



**City of
Kalgoorlie
Boulder**

AGENDA

**Notice is hereby given
for the Special Council Meeting**

commencing at 6:00 PM

on

5 SEPTEMBER 2022

at the

Kalgoorlie Town Hall

2 September 2022



NOTICE OF MEETING

In accordance with Clause 12(4) of the *Local Government (Administration) Regulations 1996*, notice is hereby given of a Special Meeting of Council to be held at the **Kalgoorlie Town Hall** Council Chambers on **Monday, 5th September 2022, 6.00pm**. The purpose of this meeting is for Council to consider the following two (2) reports:

- Proposed Permanent Partial Road Closure Outridge Terrace Kalgoorlie
- Proposed purchase of Residential Properties

Regards

A handwritten signature in black ink, appearing to read "Andrew Brien". The signature is stylized with a long, sweeping underline that extends to the right.

ANDREW BRIEN

Chief Executive Officer

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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

2 DISCLAIMER READING

The Mayor will read the disclaimer to those present.

Please note this meeting is being recorded and streamed live on the Council's website in accordance with Council's Recording and Streaming of Council Meetings Policy, which can be viewed on Council's website.

All reasonable care is taken to maintain your privacy; however, as a visitor in the public gallery, your presence may be recorded. By remaining in the public gallery, it is assumed your consent is given if your image is broadcast.

The recommendations contained in this Agenda are Officer's Recommendations only and should not be acted upon until Council has resolved to adopt those recommendations.

The resolutions of Council should be confirmed by perusing the Minutes of the Council Meeting at which these recommendations were considered.

Members of the public should also note that they act at their own risk if they enact any resolution prior to receiving official written notification of Council's decision.

3 RECORD OF ATTENDANCE

3.1 Attendance

In Attendance:

Members of Staff:

Visitors:

Press:

3.2 Apologies

Apologies – Elected Members:

Apologies - Members of Staff:

3.3 Leave of Absence (Previously Approved)

Leave of Absence:

Nil

4 PUBLIC ACCESS AND PUBLIC QUESTION TIME

4.1 Public Access

4.2 Public Question Time

5 PETITIONS / DEPUTATIONS / PRESENTATIONS

6 NOTATIONS OF INTEREST

6.1 Interest Affecting Impartiality City of Kalgoorlie-Boulder Code of Conduct

6.2 Financial Interest Local Government Act Section 5.60A

6.3 Proximity Interest Local Government Act Section 5.60B

7 APPLICATIONS FOR LEAVE OF ABSENCE

8 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

9 REPORTS OF OFFICERS

9.1 Development and Growth

9.1.1 PROPOSED PERMANENT PARTIAL ROAD CLOSURE – OUTRIDGE TERRACE, KALGOORLIE

Responsible Officer:	Ric Halse Manager Planning, Development and Regulatory Services
Responsible Business Unit:	Planning Development & Regulatory Services
Disclosure of Interest:	Nil
Voting Requirements:	Simple
Attachments:	<ol style="list-style-type: none"> 1. Outridge Terrace Proposed Road Closure Public Consultation [9.1.1.1 - 14 pages] 2. Outridge Terrace CC Permanent Road Closure [9.1.1.2 - 8 pages] 3. Post Campaign Report - Outridge Terrace 0822 [9.1.1.3 - 6 pages] 4. CONFIDENTIAL - Proximity submissions - mapping overlay [9.1.1.4 - 1 page] 5. CO 27062022 MIN 766 Attachment 6910 2 [9.1.1.5 - 1 page] 6. Kalgoorlie Boulder Basketball Association Proposed Road Closure - Survey Plan [9.1.1.6 - 1 page] 7. Outridge Terrace Road Closure Proposal [9.1.1.7 - 1 page] 8. Proposed Redevelopment of Existing Basketball Stadium [9.1.1.8 - 1 page]

Officer Recommendation

That Council resolve, pursuant to;

1. Section 58 of the *Land Administration Act 1997*, to:
 - a. Close a portion of Outridge Terrace between Victoria and Brookman Street, Kalgoorlie as depicted in Figure 1 contained in this report; and
 - b. Authorise the Chief Executive Officer to request the Minister of Lands to close the portion of road.
2. Section 42 of the *Land Administration Act 1997* to request the Minister of Lands to amend Reserve 21837 to incorporate all the portion of closed road as created in recommendation 1 above.

Executive Summary

This report has been prepared to inform Council of the results pertaining to community consultation for a proposed permanent road closure of a portion of Outridge Terrace between Victoria and Brookman streets, Kalgoorlie. Council support is required to formally commence the proposed road closure process pursuant to Section 58 of the *Land Administration Act 1997*.

The proposal to close the road is in response to a request by the Kalgoorlie Basketball Association for Council to support the redevelopment of the Neil Hansen Basketball Stadium. This matter was first considered by Council in 2016 and most recently on 27 June 2022.

Public consultation for the proposal received a total of 332 submissions which overwhelmingly supported the proposal. Nine (9) submissions, or 2.7% of participants did not support the proposal.

Officers recommend that Council support the proposed road closure.

PUBLIC CONSULTATION

Public consultation was undertaken in the following manner:

Requirement: s.58 of the *Land Administration Act 1997*

Duration: 35-day statutory period (s.58 (3) of the *Land Administration Act 1997*)

Method: CKB Unearthed, social media, ABC Radio Interview, Local Newspaper

Submissions Received: 332 (323 support) (9 not support) (3 conditional support) (2 not stated)

A copy of all submissions received are contained in Attachment 1; City officers considered the objections as set out below.

Public consultation – submissions <u>objecting</u> to the proposal		
Submission	Objection	Response
#8	<i>Total disagree to this as it will increase traffic on the residential side of Park Street. There is not enough room for trucks and heavy vehicle's on Park Street as it is not wide enough. It's not going to be safer as the car's leaving the basketball stadium, leave speeding off the side of the road. I do not understand why they did not move out to the Oasis as thats why it was built. Is it because of their liquor licence? After every night basketball games, we have to put up with the hooning as people are leaving the basketball stadium. As discussed last time no one was in favour of this change. You's didn't listen to us in our previous</i>	Access to Park Street is not restricted by this proposal. Furthermore, the category of heavy vehicle permitted to use the local roads are limited to right of access vehicles which includes heavy vehicles. It is not envisioned that the basketball development or the proposed road closures would increase the number of

	<i>meetings so what's going to change. NOTHING.</i>	heavy vehicles using Park Street.
#49	<i>Hi, Southern Cross Care WA object to the closure of Outridge Terrace, we request that the road remain an open public access. The Victoria Park Nursing Home and Hostel has a number of deliveries via Outridge Terrace including gas. Any closure of Outridge Terrace would adversely affect the operations of the facility. Thank you. Ian Nichol. Chief Property Officer. Southern Cross Care WA.</i>	<p>The primary road access for Southern Cross Care WA is Croesus Street. Southern Cross Care can apply to have a secondary access point. to access the property. A second access point can be approved by CKB and incorporated into the basketball car parking design and would not restrict access.</p> <p>The discussion on "Options" in the body of the report elaborates further on this point.</p>
#50	<i>I strongly disagree with this proposal. By closing this street off to the public, it will increase traffic on the side streets in the area. Park Street and Victoria Street will become dangerous to full time residents who live in the area, due to the width of these streets. This was shown to the CKB when the basketball association made its original request to close this road off a few years back. Victoria Street residents have limited off street parking. The danger at the stadium can be managed, which speed humps have been introduced to slow traffic, and members of the basketball association need to stop double parking at the entry gates to let their kids out. I am a member of the hockey association. We asked some time ago to put speed humps on the road outside the stadium to slow traffic and this did not happen. I would of thought having a school in the area would have made it a priority. I feel the basketball stadium needs to seek other locations for their expansion, not risk the lives and livelihood of the full time residents who live in the area. I would also like to mention that you will be building under over head high</i>	<p>The portion of Outridge Terrace proposed for closure is primarily used by basketball participants. Residents primary access to their properties will not be directly affected by the partial closure Outridge Terrace. Furthermore, provision of street parking in residential areas is uncommon. It should be noted that the basketball association proposes to develop a car parking area that will be open to the public 24/7.</p> <p>The current geometrics of the surrounding streets, including Park and Victoria Streets meet all the requirements for residential streets, and have a volume capacity</p>

	<p><i>voltage power lines. You may need to look at this and see what restrictions there are in place about this. The hockey stadium have the same problems as the basketball stadium in roads and danger, with less available parking. If there is an incident it needs to be managed by our association and passed down through the committee members of each club, to pass onto members. I have lived at my address for over 30 years. I have used this road for an extremely long time and I can assure you the only time I have had any close calls at the stadium is when the parents drop kids off at the gate (double parking illegally) and let them get out of both sides of their vehicle without any consideration of approaching traffic from behind. It is not the location of the road that is the danger, it is the common sense of the road users in the area. Please do not inconvenience permanent residents in the area for the sake off a few club members who can't do the right thing. It's a big price to pay for the select few. I also can't help but feel that this will go through due our current Mayor having a strong interest in this sport in particular. His children have been a big part of the Kalgoorlie Basketball Association and Mayor John Bowler is a life member of the Olympians Basketball Club. He has a strong interest in seeing this particular sport to be advantaged by his influential position in the community. No one can just claim roads in their area if they outgrow their residence. If you have too many kids for the amount of rooms in your house you can't just expand. You need to relocate.</i></p>	<p>which far exceeds the current traffic volumes. It is acknowledged that there are and will be peaks in traffic volumes, but these are few in the context of a week-by-week measure, and of short duration, concentrated at the start and end of games.</p>
#103	<p><i>The new stadium should be built near the Oasis, the logical place for it. The existing structure should be razed and a community garden park established in its place with Outridge Tce left open. The traffic situation during a game at the existing venue is ridiculous.</i></p>	<p>See comment on #50</p>
#122	<p><i>Please don't. I drive that road everyday to easily access my house.</i></p>	<p>The portion of Outridge Terrace proposed for closure is primarily</p>

		used by basketball participants. Residents primary access to their properties will not be directly affected by the partial closure Outridge Terrace.
#127	<i>Keep the road open.</i>	Noted.
#264	<i>The proposed street closure will increase traffic in Croesus St, where we live. What will be fine to manage the traffic increase?</i>	Brookman Street and Outridge Terrace will continue to act as the distributor roads to the basketball facility. Croesus Street is not expected to see increased traffic and is not proposed to be used as a distributor road for the basketball facility.
#320	<i>I disagree with the road closure to build a basketball stadium across the roadway. Due process perhaps will of scene the proposed road closure advertised prior to design of a building over the road. The eastern end of historic Hannans foundational settlement of Kalgoorlie Boulder land use is undervalued in the CKB land planning thinking and guidance. Mining piecemeal is not reason to impact residential and historic localities. The CKB adopted motion wte to include the top end of Hannans Street in the Heritage Precinct of Kalgoorlie appears to have been wte 'ignored' in developing the LPS2. The northern section of Outridge Terrace that is proposed for closure is a required access road and thoroughfare to support improved social amenity of the historic settlement in the locality and expand upon the current (private) Victoria Park. The vacant land between southern Outridge Terrace (proposed for closure) and Parks street, deserves to be attended and upgraded in an overview aspect of ALL of the eastern end from the historic Gold Discovery site on Outridge Terrace known as Paddy Hannans Tree, to historic Victoria Street. The City of</i>	The road closure does not conflict with Local Planning Scheme No.01 or endorsed Local Planning Scheme No.02. The road closure will not have any impact on local or aboriginal heritage matters.

	<p><i>Kalgoorlie Boulder has not embraced the value of the residential land aspects at the eastern end of Kalgoorlie Boulder inclusive of in this instance. Expanding a conflicting land use of high traffic, high intensity sporting complex neighbouring a residential and also a senior citizens nursing home is not conducive to creating the long overdue and required improvement to liveability and social amenity of Kalgoorlie Boulder. The closure of Outridge Terrace (northern) is evidence in itself of failures in land planning by the CKB to incorporate superior solutions. As with other high volume sporting complex's in regional cities, such as Bunbury, the activities share their home in more suitable land use areas such as the Halifax industrial locality and sporting ovals and whole sporting complexes. Understanding this existing Basketball Stadium is perhaps built on the original more passive gathering of tennis courts, it is to be remembered perhaps we did not even have too many vehicles in them days, therefore the argument it has always been sporting is also outdated. I 100 % disagree with the permanent road closure of Outridge Terrace. Best wishes with finding an alternative. Thank you for the opportunity to provide this comment.</i></p>	
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Community Strategic Plan Links

This report links to the Strategic Community Plan through the following Guiding Theme/s:

SAFE: We will deliver a safe and activated community that can be used day and night.

SAFE: We have safe, reliable and efficient public transport and road networks.

CONNECTED: We provide public spaces that facilitate a diverse range of activities and strengthen social bonds within the community.

Budget Implications

There are no financial implications resulting from the recommendations of this report. An alternative option included in the report may have financial costs.

Report

The Kalgoorlie Basketball Association (KBBA) has made a request to the City of Kalgoorlie-Boulder to close a portion of Outridge Terrace between Victoria and Brookman Street, Kalgoorlie. This closure will add a portion of land to Reserve 21837 enable the expansion of the existing basketball facility.

The KBBA have explored many options to obtain extra land, and this has become their only remaining option. Upon completion of this closure, the portion of Outridge Terrace will be amalgamated into Reserve 21837.

Pedestrian access will remain between Brookman and Victoria Streets via the use of Park Street which is 25m to the north. Outside of events at the stadium, local pedestrian movements will not be overly burdened by this proposed deviation. Vehicular access to Reserve 45870 (carpark) which is currently from Outridge Terrace will be relocated to Park Street.



Fig 01: Plan depicting section of road proposed for closure

Options

The advertised closure is a section of Outridge Terrace between Brookman Street and Victoria Street. While this closure will have little impact on the traffic volumes on the surrounding streets during the hours when basketball is not scheduled. It is however acknowledged that the closure of the full length of the road may have an adverse impact on the ability of the adjoining Nursing Home to operate efficiently. As described in their submission, they use the section of road planned for closure for deliveries to a rear access point, and the full closure would require special arrangements for them to continue in the same manner. These arrangements can however be readily accommodated through making provision for their access in the long-term car park design. Short terms they would continue to use the existing road to access their property. To note is that they would under any of these scenarios be required to apply for the second access, which should be able to be accommodated.

An alternative would be to only partially close the road to accommodate the basketballs development, and to retain the section fronting the Nursing Home as a

public road with a turning facility at the end at the Basketball Association facility. This would retain the current access arrangement to the Nursing Home property from Outridge Terrace in its current location and form. There would be some financial costs associated with this option.

Statutory Implications

Road closures are administered under the *Land Administration Act 1997* and its associated regulations.

Policy Implications

There are no policy implications resulting from the recommendations of this report.

10 CONFIDENTIAL ITEMS

10.1 Proposed Purchase of Residential Properties

Responsible Officer:	Kevin Ketterer Director of Engineering
Responsible Business Unit:	Engineering
Disclosure of Interest:	Nil

Officer Recommendation

It is recommended that

- 1 In accordance with Section 5.23 (2) of the *Local Government Act 1995* the meeting is closed to members of the public with the following aspect(s) of the Act being applicable to this matter:

(c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

- (e) a matter that if disclosed, would reveal —
- (ii) information that has a commercial value to a person; where the trade secret or information is held by, or is about, a person other than the local government.

Executive Summary

It is the recommendation of the Responsible Officer that this item be considered behind closed doors due to the private and confidential nature of its contents.

11 CLOSURE