

29 October 2012

General Manager
Canada Bay Council
1A Marlborough St
DRUMMOYNE NSW 1470

Dear Mr Sawyer

Report on a Public Hearing: Proposed Reclassification of Lot 2 DP 218758, 66 Victoria Ave, Concord West under Draft Canada Bay LEP 2011 and Associated Written Submissions

Public Hearing Report

Council appointed me to conduct a public hearing into the above land reclassification proposal in accordance with statutory requirements under the Local Government Act 1993.

According to advice from Council administration, the proposed reclassification was placed on public exhibition from 20 August to 17 September 2012, and due advertisement of the hearing was given.

The hearing was held on Monday 22 October 2012 at Concord Library. I attended for this period. I can advise that no members of the public made submissions to the hearing. Accordingly in providing this report on the hearing I advise that there are no additional matters requiring consideration by Council as a consequence of it.

Written Submissions

Council administration provided me with three (3) submissions which were received following the above mentioned public exhibition period. I have been requested to review and make comment on these written submissions.

I note that the submissions were not associated directly with the site which was the subject of the public hearing (ie 66 Victoria Avenue Concord West), however they each do raise points regarding land reclassification proposals. They are considered in turn below in regard to this.

Public Land at 9 College St Drummoyne

Alison Roberts of 7 College St Drummoyne (adjoining the site) has made a submission requesting an easement over 9 College St in favour of the owners "until such time as they wish to sell (their) property". A further request has been made for future purchasers of 7 College St to have a "first opportunity" for buying the land at 9 College St. The submission references ongoing discussions with Council officers on this matter.

Comment: The issues surrounding 9 College St were addressed in my initial public hearing report dated 29 May 2012. This submission from the owners of 7 College St would not alter my original assessment, which favours retention of the existing community land classification for this site. Retaining the current community classification could allow continued access across the site for the current and future owners of 7 College St, while allowing the public enjoyment of the amenity

offered by this green space. A lease or other instrument could be put in place to legitimise existing encroachments.

Reclassification of Public Carparks from Community land to Operational land.

A submission from Judith Campbell raises concern about the above. Ms Campbell indicates that she was overseas during the time of the public hearings on this matter. The key concern appears to be that there is no indication in Council's documentation as to whether the parking will remain for public access or remain free of charge "as at present".

On the question on free parking vs pay parking, it is my understanding that councils are able to charge fees for parking whether the land is classified operational or community land. Council administration could correct this assumption if necessary. More generally, the issue of car parking was addressed in my report on the previous public hearing submitted to Council on 29 May 2012. This report noted the concerns about reduced public access to parking through the reclassification and my understanding of submissions from Council administration that car parking levels would be maintained or improved should reclassification proceed. I suggested Council consider a five point strategy to manage the delivery of this commitment and ongoing community concerns on parking problems as a consequence of reclassification. There are no additional comments in regard to this matter as a consequence of Ms Campbell's submission.

Public Land at 1 McDonald St Mortlake (Lot 212 DP566285)

A submission from solicitors Meyer Solomon on behalf of the owners of 70, 72 and 74 Tennyson Rd Mortlake confirms an interest in the future acquisition of a portion of the abovementioned public land.

The matter of Lot 212 DP 566285 was also addressed in my report to Council on the previous public hearing submitted on 29 May 2012. There are no new matters raised in this submission to alter the conclusions on this matter.

This letter constitutes a report on the public hearing held on 22 October 2012 in regard to a proposed reclassification of Lot 2 DP 218758, 66 Victoria Ave, Concord West. It also addresses written submissions received as a consequence of the public notice of this hearing.

Yours sincerely



Peter Walsh
FPIA
Director
Walsh Consulting