

55 Kalang Street Parking Supporting Evidence

The Owner has provided documental evidence that in 1972 -1973 a process took place between the then owner Mr SC Papandrea and Warringah Shire Council where a 20 foot (6.02m) deep strip of land the full width of the site (14.63m) was dedicated to Council free of charge for parking in exchange for a BA approval which took into account 4 car parking spaces in that dedicated land.

The letter and memo of the 8-3-73 and 12-3-73 (below and attached) clearly indicate that 4 car spaces calculated to be accommodated in the dedicated land on Kalang Road where to be included in the car parking calculations for the then Building Application the site.

The following documents are tendered as proof of the above claim;

A. 28-03-1972

Hand written internal Council note from Assist Town Planner to Health & Building dept to
"obtain a dedication of a 20 foot strip of land at front of property as a condition of the Building Approval at no cost to the council".
"Approval to be held in pending awaiting dedication 07-04-1972"

B. 28-03-1972

Letter from Council to Mr Papandrea requiring the dedication with form 16 attached.

C. 28-07-1972

Copy of Form 16 signed by owners regarding the dedication for parking purposes.

D. A797/72 Amended Plans & Elevations

Drawing noting *"20 foot dedication strip for parking"* drawn on site plan. Faint but still visible

E. 8-3-73 Letter to Owner from Council

Letter stating that the street parking that resulted from the 20 ft dedication to Council would be included in the parking being counted in the 10 cars parking spaces required to be provided

F. 12-3-73 TP Memo Internal

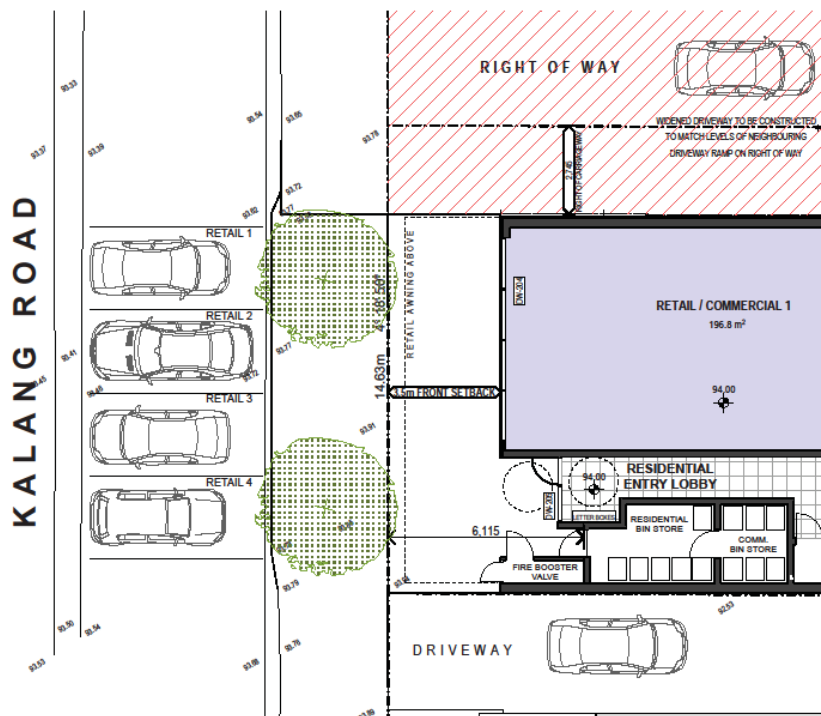
TP Memo stating that 6 cars are to be provided on site (this including the 4 cars in the dedicated part of the site add up to the total 10 car parking spaces required

G. 18-06-1973

Town Planning Dept memo

"As Dedication forms have now been returned to Council dedication please arrange for the Engineers Dept to be notified so that survey & dedication action may be commenced"

Proposed street front below showing 4 spaces & driveway access.



RAY FITZ-GIBBON
Chartered Architect 5718 RAIA

TOWN PLANNING DEPARTMENT

Date 28/3/72.

Time

TO HEALTH & BUILDING DEPT.

FROM ASST. TOWN PLANNER.

SUBJECT: Reference Health & Building
Dept. minute date 21/2/72.
Action is now being
pursued to obtain a
dedication in Council of
the 20 ft. strip of land at
the front of the subject
property (Lot 192 DP 24922).
A condition of the
Building Approval stated
that the 20 ft strip of land
at the front of the property
be dedicated free of cost
to Council.

T.P.O.
T.W.

HWJ
Suggs held on decision
Please hold in
Pending awaiting
dedication. HW 7/4/72.



WARRINGAH SHIRE COUNCIL

SHIRE HALL, BROOKVALE, 2100
LW:MMF

Telephones: 93-0241-9

28th March 1972

Mr. S. C. Papandrea,
55 Booralie Road,
Terrey Hills 2084

Dear Sir,

Lot No. 192 D.P. 24922 Kalang Road, Flanora Heights

Reference is made to the Building Application for a Shop
lodged on your behalf by D.G. Stanley Pty. Ltd.

You are advised that a condition of building approval
will be that a 20 ft. strip of land at the front of the property
be dedicated to Council for parking.

Please complete the enclosed forms (all three copies) and
return them to Council's Town Planning Department as soon as
possible.

Town Planning Dept.

TELEPHONE/PERSONAL INQUIRIES, ASK FOR Mr. Winnacott

Yours faithfully,

(R. M. Stuckey)

SHIRE CLERK

WARRINGAH SHIRE		AREA 102 SQ MILES	EMBRACES LOCALITIES OF		
ALLAMBIE HEIGHTS	BROOKVALE	CROMER	HARBORD	17TH MARRABEEH	QUEENSLIFF
AVALON	CHURCH POINT	CURL CURL	INGLESIDE HEIGHTS	MARRABEEH	SCOTLAND ISLAND
BAVVIEW	CLAREVILLE	DEE WHY	KILLARNEY HEIGHTS	NEWPORT	TERREY HILLS
BEACON HILL	COLLAROY	ELANORA HEIGHTS	MANLY VALE	17TH BALCOWLAN	WARRIEVOOD
BEI ROSE	COLLAROY PLATEAU	FRENCH'S FOREST	MOKA VALE	17TH MANLY	WHALE BEACH
BILGOLA	COTTAGE POINT	FORESTVILLE	MARRABEEH	OXFORD FALLS	WHEELER HEIGHTS
				PALM BEACH	WINGALA

UNDERTAKING

Form 16

THIS DEED made between me.....(full names) of the registered proprietor(s))(for myself and my executors administrators and assigns) of.....(residential address) and THE COUNCIL OF THE SHIRE OF WARRINGAH whereby I UNDERTAKE to dedicate to the Council for...PERPETUITY.....ALL THAT piece of land being.....(sufficient description to identify the land to be dedicated)..... and at the request of the Council to comply with the following requirements:-

1. To sign the statement with regard to dedication endorsed on the plan of subdivision.
2. To arrange production of the relevant Certificate(s) of Title at the Registrar General's Office or to lodge same with the Council's Solicitor to permit the plan to be registered and the usual notification to be placed on the title.
3. To use my best endeavours to obtain the consent of the Mortgagee (if any) to the dedication.

AND I ACKNOWLEDGE that I am aware that the proposed dedication will result in the Council acquiring the title for.....

THIS UNDERTAKING IS SUBJECT TO THE FOLLOWING CONDITIONS:

- (i) The plan of subdivision to be prepared by the Council at its own expense.
- (ii) All legal expenses to be paid by the Council.
- (iii) Such kerbing and guttering and/or paving as is already in existence to be re-constructed by the Council without expense to myself.

DATED this 10TH day of April, 1972.

SIGNED SEALED AND DELIVERED)
in the presence of:

J. C. Papandrea
J. Papandrea

A Justice of the Peace.

John J.P.

NOTE: This Undertaking must be signed by each of the registered proprietors of the subject land (if more than one) and in the case of a Company it must be executed under Seal.

If the land is mortgaged the following statement should be signed by the Mortgagee or by a responsible officer in the case of a Mortgagee Company.

"No objection will be raised to the proposed dedication"

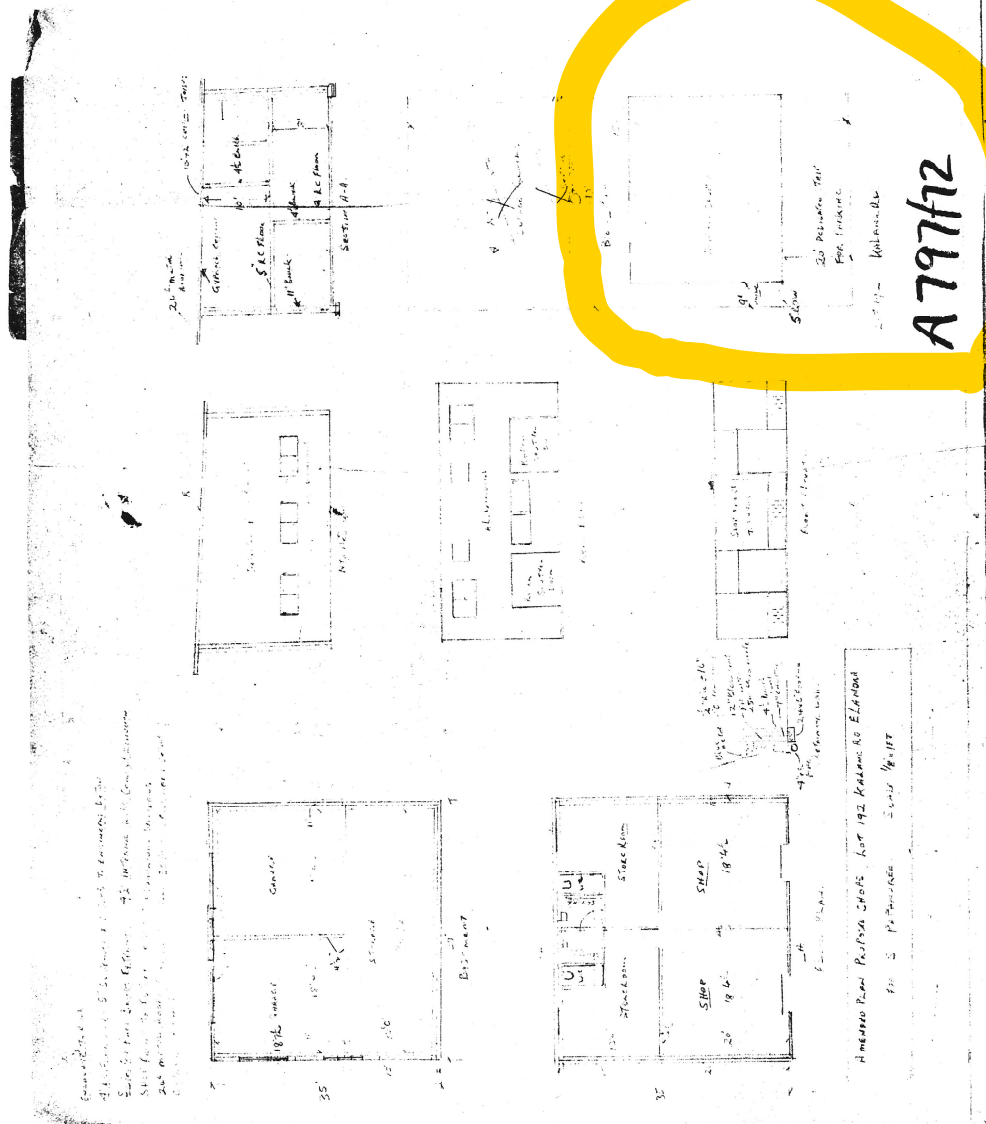
.....
Mortgagee.

TO: The Shire Clerk
THE COUNCIL OF THE SHIRE OF WARRINGAH
Council Chambers,
BROOKVALE.

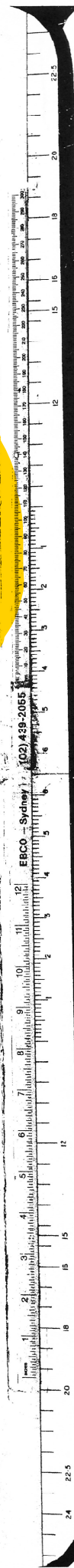
Original to
Mortgagee 22.6.73
6

Form 16

TO: THE DIRECTOR, FBI
FROM: SAC, NEW YORK (100-157100)
SUBJECT: JAMES EARL RAY, AKA
RE: NEW YORK TELETYPE TO BUREAU, 1/10/68



A79772



AC:SG

8th March, 1973

Mr. E. C. Papandrea.
55 Booralie Road,
PARREY HILLS. N.S.W.2084


Dear Sir,

Re: Office Additions at Lot 192 Kalang Road, Elanora.

In reference to your Building Application for the above you are advised that before the plans can be further processed you will be required to submit details of how the ten (10) car parking spaces the site requires are to be accommodated.

You are reminded that spaces provided in the 20ft. dedication are included. Spaces must meet Council's minimum requirements and a payment of \$1,000 per space can be made if the spaces cannot be provided on site.

Yours faithfully,


(R.M. Stuckey),
SHIRE CLERK.

Mr. A. Cullen Town Planning Department.

TOWN PLANNING DEPARTMENT

Date _____

Time

TO. *file*
R.H.
FROM

SUBJECT: *Re: Lot 192 Kelang Road*

Discussion with the builder
Counselor F. Beckman, re order to
owner P. 3. 73.

The additional 6 car parking spaces required ~~to~~ ~~to~~ ~~to~~ above those provided in 20' dedication ~~to~~ ~~to~~ will be located at the rear along the Southern boundary as shown on plan.

No T.P. Dyection subject to
① the retention of 2 substantial
trees on the property, and
provision of additional 6 car
parking space as shown

Lawrence
12-3-75

TOWN PLANNING DEPARTMENT

Date 18.6.73

Time

TO V.H.

FROM L.S.W

SUBJECT:

as dedication forms
have now been returned
to Council, please arrange
for the Engineer's Dept. to be
notified so that survey &
dedication action may be
commenced.

H. M. Smith

H.B.

Please attach to
relevant building appn.
VH 11/1/73

FILE

A797/72

ATTACHED