

Our Ref: 1100231

25<sup>th</sup> May, 1998

**TO ALL COUNCILLORS**

Dear Councillor,

**Re: SPECIAL COUNCIL MEETING – 3<sup>rd</sup> JUNE, 1998**

This is to advise that, as per the Council decision of the 29<sup>th</sup> April 1998, the Administration have convened a Special Meeting of Council to be held on **Wednesday, 3<sup>rd</sup> June, 1998** commencing at 7:30pm in the Council Chambers (Dinner at 6:30pm).

The purpose of the meeting is to consider the sale of Lot 14 Progress Drive, Bibra Lake to the WA Croatian Association, together with all relevant documentation.

The Agenda will be distributed as soon as possible.

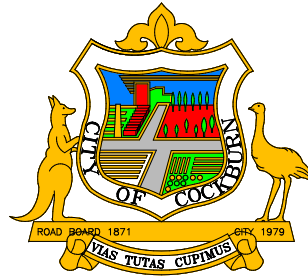
Please advise my secretary if you are unable to attend.

Yours faithfully,

ROD BROWN  
**CHIEF EXECUTIVE OFFICER**

RWB:SE

# **CITY OF COCKBURN**



## **SPECIAL COUNCIL**

## **AGENDA PAPER**

**FOR  
WEDNESDAY 3 JUNE 1998**

# CITY OF COCKBURN

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

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5. (SCM6/98) - LOT 14 PROGRESS DRIVE BIBRA LAKE (1100231) (PS) (ATTACH).....	1

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1. APPOINTMENT OF PRESIDING MEMBER [IF REQUIRED]
  
2. PUBLIC ADDRESS SESSION
  
3. APOLOGIES & LEAVE OF ABSENCE
  
4. PURPOSE OF MEETING
  - 4.1 (SCM6/98) - To consider the sale of Lot 14 Progress Drive, Bibra Lake to the WA Croatian Association, together with all other relevant documentation.
  
5. (SCM6/98) - LOT 14 PROGRESS DRIVE BIBRA LAKE (1100231) (PS) (ATTACH)

### RECOMMENDATION

That Council resolve to:

1. Receive the report of the Manager Recreation & Special Projects dated the 28<sup>th</sup> May 1998;
2. Advise Adventure World Pty Ltd that Council is committed to its present program in respects to Lot 14 Progress Drive, Bibra Lake. However, if the present proposed sale does not eventuate, then Council would give due consideration to any proposal put forward in relation to Lot 14 Progress Drive, Bibra Lake;

3. Advise the WA Croatian Association (Inc.) that Council is required by law to advertise for public inspection, a Draft Business Plan detailing all matters associated with a major land transaction and that following a submission period, Council is required to consider any submissions received and that the Business Plan must be adopted by an absolute majority of Council, following the submission period and therefore, matters detailed below are not to be construed as the final position of Council in relation to the dealing.
4. Advertise the Draft Business Plan in accordance with section 3.59 of the Local Government Act 1995, subject to the WA Croatian Association's (Inc.) written agreement to the Draft Business Plan and proposed conditions of the contract of sale and the terms for the Lease.
5. Adopt the following schedule relating to the cost sharing arrangements and allocate the sum of \$222,450.00 on the 1998/99 Municipal Budget, to provide for costs associated with the development; in accordance with the schedule.

	<b>WACA COSTS \$</b>	<b>COUNCIL PRESENT COSTS \$</b>	<b>BUDGET 1998/99 \$</b>	<b>FUTURE COSTS \$</b>
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 Plan	1,500.00			
Contingency	1,700.00			
Lot 3 Earthworks			50,000.00	
Site Cleaning			20,000.00	
Revegetation	87,100.00		38,700.00	
Conveyancing Fees		400.00		
Legal Costs	1,000.00	556.00		
Valuation Fees		804.00		
Project Management		19,000.00	10,000.00	
Bores	32,000.00			32,000.00
Reticulation	32,500.00			73,000.00
Construct Playing Fields				203,200.00
Car Park				20,000.00
Changerooms				250,000.00
Construct Drainage Swail				5,000.00
Pine Bollards			5,000.00	
Goal Posts				4,000.00
Headworks Charges	4,000.00		8,000.00	
Drainage Headworks Charges	750.00		750.00	
Lease Costs	3,000.00			
Contingency			10,000.00	30,000.00
<b>TOTAL</b>	<b>560,974.00</b>	<b>64,384.00</b>	<b>222,450.00</b>	<b>617,200.00</b>

6. Provide for the sale of Lot 1 Progress Drive in the Draft Business Plan to the WA Croatian Association (Inc.) for the sum of \$220,000.00 based on the Valuer General's valuation dated the 13<sup>th</sup> May 1998.
7. Require that the following conditions be incorporated in the contract of sale and are subject to the final adoption of the Business Plan:
  - a) Registration of a Memorial on the Certificate of Title to ensure that development within the Conservation Section of the lot is restricted to structures like barbecues, gazebos etc.
  - b) Registration of a Memorial on the Certificate of Title to state that the land is in close proximity to a known midge breeding area which has the potential to create a nuisance and can adversely impact on the use and enjoyment of the land.
  - c) The Concept Plan adopted by Council is to form part of the Contract of Sale.
  - d) The conditions and commitments as set out in Statement No. 000475 dated 5<sup>th</sup> May 1998 signed by the Minister for the Environment, form a part of the Contract of Sale.
  - e) The WA Croatian Association (Inc.) contribute on an equal basis to the costs of the Annual Environmental Compliance Audit as stipulated by the EPA conditions and commitments and which is to be undertaken by an independent person.
  - f) The WA Croatian Association (Inc) shall be responsible to clean up any sewerage spillage on Lot 1 and Lot 3 until such time as changerooms are built on Lot 3. Spillage clean ups will then be the responsibility of the offending party.
  - g) If the WA Croatian Association (Inc.) decides for whatever reason, to sell Lot 1, then the City of Cockburn shall have the first right of refusal to purchase the property at the valuation provided by the Valuer General at that time.
  - h) The additional costs incurred by the City to secure approval for the project shall be shared on an equal basis between the WA Croatian Association (Inc.) and the City.
  - i) Terms of settlement shall be one hundred and twenty (120) days.
8. Note that the Draft Business Plan provides for the future development of Lot 3 Progress Drive to include three (3) junior soccer pitches, changerooms and car parking, subject to budgetary constraints and upon demonstrated need for more community soccer pitches.

9. Provide for the lease of Lot 2 to the WA Croatian Association (Inc.) on the following terms:
  - a) the term being twenty (20) years with an option for a further twenty (20) years.
  - b) the annual rental being as if the demised premises were rateable land in accordance with Council Policy F7.1.
  - c) an option clause provided within the lease to allow the WA Croatian Association (Inc.) to purchase Lot 2 at any time during the term of the lease at a price based on the Valuer General's valuation at the time of exercising the option, with such valuation excluding improvements on the land.
  - d) the Nutrient and Irrigation Management Plan forms part of the lease.
  - e) the conditions and commitments as set out in the Statement No. 000475 dated 5th May 1998 and signed by the Minister for the Environment forms part of the lease.
10. Place the funds from the sale of Lot 1 Progress Drive in Council's Land Development Reserve Account to be held as an asset in accordance with Council's Resources Plan.
11. Take no further action in respects to the North Lake Road reservation remnants.

### **COUNCIL DECISION**

That Council:

### **Background**

Reports by the Manager, Recreation & Special Projects and the Commercial Services Adviser are attached.

### **Submission**

N/A

### **Report**

N/A

### **Strategic Plan/Policy Implications**



N/A

**Budget/Financial Implications**

N/A

**6. CLOSING**