





1. Bruce Richard Davies, Registrar General for New South Wales, certify that this negative is a photograph made as a permanent record of a document in my custody this 17th day of October, 1979

LOT NUMBERS ADDED AND AMENDMENTS OR ADDITIONS  
NOTED ON PLAN, IN REGISTER GENERAL'S OFFICE



PLAN FORM 3 To be used in conjunction with Plan Form 2

Registered 421-4-1992 4/19

This is sheet 2 of any plan in 3 sheets dated 20 February 1975

R. E. Cant

Surveyor registered under Surveyors Act 1929.

This is sheet 2 of the plan of 3 sheets covered by my Certificate No. 556/94 of 17th April 1975

Signature and seal only.

1/ Council Clerk

Sec. of the Commission of Enquiry into the Land Use of the City of Johannesburg

Sec. of the Commission of Enquiry into the Land Use of the City of Johannesburg

AMENDMENTS APPROVED AND ACCEPTED BY COUNCIL

(SHIRE CLERK)

5TH MARCH 1975

AMENDMENTS APPROVED AND ACCEPTED BY COUNCIL

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17TH APRIL 1975

Reduction Ratio 1:500

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SURVEYOR'S REFERENCE. 2241

Plan Drawing only to appear in this space.

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LOT NUMBERS ADDED AND AMENDMENTS OR ADDITIONS  
NOTED ON PLAN IN REGISTRAR GENERAL'S OFFICE.

**KEN HANSEN**  
**PO BOX 12 CABARITA BEACH NSW 2488 AUSTRALIA**  
**PH: 02 66 761269, FAX: 02 66 763038**  
**MOBILE 0438 766330**

*CORRESPONDENCE*

24 March, 2008

To Whom It May Concern:

RE: Carpark Lot 3 DP 842350  
Hastings Road, Bogangar  
Proposed Change of use and potential sale

My objection to this lot being used for any purpose other than carparking has been voiced at every opportunity since a possible change of use was muted in 2004.

**1978/79** We built Hastings Road,

The Tweed Shire Council insisted that we provide two car parking areas – one South and one North to cater for the expansion of the commercial areas of Hastings Rd and Coast Road.

I was concerned at the size of the car park dedication, required from me, for the small amount of blocks being developed, but, a council officer at the time stated that it was the Shire's intentions to purchase the adjoining blocks on the coast road to insure adequate parking would be available at both ends of the commercial areas. Note how the rear boundaries of the allotments adjoin for this purpose.

We also dedicated 3m at the rear of each of the developed blocks being half of the intended Right of Way between the dedicated car park areas.

We also installed the drainage and paid for our half of the construction costs of the Right of Way, up front, prior to the release of the plan.

Council letter of 5th March 1979 (*attached*) clearly states that the lots were dedicated as public reserve for the purposes of car parking

**A few years later** When we saw building approvals being granted on the land that Council was supposed to be purchasing – I inquired, how this could be and was told that “they (council) considered any extra land for car parking was unnecessary as Hansen had provided plenty for the purpose.”

**September 2004** A public hearing was held on 23rd regarding the reclassification of Lot 3, submissions were received from Ken Hansen (Hansen Development Pty Ltd), Cath Lynch (Cabarita Beach Bogangar Residents Association inc), James Willman, Neil Moors and Greg Bambach who all spoke in favour of retaining the land for parking uses and not for it to be reclassified.

(attached) Copy of Hansen Development Pty Ltd submission

(attached) Cabarita Beach Bogangar Residents Association inc submission.

(attached) attendance list.

**October 2004** Under council letter dated 21<sup>st</sup> (*attached*) we received copy of the results of the public hearing by Blueland Engineers (*attached*) which recommends that it be re-classified to operational land with some conditions to be met prior to any decision to sell the land. Which appear to not have been met as yet.

**January 2005** On 14<sup>th</sup> I wrote to council (*attached*) stating that I felt the feeling of the public meeting in September 2004 was that it should not be reclassified and therefore unable to be sold, which is the total opposite to what was portrayed in the results as published by Blueland

Engineers, I also wrote to the commissioner for the public inquiry voicing my concerns  
(attached)

**March 2005** Lot 3 was re-classified as operational land by gazettal on 11th March 2005

**March 2007** council received a report from Maddocks Lawyers on 6<sup>th</sup> in relation to the disposal of some of council land, lot 3 is included within this report but the contents remain confidential to council.

**November 2007** council moved on 13th to adopt the probity plan of Maddocks Lawyers for the sale of lot 3 (detailed as in confidence report) in council minutes (attached)

**March 2008** The link advertised on 11<sup>th</sup> that tenders were being sought for this and other council land and that the agents for the tender are C.B. Richard Ellis. It is being promoted for a potential 3 story commercial development with a site area of 2,160 sq.m.

**April 2008** Tenders close on 9<sup>th</sup>.

Also attached is:

Plan for car park proposal on the site prepared by Tweed Shire Council 9<sup>th</sup> September 1999.

Copy of linen plan

copy of 88b instrument.

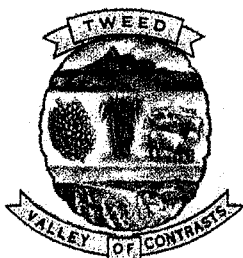
#### **Summary.**

I still question the legality of Council being able to dispose of previously dedicated land as a sale to any interested party without the requirements of providing carparking for adjoining lots as per the original intent when acquired.

I feel property that was developed in the original subdivision, much of which is still vacant land, that gave cause for this carpark to be dedicated in the first place will be adversely affected by its sale and subsequent alternative use and loss of the carparking area.



Ken Hansen



# Tweed Shire Council

P.O. BOX 816  
MURWILLUMBAH  
N.S.W. 2484  
TELEPHONE  
72 2444

PLEASE QUOTE

COUNCIL REF. NO. GL.JD S18F/462

YOUR REF. NO.

CIVIC AND CULTURAL CENTRE  
MURWILLUMBAH

N. S. W. 2 4 8 4

FOR ENQUIRIES PLEASE

CONTACT Mr. Logan.

5th March, 1979.

Mr. K. Hansen,  
Hansen Developments Pty. Ltd.,  
P.O. Box 12,  
KINGSCLIFF. N.S.W. 2413

Dear Sir,

re: Amendments to Plan of Subdivision -  
Hastings Road, Bogangar.

You are hereby advised that Council will accept Lots 180 and 196 being dedicated to the Public as Public Reserve, for the purposes of car parking.

The plan of subdivision and one copy, both duly certified, are attached.

Yours faithfully,

*R. D. Spence*  
(R.D. SPENCE)  
SHIRE CLERK. *JS*

ENCL.