

# PUBLIC EXHIBITION

## Classification of Private Land to Operational Land

Council at its Meeting on 26 April 2016, recommended classifying the following land as Operational Land under s650 of the Local Government Act 1993, for the purposes of entering into a Free Car Parking Agreement with various land owners, including:

- No. 753 Hume Hwy, Bass Hill (Bass Hill Shopping Centre), and
- No. 25-37 Selems Pde, Pevesby (Palm Court Shopping Centre).

As detailed in the attached Report, for Council to enter into an Agreement to monitor and manage car parking on the above mentioned land, Council must first classify the land as Operational Land (as described by the Local Government Act). This notification is part of that legal process to enable an Agreement to be entered into, after public exhibition and adoption by Council. This exhibition is being notified in both The Torch and also the Express Newspapers during this period.

This exhibition is open for public comment from Tuesday 10 May to Wednesday 08 June 2016. Further information is available on Council's website and also at Council's Administration Centre in Rickard Rd, Bankstown.

Should you wish to make a submission, Council must receive it by close of business on 08 June 2016, and it should be addressed to:

General Manager  
Bankstown City Council  
PO Box 8  
Bankstown, NSW, 1885  
Att: Project Manager Special Projects

Alternatively, phone Council's Project Manager Special Projects on (02) 9707 9097 to further information.

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## Report of the General Manager - 26 April 2016

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### ITEM 6.4 Free Car Parking Agreements

#### DELIVERY PROGRAM (2013-2017)

TA 6. Public parking will be accessible and actively managed.

Select item

#### AUTHOR City Assets and Infrastructure

#### ISSUE

Council received proposals from two (2) local shopping centres, requesting assistance to better manage car parking within their centres, by entering into Free Car Parking Agreements. This report details the necessary legal steps (under the Local Government Act) required to enter an agreement including a recommendation to moving forward.

#### RECOMMENDATION That -

1. Council publicly exhibit the proposal to classify the following land as Operational Land in accordance with Section 650 of the Local Government Act 1993, and Guidelines issued by the Office of Local Government, for the purposes of administering a Free Car Parking Agreement for:
  - a. No. 753 Hume Highway, Bass Hill (Bass Hill Shopping Centre); and
  - b. No. 25-37 Selems Parade, Revesby (Palm Court Shopping Centre).
2. Council receive a further report at the completion of the exhibition period.

#### BACKGROUND

Council has received various requests in recent years from a number of local shopping centres to enter into Free Car Parking Agreements, to better manage car parking within their sites. The most recent Agreements include the following locations:

- a. No. 1 North Terrace, Bankstown (Centro Shopping Centre);
- b. No 1 Leicester St, Chester Hill (Chester Square Shopping Centre),
- c. No. 60 Marco Ave, Revesby (Woolworths Revesby), and
- d. No. 355 Waterloo Rd, Greenacre (Chullora Marketplace).

These Agreements allow Council to enter private property to monitor and manage car parking, ensuring compliance with timed signage and accessible car spaces, as well as loading zones.

The current proposals have been requested by Bass Hill Shopping Centre and the Palm Court Shopping Centre in Revesby.



## REPORT

Council has entered into four (4) Free Car Parking Agreements in the last few years with local shopping centres. Each of these shopping centres had numerous issues with non-compliance of signposted directions, time limits, and major issues with private vehicles parking in loading docks, causing significant delays in unloading to service their retailers.

These shopping centres approached Council to take on the monitoring and management of their car parks to ensure compliance. Council is able to undertake such actions by complying with section 650 of the Local Government Act.

The Bass Hill Shopping Centre (No. 753 Hume Hwy Bass Hill - Lot 102 DP 732428) is identified as one of the larger single mall shopping centres in the north western area of Bankstown, whilst the Palm Court Shopping Centre (No. 25-37 Selems Pde – Lot 81-95 DP 16827, Lot 119 DP 16927, Lot 0 DP 56473) is located at Selems Pde Revesby. Both car parking areas are heavily used and would benefit from appropriate monitoring of these sites.

As part of their request, Bass Hill Shopping Centre Management note that there are major issues with private vehicles parking in their main driveway, limiting access to the loading docks. This is despite the various measures put in place including the installation of no parking signage and repeated efforts to inform offending drivers of parking restrictions. The proposed Agreement will provide Centre Management with the ability to monitor the carparks through a regulatory process.

In relation to the Palm Court shopping centre, Council has in the past had a Free Car Parking Agreement with centre management, however this agreement expired. This current process will enable Council to recommence monitoring in this busy Revesby location.

### Next Steps

As part of the process of entering into an Agreement with these two (2) shopping centres, Council is required to classify the land as Operational Land, as detailed under section 650 of the Local Government Act. In addition, Council must also ensure it follows the *Director General's Free Parking Area Agreement Guidelines (1998)*. Broadly, the Guidelines include:

- The council identifying that there is a genuine need, from a public policy perspective, to assist the landowner in deterring vehicle related problems, via the conclusion of the proposed free car parking are agreement submitted by the landowner;
- The landowners understanding that the Council will take control of the land and make it available for parking by the public free of charge, and the landowners agreement to this occurring;
- That all signage must be compliant with relevant sections of the Act;
- That the list of matters identified in the Guidelines are addresses; and

- The classification of any land within the Agreement, is to be classified as 'Operational Land' (under s34 of the LG Act).

This report recommends that Council publicly exhibit for a period of 28 days this proposal. Should Council receive any submissions to this exhibition, these will be addressed in a further Report to Council.

As part of the negotiations with both shopping centres, and as per all previous Agreements Council has entered into, it is recommended that an initial term of 5 years be agreed to, with an option for a further 5 years. In order for Council to better manage the number of Agreements it has, it is recommended the all Agreements end on the same date, therefore simplifying administrative processes. This will likely result in the initial term being slightly less than the 5 years noted above, to align with all other Agreements.

## **POLICY IMPACT**

The proposal to enter into Free Parking Agreements is consistent with the requirements set out under the Local Government Act (s.650) and the *Director General's Free Parking Area Agreement Guidelines (1998)*. It also aligns with the Bankstown CBD Car Parking Strategy (2009), which acknowledges that Council may enter into such Agreements to better manage car parking.

## **FINANCIAL IMPACT OF RECOMMENDATIONS**

All costs associated with manufacturing of any signage will be borne by the land owners prior to Council commencing any regulatory services on that site.

Council will provide the necessary resources to undertake the patrolling of the abovementioned sites, as required.

## **RECOMMENDATION**      That -

1. Council publicly exhibit the proposal to classify the following land as Operational Land in accordance with Section 650 of the Local Government Act 1993, and Guidelines issued by the Office of Local Government, for the purposes of administering a Free Car Parking Agreement for:
  - a. No. 753 Hume Highway, Bass Hill (Bass Hill Shopping Centre); and
  - b. No. 25-37 Selems Parade, Revesby (Palm Court Shopping Centre).
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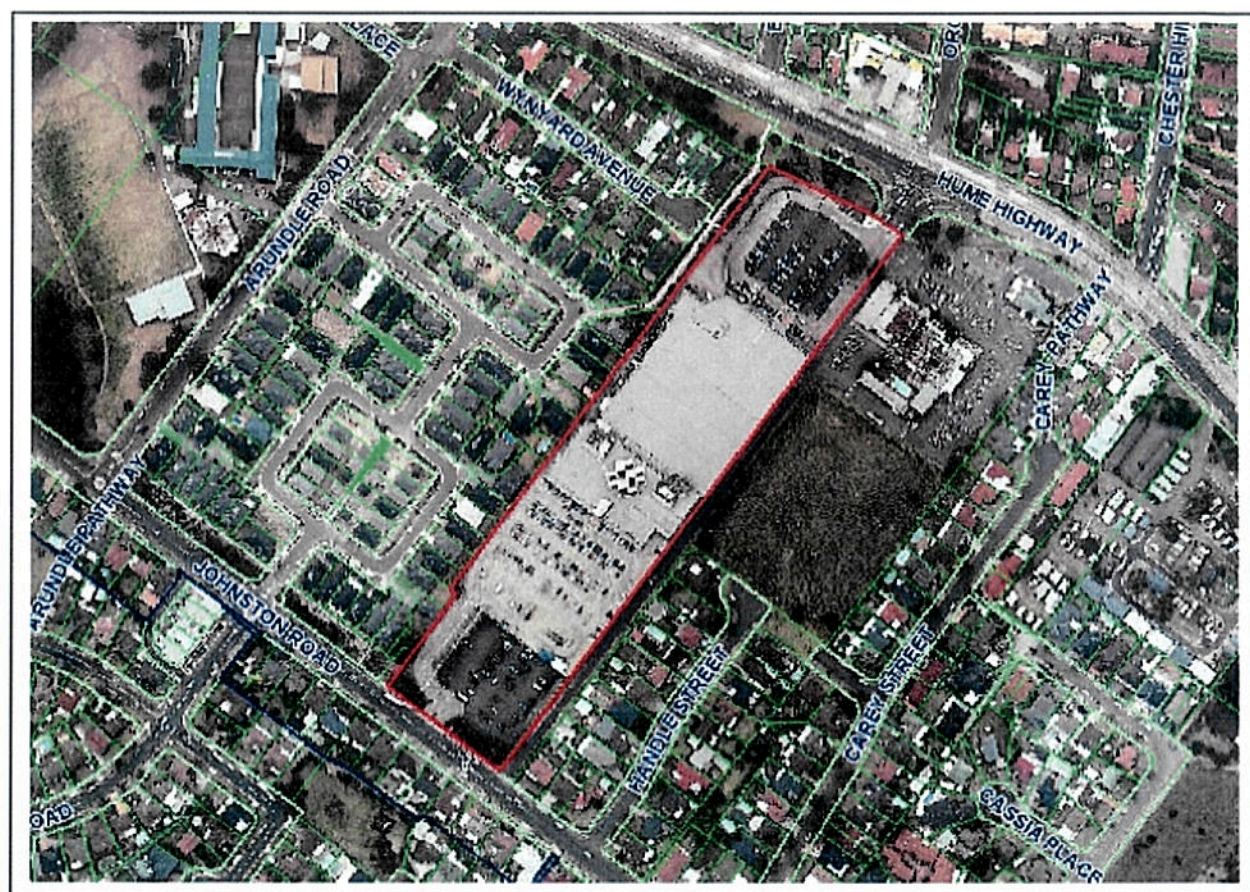
## **ATTACHMENTS**

- A. Maps of Shopping Centre Locations



## Attachment 1

Map of No. 753 Hume Hwy, Bass Hill (Bass Hill Shopping Centre)



Map of No. 25-37 Selems Pde, Revesby (Palm Court Shopping Centre)

