

**CONFIDENTIAL**

**CABINET DECISION**

No.....5981.....

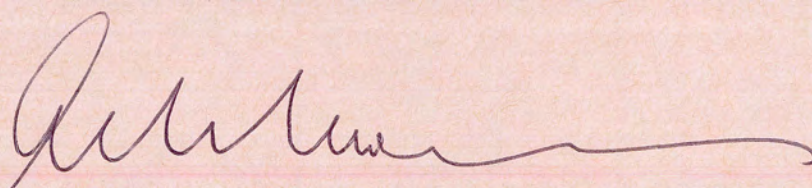
---

Submission No.: 5144

Title: KATHERINE - CONSTRUCT NEW COURTS COMPLEX

Cabinet -

- (a) approved 1988/89 Design List status for the construction of a new Courts Complex at Katherine;
- (b) directed that the new Complex be designed to permit staged development with a view to minimising costs; and
- (c) agreed that temporary facilities during the construction period be located in the former Community Development building.



**A. G. MORRIS**  
Secretary to Cabinet.

14 March 1989

## THE NORTHERN TERRITORY OF AUSTRALIA

Copy No: ..... 1

CONFIDENTIAL

SUBMISSION No: ..... 5144

## FOR CABINET

Title:	<u>KATHERINE - CONSTRUCT NEW COURTS COMPLEX</u>
Minister	Attorney-General
Purpose:	To seek Cabinet approval for the construction of a new Katherine Courts Complex
Relation to existing policy:	The proposal is in accord with the policy of taking justice to the people.
Timing/legislative priority:	
Announcement of decision, tabling, etc:	At Minister's discretion
Action required before announcement:	Nil
Staffing implications, numbers and costs, etc:	See financial considerations
Total cost:	\$ 5 Million

CONFIDENTIAL

**CONFIDENTIAL**

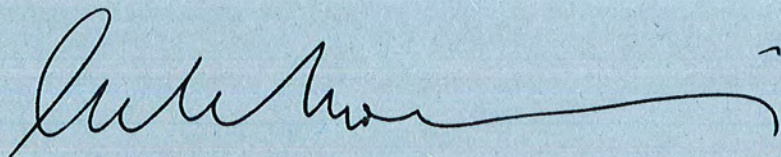
Department/~~Agency~~..... OF THE CHIEF MINISTER.....

**COMMENT ON CABINET SUBMISSION No.**

**TITLE:** ..... KATHERINE - CONSTRUCT NEW COURTS COMPLEX .....

**COMMENTS:**

The Submission is supported. Admission of the project to the Capital Works Programme will be a matter for the relevant Budget Cabinet.



SIGNED: A G MORRIS

DESIGNATION: SECRETARY

DATE:

23.1.89

**CONFIDENTIAL**

Department/Authority..NORTHERN..TERRITORY..TREASURY.....

**COMMENT ON CABINET SUBMISSION No.**

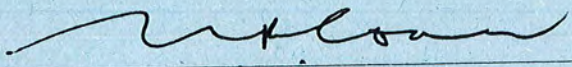
**TITLE:** ..... KATHERINE - CONSTRUCT NEW COURTS COMPLEX .....

**COMMENTS:**

While admission of the project to the Design List could be supported, its possible admission to the 1989/90 (or later) Capital Works Program should be considered in the light of:

- . the existence of an alternative (the Council Chambers) judged to be suitable, but rejected in the Submission only on the grounds that it is "not purpose-built" and is 3 km. from the Katherine CBD;
- . the availability of an alternative (refurbished Community Development Building) judged to be adequate as interim accommodation for 2 years and which might, at relatively little additional cost, serve the purpose for longer; and
- . the very substantial allocation of funds to the new Supreme Court building in Darwin.

The order of cost, at \$5 Million, should also be measured against likely use (it is noted that the Magistrates Court is, even with relatively rapid population growth, sitting no more than 3 days a week, and that the appointment of a full-time Magistrate is only a "possibility" at this stage).



SIGNED: N R CONN  
DESIGNATION: UNDER TREASURER

DATE: 13 JANUARY 1989  
**CONFIDENTIAL**

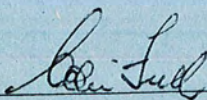
Department/~~Authority~~..... LANDS AND HOUSING.....

**COMMENT ON CABINET SUBMISSION No.**

**TITLE:** ..... KATHERINE - CONSTRUCT NEW COURTS COMPLEX.....

**COMMENTS:**

This Department supports the Submission.

  
SIGNED: C J FULLER

DESIGNATION: SECRETARY

DATE: 6<sup>th</sup> JANUARY 1989

**CONFIDENTIAL**

Department/Authority ..... NORTHERN TERRITORY POLICE FORCE .....

**COMMENT ON CABINET SUBMISSION No.**

**TITLE:** ..... KATHERINE - CONSTRUCT NEW COURTS COMPLEX .....

---

**COMMENTS:**

Police support the Submission.

---

SIGNED: W. L. Goedegebuure (W L GOEDEGEBUURE)

DESIGNATION: ACTING COMMISSIONER OF POLICE

DATE: 6 January 1989 **CONFIDENTIAL**

CONFIDENTIAL

Department/Authority ..... TRANSPORT AND WORKS .....

## COMMENT ON CABINET SUBMISSION No.

TITLE: ..... CONSTRUCT NEW COURTS COMPLEX (KATHERINE) .....

## COMMENTS:

The recommendation of the Submission is supported, and the following points should be noted.

Para 3(d)

The minor new works item at \$20,000 will, for a short period, lessen the overcrowding but will not eliminate the problem. It should be emphasised that it is a very temporary solution.

Para 4(b)

Reasons for this Department's rejection of the option to renovate the existing facility should be expanded on. That is;

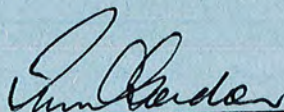
- . the high cost; possibly as high as the cost of a new building.
- . the renovated and extended building would be a compromise, of which the cost would not equate with the result and it would not be as functionally satisfactory as a new purpose designed building.
- . the existing building would almost certainly not be able to be utilised during the period renovations and extensions were being carried out. The site would not be available until Police are relocated to their new complex in October 1989.
- . Possible car parking shortfall.

Para 6

The stated estimated cost (\$80,000) of providing interim Court Facilities in the former Community Development Building is not the advice provided by this Department on 2 December 1988. There are two options for the construction of a temporary courthouse.

Option 1 - \$67,000. Originally our preferred option providing an area of approximately 60 m<sup>2</sup> relative to the existing facility area of 72 m<sup>2</sup>.

Option 2 - \$125,000. This option would provide an area of approximately 90 m<sup>2</sup> and in view of the projected increase in Court activity in the future, it may be more appropriate to now recommend this option.



SIGNED: IAN GORDON

DESIGNATION: SECRETARY

18/1/89

CONFIDENTIAL

**CONFIDENTIAL**

Department/~~Authority~~ .....of..Labour..and..Administrative..Services.....

**COMMENT ON CABINET SUBMISSION No.**

**NEW COURTS COMPLEX - KATHERINE**

TITLE: .....

.....  
.....

**COMMENTS:**

There are no objections to this submission. The former Community Development building on the corner of Giles and First Streets has been declared surplus and no action has been taken to seek alternate NT Government use, pending the result of this submission.

In the longer term, this site has been identified as suitable for a central public park.

*S. J. Butterworth*

SIGNED: S.J. BUTTERWORTH  
DESIGNATION: ACTING SECRETARY  
DATE: 13 JANUARY 1989

**CONFIDENTIAL**



## CONFIDENTIAL

-1-

RECOMMENDATION

1. It is recommended that Cabinet grant 1988/89 Design List status for the construction of a new Courts Complex at Katherine.

BACKGROUND

2. 1987/88 Design List status was sought for this proposal. On 10th November 1987 Cabinet, by Decision No. 5357 requested that a specific Cabinet Submission be prepared.

CONSIDERATION OF THE ISSUES

3. (a) The need for a new courts complex has intensified in the past twelve months. Business before the courts in Katherine continues to increase as can be seen by the following statistics:-

<u>Year</u>	<u>Matters Before The Court</u>
1984/85	3,150
1985/86	3,351
1986/87	4,516
1987/88	5,229

- (b) The present courthouse which was completed in 1959 is antiquated, inefficient and too small to cope with current demands. Regional estimates and projections of the population of Katherine as supplied by the N.T. Treasury are as follows:-

1986	1987	1988	1989	1990	1991	1992	1993
5,500	6,100	6,700	8,700	8,900	9,000	9,100	9,200

CONFIDENTIAL

## CONFIDENTIAL

-2-

The projected population increase from 6,700 to 8,700 in 1988/89 is due to the opening of the Tindal Air Base. The Katherine Town Council has advised that the population has increased by approximately 10% over the past two years. The Council also advised that over 400 people commenced occupancy of the Tindal Air Base during October 1988 and in the Council's view the population figures currently available are conservative.

- (c) The Magistrates court is sitting a minimum of two, and often three full days each week with court lists sometimes not completed. This situation will necessitate the extension of court sittings and possibly the appointment of a full-time Magistrate at a later date. In 1989 three full weeks have already been set aside at Katherine to deal with lengthy hearings. In addition, the present case load indicates that additional days will be required for special hearings. Effectively Katherine Court requires the services of a Magistrate for the substantial part of each week.
- (d) As the situation now stands the existing building required alterations in the near future to relieve the present overcrowding. This work is scheduled to be undertaken as part of the 1988/89 Minor New Works Program at an estimated cost of \$20,000. This work will, for a short period lessen the overcrowding but will not eliminate the problem and at best is a very temporary solution. However, if the Court was to be temporarily relocated in the next 6-12 months to enable a new building to be constructed on the present site, this part of the program would be cancelled.

CONFIDENTIAL

CONFIDENTIAL

-3-

- (e) The proposed new Courts Complex should desirably also have facilities suitable for Supreme Court sittings along the lines of the Alice Springs Court House. With the growth of the Katherine area it will only be a matter of time before it is necessary to include Katherine as part of the Supreme Court circuit. The Chief Justice supports this approach.

OPTIONS

4. (a) Continue with present arrangement.  
This option is not favoured, the building has outlived its usefulness and is simply too small.
- (b) Renovate existing buildings on the present site (Police Station/Courthouse).

The Department of Transport and Works has rejected this option for the following reasons:-

- . The high cost, possibly as high as the cost of a new building.
- . The renovated and extended building would be a compromise, of which the cost would not equate with the result and it would not be as functionally satisfactory as a new purpose designed building.
- . The existing building would almost certainly not be able to be utilised during the period renovations and extensions were being carried out. The site would not be available until Police are relocated to their new complex in October 1989.
- . Possible car parking shortfall.

CONFIDENTIAL

CONFIDENTIAL

-4-

- (c) Utilise other facilities (eg. Council Chambers).

This option has also been investigated. Council Chambers in Katherine have been inspected and found to be suitable for Court hearings. The consensus of opinion amongst Departmental Officers is that the shared facility arrangement although good in principle is not practicable given the nature of the operations of a courthouse which is generally a purpose built building and the location of the Council Chambers three kms north of the Central Business District. The cost in providing associated facilities i.e. holding cells, interview rooms, court registry and Magistrates Chambers would be considerable.

- (d) Staged Development

Preliminary site investigations by the Construction Authority indicate that Staged Development is impractical. The interruptions to Court sitting through noise during the construction period will render the existing Courthouse inoperable.

- (e) Construct a new Courts Complex with Supreme Court facilities on the existing site.

This is the favoured option. The scope of work will involve the construction of a Courts Complex with facilities for a future resident Magistrate and visiting Magistrates with regular sittings of the Supreme Court. During the construction period (approximately 2 years) temporary Court facilities will be required.

CONFIDENTIAL

CONFIDENTIAL

-5-

The former Community Development Building (a N.T. Government owned building located at the corner of Giles and First Street) is available. The building has recently been vacated and declared surplus to the Property Division of the Department of Labour and Administrative Services. With partitioning alterations this Building would be suitable as a temporary Courthouse. Preliminary negotiations have commenced with the Property Branch of the Department of Labour and Administrative Services concerning the possible use of the Building.

PUBLIC IMPACT OF THE RECOMMENDATIONS

5. The proposed construction of a new Courts Complex would be likely to receive favourable public support with the improvement of services available to the public and the Legal profession, reduced delays in having matters listed and dealt with, and a vastly improved standard of accommodation for litigants and other users of the Katherine Courthouse.

FINANCIAL CONSIDERATIONS

6. The 'order of cost' estimate as supplied by the Department of Transport and Works for a new building is \$5 million. There are two options for providing interim court facilities in the former Community Development Building, they are as follows:-

- Option 1 - \$67,000. This option provides for a Courtroom of 60m x 60m as compared to the existing courtroom which is 72m x 72m and associated facilities.

CONFIDENTIAL

CONFIDENTIAL

-6-

- Option 2 - \$125,000. This option provides for a Courtroom of approximately 90m x 90m and associated facilities.

It is likely that a resident Magistrate will be appointed in the next two to three years at an estimated cost of \$80,000.

REGULATORY IMPACT

- 7. There will be no changes to existing regulations and legislation.

EMPLOYMENT AND INDUSTRIAL RELATIONS

- 8. Nil

COMMONWEALTH, STATE AND LOCAL GOVERNMENT RELATIONS

- 9. Consultation has taken place with the Katherine City Council who support the proposal.

CO-ORDINATION AND CONSULTATION

- 10. The review of all possible options and preparation of this submission has been undertaken in consultation with the Department of Transport & Works and Lands & Housing.

CONFIDENTIAL

CONFIDENTIAL

-7-

11. The submission in draft form was circulated for comment to;
- . Department of Transport and Works
  - . Department of Lands and Housing
  - . N.T. Police
  - . N.T. Treasury
  - . Department of Labour and Administrative Services
  - . Department of the Chief Minister

LEGISLATION

12. Nil

PUBLICITY

13. At the time of decision or at the Attorney-General's discretion.

TIMING

14. 1988/89 Design List status is being sought for this proposal. This will allow for construction to commence in 1990 when the site will be available consequent upon the Police moving to Katherine East.

*Daryl W. Manzie* 28/2  
DARYL W. MANZIE

DATE

CONFIDENTIAL