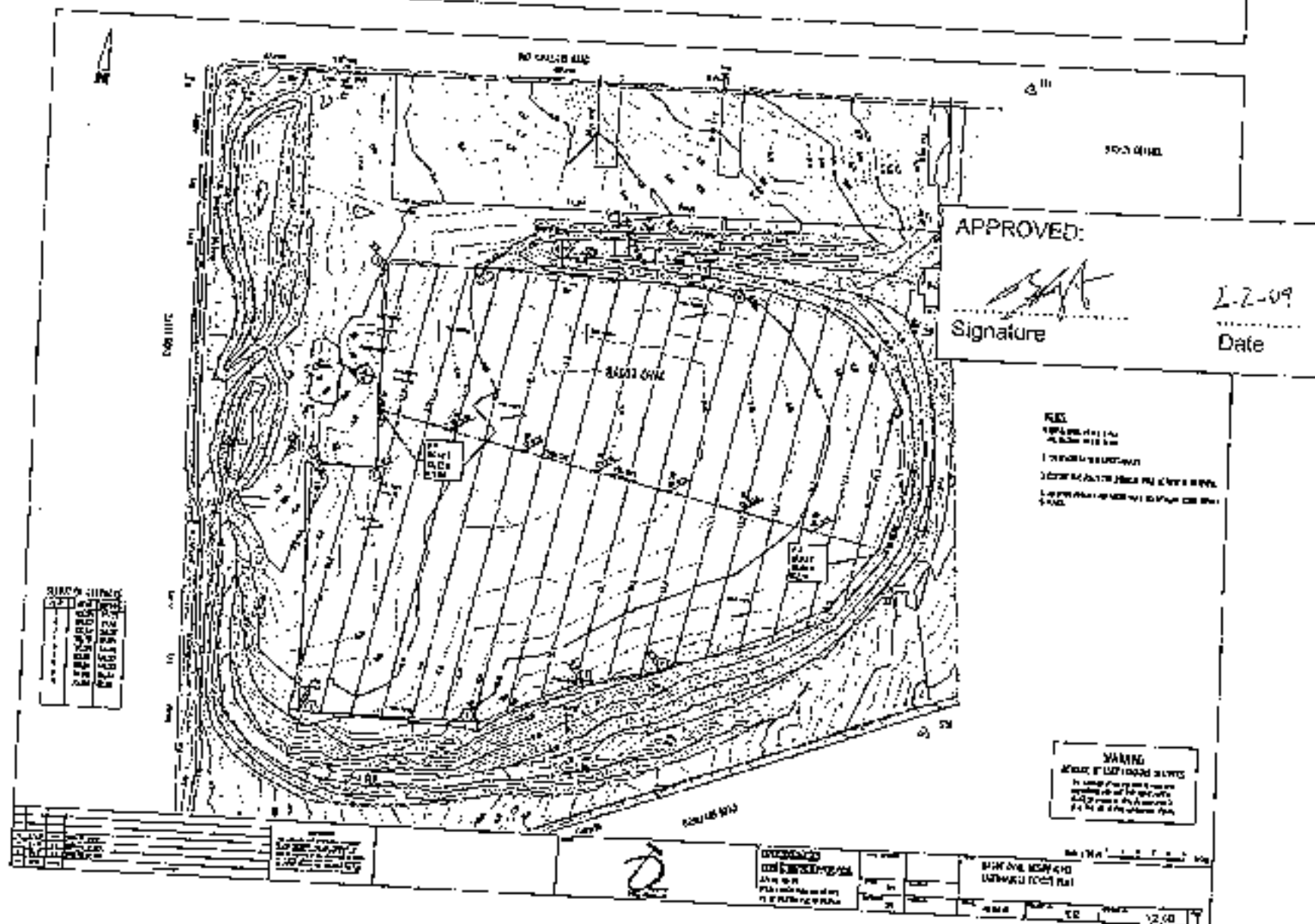
Yours in sport,

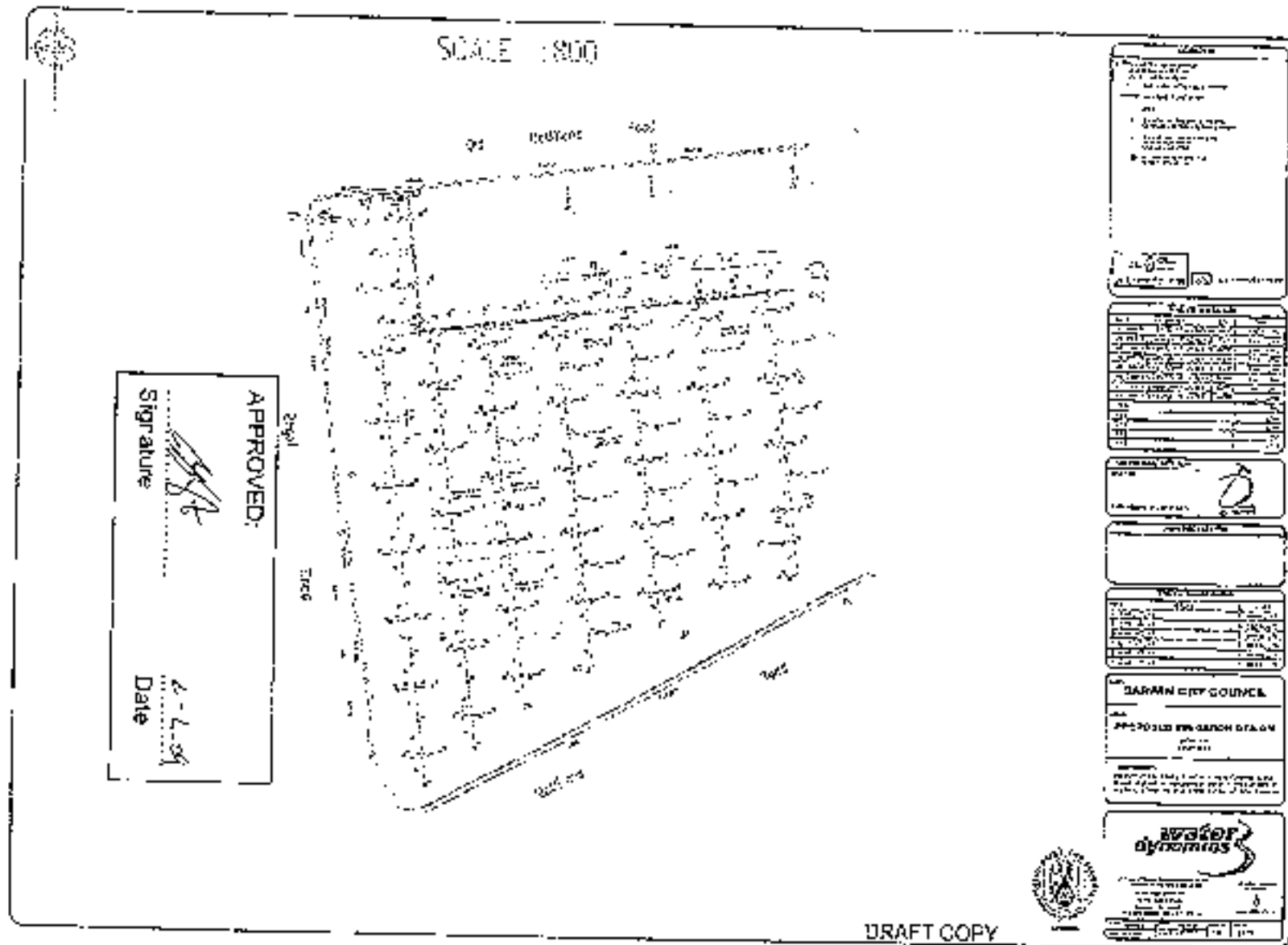
FFNT Inc.

Bill Kostandras - Chief Executive Officer  
(BK-003/09)

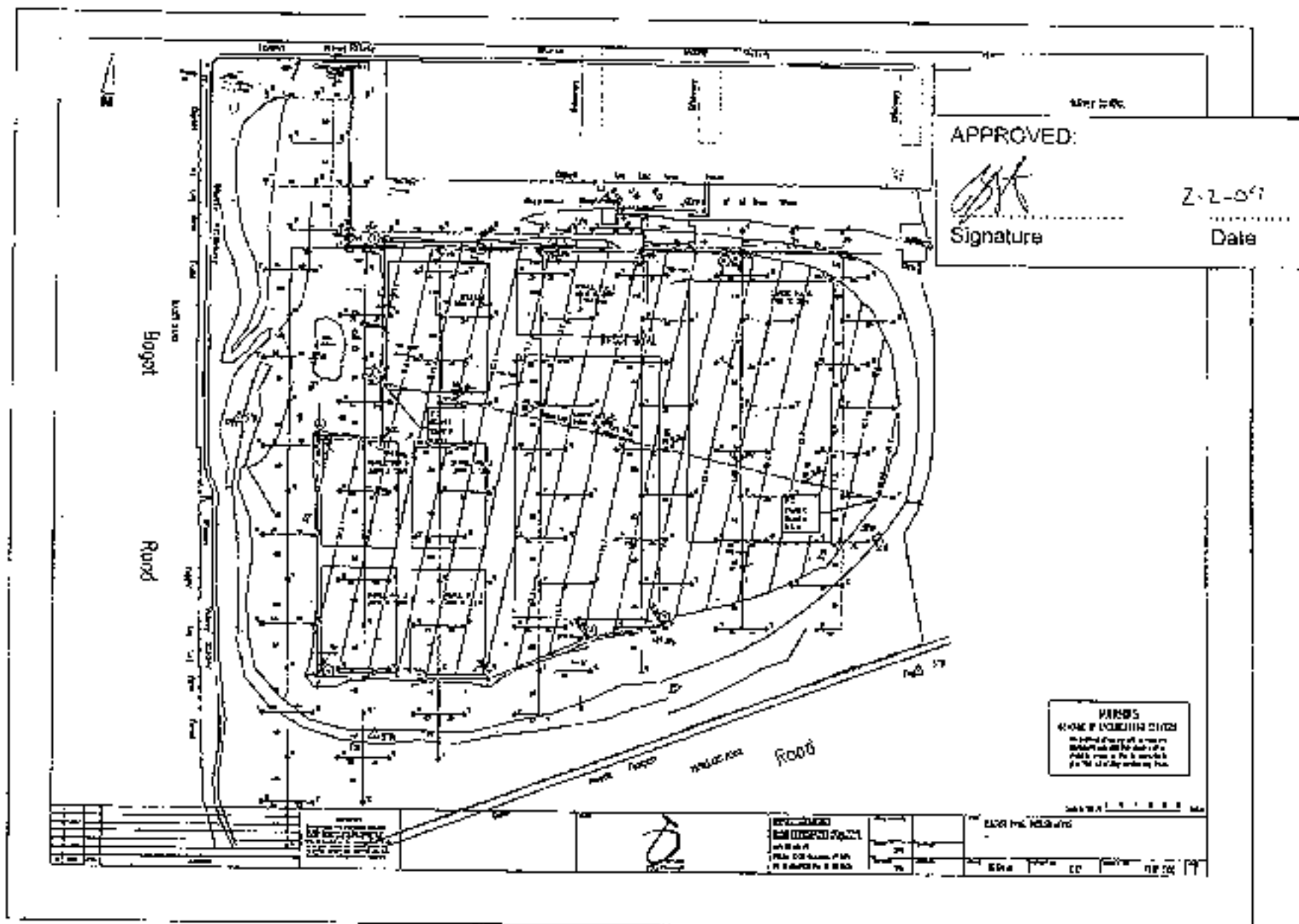
Terry Dent

# ATTACHMENT A - Proposed field playing area, Bagot oval, January 2009.





ATTACHMENT C – Irrigation layout over proposed playing field, Bagot Oval January 2009.





Northern  
Territory  
Government

## DEPARTMENT OF NATURAL RESOURCES, ENVIRONMENT, THE ARTS AND SPORT

### MEMORANDUM OF UNDERSTANDING

This agreement is made between the following parties:

- The Northern Territory Government, Department of Natural Resources, Environment, the Arts and Sport, "the Territory",
- Darwin City Council

#### Definitions:

**Funding Agreement:** a contract for the provision of a grant by the Territory to an organisation for the achievement of specified outcomes.

#### Whereas:

- a) The Territory intends to provide a facilities grant of \$190,000 (One Hundred and Ninety Thousand Dollars) to Darwin City Council to redevelop the Bagot Road Oval,
- b) The Darwin City Council is willing to undertake the management of the project, including planning, design and development.

#### It is hereby agreed that:

- 1) The Darwin City Council will accept the funding provided by the Territory for the sole purpose of the redevelopment of the Bagot Road Oval;
- 2) Funding shall not be utilised until both parties have entered into a Funding Agreement;
- 3) The Funding Agreement will more particularly define the obligations and responsibilities of each party.

Signed

Name:

John Perkins

Title:

M/C Sec

Date:

26 June 2011

for, and on behalf of the Darwin City Council

Signed

Name:

Steve Rossingh

Title:

Executive Director

Date:

26/6/11

for, and on behalf of the Department of Natural Resources, Environment, the Arts and Sport

**OPEN SECTION**

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E&amp;IC7\5

Environment & Infrastructure Committee Meeting - Monday, 20 July, 2009**10 GENERAL BUSINESS****10.1 Outstanding Items**

ITEM NO.	MEETING REQUESTED	MEETING REQUIRED	SUBJECT MATTER	REASON FOR NON-SUBMISSION REMARKS
9.3	Environment & Infrastructure Committee 23/03/09  20\1385	Not Specified	Developers Contribution to Public Art  Options for Developers contribution towards public art.	Report to be submitted to a future E & I Committee meeting

**COMMITTEE'S DECISION**

THAT the Committee resolve under delegated authority that information contained in Item 10.1, be received and noted.

DECISION NO.20\() (20/07/09)

