

CITY OF COCKBURN

SUMMARY OF AGENDA TO BE PRESENTED TO THE SPECIAL COUNCIL MEETING TO BE HELD ON MONDAY, 3 AUGUST 1998 AT 7:30 P.M.

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AGENDA TO BE PRESENTED TO THE SPECIAL COUNCIL MEETING TO BE HELD ON MONDAY, 3 AUGUST 1998 AT 7:30P.M.

1. APPOINTMENT OF PRESIDING MEMBER [IF REQUIRED]

2. PUBLIC ADDRESS SESSION

3. APOLOGIES & LEAVE OF ABSENCE

Clr L. Humphreys - Leave of Absence Clr J. McNair - Apology

4. PURPOSE OF MEETING

To discuss submissions received from the public in relation to Lot 14 Progress Drive, Bibra Lake as per Council's decision of the 16th June 1998.

5. (SCM8/98) - BUSINESS PLAN FOR A MAJOR LAND TRANSACTION (1100231) (LJCD)

RECOMMENDATION

That Council resolve to:

1. Receive the submissions lodged as recorded in the Schedule of Submissions;

- 2. In consideration of the submissions received, proceed with the sale of Lot 1 Progress Drive, Bibra Lake and the Lease of Lot 2 Progress Drive, Bibra Lake to the W.A. Croatian Association (Inc.) as proposed in the Business Plan prepared for this purpose.
- 3. Determine the extent of works to be undertaken with Council funds during 1998/99 up to an amount of \$222,450, as identified in the Schedule of Works contained in the Business Plan.
- 4. Inform all persons who lodged a submission of Council's decision and of Council's comment and response to their particular submission.

TO BE CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL

COUNCIL DECISION

CARRIED BY ABSOLUTE MAJORITY OF COUNCIL

Background

Council, at a Special Meeting held on the 3rd June 1998, adopted a number of resolutions in relation to this matter. The progression of the matter was subject to the WA Croatian Association (Inc.) (W.A.C.A.) accepting that a Business Plan for a Major Land Transaction had to make a determination in relation to the submissions received and that the Business Plan was to be adopted by an Absolute Majority of Council.

The WA Croatian Association (Inc.) was duly advised of Council's decision dated 3 June 1998. Council received a letter from the WA Croatian Association (Inc.) dated 11 June 1998, advising that the Association had accepted the Council's resolutions in principle.

On receipt of the aforegoing letter, an advertisement was published in The West Australian on 17 June 1998, as prescribed by the Local Government Act 1995, inviting the public to inspect the Business Plan and to lodge a submission if they wish to do so and submissions closed on the 28 July 1998.

Submission

Council is required to consider any submissions made and may decide **by Absolute Majority**, to proceed with the transaction as proposed or a proposal which is not significantly different from what was proposed.

If the proposal adopted is significantly different to that which was advertised, then the proposal is to be treated as a new proposal and must be re-advertised, inviting public submissions.

Report

At the outset, it should be noted that the Major Land Transaction has not been provided for the Principal Activities Plan and such is stated in the Business Plan (a copy of the Business Plan has been provided under separate cover). The Annual Report is to make mention of this fact and what affect it had on Council achieving its objectives in relation to the Principal Activities Plan.

Submissions in respects to the Business Plan, closed at 4:00pm on the 28th July 1998 and twenty six (26) submissions were received.

In addition, further correspondence was received from Adventure World, requesting information relating to the proposal. This correspondence did not constitute a submission and has been separately responded to.

Furthermore, correspondence was received from Mr N. Mannow of Bibra Lake, raising various issues. This letter was also sent to the Department of Local Government, which subsequently advised Council to respond to these issues separately and not treat them as a formal submission. Accordingly, a separate response has been sent to Mr Mannow.

A Schedule of Submissions has been prepared and such, forms a part of this report. The schedule shows the name of the person or persons lodging the submission and the text of each submission which has been reproduced in its entirety. Also, the schedule records the comments made in respects to the submissions received.

Council should also stipulate its position in respect to the scheduling of works to be undertaken during 1998/99, as indicated in the attached schedule. While the majority of expenditure is in conjunction with costs associated with the W.A.C.A. development, Council needs to determine whether it wishes to engage itself in the development of the adjoining land (Lot 3) at the same time as the W.A.C.A. facilities earthworks are commenced. It has always been understood that the development of adjoining playing fields would not occur until a demonstrated need for such facilities was indentified.

Council's most recent decision in relation to this matter, was that the amount of "up to" \$222,450 would be allowed for during 1998/99. It is now appropriate for this decision to be made.

Strategic Plan/Policy Implications

Budget/Financial Implications

As set out in the Business Plan.

SCHEDULE OF SUBMISSIONS

BUSINESS PLAN FOR A MAJOR LAND TRANSACTION

THE SALE OF LOT 1 PROGRESS DRIVE, BIBRA LAKE AND THE LEASING OF LOT 2 TO THE WA CROATIAN ASSOCIATION (INC.) AND THE POTENTIAL DEVELOPMENT OF LOT 3 PROGRESS DRIVE, BIBRA LAKE

	NAME AND ADDRESS	SUBMISSION	
1	Tomislav Tomich 14A Pilgrim Way HAMILTON HILL WA 6163	I'm Soccer enthusiastic person, and I'm also a resident of City of Cockburn, therefore I strongly support the project of Soccer Stadium being built in our City, as stated in Cockburn Gazette dated 26 th of June 1998.	The si
2	Robert Tomich 14A Pilgrim Way HAMILTON HILL WA 6163	I'm Soccer enthusiastic person, and I'm also a resident of City of Cockburn, therefore I strongly support the project of Soccer Stadium being built in our City, as stated in Cockburn gazette dated 26 th of June 1998.	The si
3	Ljubica Tomich 14A Pilgrim Way HAMILTON HILL WA 6163	I have sighted Local Government Notice in West Australian News-Paper on 17 th of June, stating major Land transaction in BIBRA-LAKE. I have also read in Cockburn Gazette, dated 26 th June 1998 approval of Soccer Stadium development. I'm Soccer enthusiastic person, and I'm also Rate payer of City of Cockburn, therefore I strongly support the project of Soccer Stadium being built in our City, as there is no quality facilities in our city, that project may be what we needed.	The s

	NAME AND ADDRESS	SUBMISSION	
4	Rafael Tomich 14A Pilgrim Way HAMILTON HILL WA 6163	I have sighted Local Government Notice in West Australian News-Paper on 17 th of June, stating major Land transaction in BIBRA-LAKE. I have also read in Cockburn Gazette, dated 26 th of June 1998 approval of Soccer Stadium development.	The s
		I'm Soccer enthusiastic person, and I'm also Rate payer of City of Cockburn, therefore I strongly support the project of Soccer Stadium being built in our City, as being stated in Media report dated as mentioned above.	
5	M Gaspar 4 Arlington Loop COOGEE WA 6166	I'm Soccer enthusiastic person, and I'm also resident of City of Cockburn, therefore I strongly support the project of Soccer Stadium being built in our City, as stated in Cockburn Gazette dated 26 th of June 1998.	The si
6	L Gaspar 4 Arlington Loop COOGEE WA 6166	I have sighted Local Government Notice in West Australian News Paper on 17 th of June 1998, stating major Land transaction in BIBRA-LAKE. I have also read in Cockburn Gazette, dated 26 th of June 1998 approval of Soccer Stadium development.	The s
		resident of City of Cockburn, therefore I strongly support the project.	
7	A & K Budimir 233 Spearwood Avenue SPEARWOOD WA 6163	My husband and I give our support to the proposed sporting development at Lot 14 progress Drive, Bibira Lake.	The si
		We believe it will be a benefit to young and old, and look forward to using the facilities.	

	NAME AND ADDRESS	2. <u>SUBMISSION</u>	
8	M Le Couteur 21 Capstone Rise COOGEE WA 6166	I wish to advise of my total support for this development, and appreciation of Council's considerable contribution to the matter.	The si
9	l Milos 7 Lygon Court NORTH LAKE WA 6163	Please note that I wish to express my support for the proposed development of sporting facilities on lot 14 Progress Drive, Bibra Lake. Sometimes it takes courage and determination to do right things. Well done so far.	The s
10	J & D Odak 231 Spearwood Avenue SPEARWOOD WA 6163	We are writing to thank Council for its support of the proposed above [lot 14 progress Drive, Bibra Lake] development for our local community. This sporting facility will be of great benefit to	The si
		families and groups in this area and will be most appreciated.	
11	D Vukosav Bacich Mews MUNSTER WA 6166	I'm Soccer enthusiastic person, and I'm also resident of City of Cockburn, therefore I strongly support the project of Soccer Stadium being built in our City, as stated in Cockburn Gazette dated 26 th of June 1998.	The si
12	Vic Pecotic 13 Fairview Street COOGEE WA 6166	I have sighted Local Government Notice in West Australian News Paper on 17 th of June 1998, stating major Land transaction in BIBRA-LAKE. I have also read in Cockburn Gazette, dated 26 th of June 1998 approval of Soccer Stadium development.	The s
		I'm Soccer enthusiastic person, and I'm also resident of City of Cockburn, therefore I strongly support the project.	

	NAME AND ADDRESS	4. <u>SUBMISSION</u>	
13	S Bakhout 1 Gurney Street SPEARWOOD WA 6163	In regard to the development proposed for lot 14 Progress Drive, Bibra Lake, I would like to say that I am in full support of the Council plans and proposal for the sporting facility proposed. Hence I would like to register my support for this proposed development.	The s
14	M Pecotic 13 Fairview Street COOGEE WA 6166	I'm Soccer enthusiastic person, and I'm also resident of City of Cockburn, therefore I strongly support the project of Soccer Stadium being built in our City, as stated in Cockburn Gazette dated 26 th of June 1998.	The s
15	G Roglic 40 Gerald Street SPEARWOOD WA 6163	Dear friends as a ratepayer for the past 45 years I have been following whole concept of the lot 14 in Progress Drive Bibra lake. Congratulations to all on the job done so far. To the whole project I am giving unreserved support.	The s
16	A Krapljanov 37A Kent Street SPEARWOOD WA 6163	Please note that I wish to express my support for the proposed development of sporting facilities at lot 14 Progress Drive, Bibra Lake. Additionally I would like to thank council for its community mindedness in providing these facilities and supporting the community groups who will benefit from them.	The s
17	Glenn Mann 3 Twain Close MUNSTER WA 6166	I would to voice my support for the above [Development of Lot 14 Progress Drive Bibra Lake] proposed development. As a Cockburn ratepayer I welcome the opportunity to increase the recreational outlets in this area.	The s

SCM 3/8/98

	NAME AND ADDRESS	6. <u>SUBMISSION</u>	
18	V Beus 5 Buchanan Rise COOGEE WA 6166	In regards to a proposed development at lot 14 Progress Drive Bibra Lake.	The si
		I express great support for the above sporting and cultural centre and am quite certain that such development is going to bring joy to a lots of children as there is a quite number of youngsters living in this area who are going to benefit greatly from such recreational centre.	
19	Tony Beus 5 Buchanan Rise COOGEE WA 6166	In regards to a proposed development at lot 14 progress Dr Bibra Lake.	The si
		I express great support for the above sporting and cultural centre, and can assure you it is about time that this junior soccer club has a permanent home as we are getting quite annoyed at the extraordinary task of moving in all the equipment, goals, nets, fridge's etc, at the beginning of each season and then going as the season ends moving everything out. I am certain this development will bring great joy and relief to all at West Knights Junior Soccer Club.	
		Therefore I strongly urge you to finalize this sporting centre development as quickly as possible so that the children can begin their soccer season with a minimum of disturbance.	

	NAME AND ADDRESS	8. <u>SUBMISSION</u>	
20	NAME AND ADDRESS Colin Crook 1B Doolette Street SPEARWOOD WA 6163	I was previously opposed to Council's involvement in this development because of the perceived bias towards financially favouring the only tenderer, namely the WACA. The original arrangement [hypothetical?] whereby 50% of Lot 14 was to be sold at market value, [\$500,000 approx.] and this money would develop Council's remaining 50% was feasible and fairly equitable. However, since the WACA decided that only \$220,000 approx. was going to be spent on land acquisition [ignoring inflation] and Council was going to cut corners to allow this, the whole affair has turned very sour. The decision by Council in December 1997 to retain the \$215,000 price to WACA was unfair, probably illegal, and a grave injustice to the majority of Cockburn ratepayers. Despite the obvious preferential treatment being given, Council refused to give objectors any logical reasons why it should be acceptable to provide cheap land to a particular group at the expense of	The i have t A swo of the There dismis
		practically unrepresented citizens. The arrogance of this decision has, with no retraction in financial arrangements for the land, while environmental affairs have been addressed and the former controversy forgotten. The meeting on 29 April 1998, which was to acknowledge that land prices <u>do</u> rise, was a revelation to the three members of the public in attendance. It was admitted that the <u>acceptance</u> unconditionally of \$215,000 for unsurveyed land tentatively valued at \$290,000 was a hasty and ill-considered decision. The outcome of this meeting was that within a month the land had been properly surveyed, valued, and EPA conditions relayed to the public. When these matters including a slight re-alignment of the new Lot 2 were placed in front of Council on June 3' 1998 a decision was able to be made based on <u>factual evidence</u> provided by <u>professional people</u> , who gave independent assessments. This is in direct contrast to the situation in 1997 where Committee advice was	

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overruled by discussion hidden from public scrutiny, and a discount given for no moral reason.
With respect to the meeting on June 3' 1998 and the decision taken, I can see no point in disputing that Council has, after progressing this matter so far, taken the only route open to it. To vote otherwise would not only disappoint expectations so long held, but would be an admission that the past five years work has been wasted. My only concern, is the morality of using Council officers expertise to legally keep the cost of the land to be sold at WACA's original 1995 valuation [i.e. \$10/m sq.]. Other ratepayers may wonder why Council, as a whole allegedly acting in their financial interests, actively assists in helping the buyer to beat down the price. I admit that the EPA conditions do appear to reduce the value of the conservation land, but this only leads on to ask why Council is selling such fragile and precious virgin bushland. Especially when just up the road land zoned residential and worth \$11 m sq. is being sought after by Council and some bushlovers to remain in its natural state.
I'm told that some groups are still determined to oppose this land sale and development on mainly issues, which have been decided over the past two years. This is typical for Cockburn, and although I personally still feel that the majority of residents will be financing a complex that will benefit a limited group further opposition is <u>futile</u> . Perhaps in a couple of years time when the <u>real</u> financial burden becomes apparent more discussion will be warranted.
To sum up, I agree that it is best that the sale/development goes ahead as quickly as possible following the June 3' decision thereappears to be little to prevent this happening, although the financial loss to Cockburn ratepayers will need to be admitted somewhere down the track. Also the morality of providing a second social centre for a Cockburn population of 978 needs some explaining.

	NAME AND ADDRESS	10. <u>SUBMISSION</u>	
21	M & M Borovac 18 Barrett Street SPEARWOOD WA 6163	Further to the advertised proposal for the development of the above [Lot 14 Progress Dve, Bibra Lake] property we wish to make the following comments. 1. The development is one which is needed in	The si
		the area given the large following it will attract.	
		 It represents a significant contribution in terms of culture, sport and recreation to the area. 	
		 The proposal does not go far enough in that it should include the immediate development of the junior sporting fields. 	
		4. The proposal is at least a contribution to the broader community in the Cockburn Area rather than merely a commercial venture which only contribute to a small part of the community	
		We strongly urge the council to support this proposal and to complete it as it is and if it can to extend it to cover the junior sporting area.	

	NAME AND ADDRESS	12. <u>SUBMISSION</u>	
22	Ivan & Irene Jakovich 7 Recreation Road HAMILTON HILL WA 6163	We have been living in City of Cockburn since 1950 and we are very enthusiastic Soccer followers, therefore we strongly support the project of Soccer Stadium being built on Lot 14 Progress Drive BIBRA-LAKE, together with club- house where we can meet with other people of all nationality and reminiscent the old times.	The si
23	P & A Yugovich 44 Kent Street SPEARWOOD WA 6163	We refer to the proposal for the development of the above property [Progress Dve, Bibra Lake]. We wish to express our support for the proposal and feel it will greatly contribute to the cultural and recreational requirements of the area. It is pleasing such a development will proceed in the area.	The si
24	Mrs V L Oliver Coolbellup Community Association Inc 8 Malvolio Road COOLBELLUP WA 6163	 The Coolbellup Community Association and ratepayers of the North Ward firmly object to the above Land transaction. a. There are too many Soccer grounds in this area that are under utilized and the added upkeep is too expensive. b. The price is too low and if Adventure World in the adjacent lot was given first preference the cost to council and ratepayers would be minimal to what is suggested and would benefit the whole of the community and create a larger scope for tourism. c. With the high risk of vandalism in this area 	The c ground Croati A sw Gener proposi resolv other ice sl establ facilitie Assoc Cound
		 who will pay for the security as Adventure World has to employ security 7 days a week 24 hours of the day even when the season is finished. d. The future cost are too high and there are no figures as to the cost of carparks in the WACA column so are the ratepayers expected to foot this cost also. e. Environmentally council is aware of the 	Such costs propos Major

	pollutants already in this area what with 2 rubbish tip sites buried in the lake it self and the run off from local housing that has already cost council dearly over the years.	consid Enviro set in strict a
	To go into and approve this land transaction at great cost to the people of Cockburn for such a small group we feel Council should not go ahead with this venture.	

	NAME AND ADDRESS	14. <u>SUBMISSION</u>	
25	S & K Crook 182 Bibra Drive BIBRA LAKE WA K Browning & V Baston 184 Bibra Drive BIBRA LAKE WA K Jeyan 180 Bibra Drive BIBRA LAKE WA S Shaw 186 Bibra Drive BIBRA LAKE WA B & M Collins 3A Prout Way BIBRA LAKE WA M Leaver 3B Prout Way BIBRA LAKE WA	 We, the undersigned, being residents of Bibra Drive near the junction with Progress Drive, wish to outline our deep concern with regard to certain aspects of the development on Lot 14 Progress Drive, Bibra Lake, of the proposed WACA Soccer Pitch and surrounds. 1. CAR PARKING Capacity Crowd of 5000 spectators could generate up to 2000 cars "Crowd of 1000" (quoted by WACA as being a more likely future) could generate 400 cars – where will they be housed and will access be via Progress Drive? If not, where? 2. NOISE FACTOR Will night matches be played? Will there be a curfew on social activities held at the club-rooms after night matches, if so what is the latest hour residents of Bibra Drive can expect to be disturbed after retiring for the night by traffic noise and headlights from cars leaving the area? 3. STAGE1: SENIOR SOCCER PITCH Will this be available at any time for the of juniors until Stage 2 proceeds "as and when the need arises"? 	The d is for numbe freque The freque roads the p Progre at the of Adv Possit match comm facility There activiti within require other f Subjec W.A.C clubs Lesse the pl (playir beyon availal organi arrang

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 4. CONSTRUCTION When will work begin? How long will the earthworks take? What guarantee does Council provide to residents living less than 1 km away from the site that they will not be unduly inconvenienced by dust nuisance, as has happened with past building projects in localities in the Cockburn area? What compensation will be available for such residents if the dust problem becomes unmanageable? 	The co is not extent unkno It is e be und to res develo require manag
• What compensation will be available for such residents if the dust problem becomes	require manae

	NAME AND ADDRESS	16. <u>SUBMISSION</u>	
26	D Moreton Cockburn Newsagency Hamilton Shopping Plaza Rockingham Road HAMILTON HILL WA 6163	I am following with interest the development regarding lot 14 Progress Drive Bibra Lake. Ihave never ever in my life come across so much discrimination against anyone as it is against WACA, an association of hard working, honest and proud Australians of Croatian origin.	The s
		The local newspaper, Cockburn Gazette, should be ashamed of their biased reporting not giving this group of Cockburn ratepayers a fair go. Their views were never given prominence it deserved. There was never sufficient reporting on the advantages of the proposed project. Most of the reporting represented a small group of people who are for the wrong reasons against this development.	
		On many occasions, WACA wished to address the environmental issues and make a development that would enhance the area that was neglected for far too long, but instead of giving them the needed support they were faced with many unnecessary problems. After some four [4] years don't you think it is about time to do the right thing?	
		The majority of Australians want to live in harmony and I am sure that most of the ratepayers are behind this project. All they want is a place where they can meet, be happy and enjoy the freedom this country guaranteed then upon arrival in Australia.	
		WACA was confronted with double standards brought forward by small groups of people. Therefore, calls to keep this land, as public open space seems to be only a smoke screen for other parties who wanted this land for commercial purposes. How can someone so strongly promote that this land be left for public open space and say nothing when Adventure World and ice skating rink representatives wanted this land for their expansion. They did not object to such proposed commercialization of this land. The expansion of Adventure World	
10		and the building of an ice skating rink means	

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erecting a fence around whole of the land, which also means no public, open space unless you pay entrance fees.
May I say that the proposed WACA project is as far as possible a true public open space project. This is a tremendous development, and it is about time for the Council to wake up to their responsibilities and make the Bibra Lake area more accessible to the people. It is also important tonote that it would be great if more community groups built something with their own money and that way save lots of ratepayers money which can be used for other purposes. In addition, this project especially junior soccer will bring life to the long neglected Bibra Lake Area.
My message is to the so called environmental conciseness people, why didn't you object to the council's decisions some 25 years ago to use the Bibra Lake foreshore for a rubbish tip?
My message to some Councillors is, why did you proposed the land to the WACA in first place and why did you give hope to WACA by unanimously voting to approve the project and now some of you are trying to wreck it. That is neither for nor honest and very un Australian.
I am a proud Australian and I am proud to live in Cockburn's multicultural community. We all together respect each other and that is how it ought to be.
I believe that you Mr Brown have the responsibility to bring my views to your Councillors and show some leadership in this matter.
Discrimination endured by WACA and the patience they shown is to be admired. As it appears to me, they believe in freedom and democracy and for their enormous contribution in the development of our city, they must be given fair go. After all they are buying this land, i.e. they are not getting it for nothing.
In conclusion I just like to add that I wish WACA all the best, as they are a part of Cockburn's

	harmonious	communities	where	there	is	no	
	place for rac	ist bigotry.					

	WACA COSTS	COUNCIL PRESENT COSTS	BUDGET 1998/99	FUTURE COSTS
	\$	\$	\$	\$
18.				
Land Acquisition	220,000.00			
Stamp Duty	7,000.00			
Electricity	12,000.00		6,000.00	
Sewerage	34,000.00		66,000.00	
Water	65,000.00			
Landscaping	44,000.00			
Consultant's Fees		30,000.00	8,000.00	
CER	4,307.00	4,308.00		
Heritage Survey	5,159.00	5,159.00		
Survey Costs	1,800.00	1,800.00		
NIMP	1,308.00	1,307.00		
Concept Additional Work	1,050.00	1,050.00		
Engineering Plan	1,800.00			
Landscape & Site Access	1,500.00			
Plan	4 700 00			
Contingency	1,700.00		50 000 00	
Lot 3 Earthworks			50,000.00	
Site Cleaning	07 400 00		20,000.00	
Revegetation	87,100.00	400.00	38,700.00	
Conveyancing Fees	1 000 00	400.00		
Legal Costs	1,000.00	556.00		
Valuation Fees		804.00	10 000 00	
Project Management	22,000,00	19,000.00	10,000.00	22.000.00
Bores	32,000.00			32,000.00
Reticulation Construct Playing Fields	32,500.00			73,000.00 203,200.00
Construct Playing Pleids				203,200.00
				· ·
Changerooms				250,000.00 5,000.00
Drainage Swail Pine Bollards			5,000.00	5,000.00
Goal Posts			5,000.00	4,000.00
Headworks Charges	4,000.00		8,000.00	4,000.00
Drainage Headworks	750.00		750.00	
Lease Costs	3,000.00		700.00	
Contingency	2,000.00		10,000.00	30,000.00