



The RAGAA Forum - June 2008 (updated July 2008)

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The Hole In the Ground Berala - Woodburn Road Development

The following are transcripts of recent correspondence and calls to action between the concerned residents of Berala, with RAGAA's support, and the developers, Auburn Council & the State Government.

People For A Better Berala and Residents' Action Group for Auburn Area

RE: Woodburn Rd development

'The hole in the ground'

Dear residents and shopkeepers,

As you are no doubt well aware, the shops on the eastern side of Woodburn Rd have been closed now for over 2 years (Food For Less, etc). This has had an enormous impact on the shopping centre and also on the lives of many Berala residents and shopkeepers.

Unfortunately, this is private land and no one, including Auburn Council, can force the developer, Citadel Property Group (Berala) to build. So many people have asked what can be done, so we thought we would invite the community to come along and draft a letter to the developer, from the community, explaining the impacts this lack of development is having on the Berala area.

WHEN: 1pm, Saturday, May 31st

WHERE: Uniting Church Hall, The Crescent, Berala

This is not a political rally, but a chance for the community to put its case to the developer. Please note that Mr Maiolo of Citadel Property Group, or his representative, have been invited to attend the meeting.

For more information, contact

Doreen Stanmore ph 9749 1923 (People for a Better Berala)

Irene Simms ph 9643 9703 (RAGAA)

Victor Korabelnikoff ph 0409 233 622 (RAGAA)

People For A Better Berala and Residents' Action Group for Auburn Area

Mr A. Maiolo,
Citadel Property Group,
572 Princes Highway,
ROCKDALE. 2216.

Dear Tony,

A public meeting has been called for 1pm on Saturday, May 31st at the Uniting Church Hall, The Crescent, Berala, to discuss the impacts that the lack of shops in Berala is having on the residents and shopkeepers. Rumours abound in Berala as to what is actually happening, or not happening with your site, but the bottom line is that Food For Less was closed over 2 years ago, and there is no noticeable development on the site at Woodburn Rd to give any indication that a supermarket and other facilities are any closer to being available to the residents than in 2006.

The purpose of this letter is to invite you, or your representative, to attend the meeting and provide some answers to the Berala residents/shopkeepers. You are obviously the people who know what your intentions are for the site.

Hoping for a favourable response,

Doreen Stanmore
ph: 97491923
fax: 96439703 (Irene Simms)

An Open Letter From The Residents Of Berala

Tony Maiolo,
Citadel Property Group Pty Ltd
PO Box 889
ROCKDALE NSW 2216

31 May 2008

Dear Mr Maiolo,

The Berala community is distressed at the loss of the shopping centre on the eastern side of Woodburn Rd since Easter, 2006.

We object to your delay of the construction of DA037/03 on Woodburn Rd for the following reasons:

- Local business is suffering. Shops are closing down.
- The need to now travel elsewhere for shopping (extra expense and time taken), exacerbated by inadequate train and bus services.
- The extra strain on low income households due to the need to travel outside Berala to purchase their groceries. Some residents, such as the elderly and persons who are disabled are now dependent on others to bring them groceries, as they have no means of transport and cannot buy what they require in Berala.
- The area is now less safe than it was before eg. poor visibility to pedestrian crossing, security of the site (especially regarding the likelihood of inquisitive children entering the site). Who will be responsible for any loss of life resulting from persons entering the site due to the poor fencing?
- Quality of life is negatively affected eg. more opportunity for crime including robbery, vandalism and obscene behaviour due to the hoarding and its ability to conceal offenders, as well as the reduced number of people in the shopping centre, consequently, an increase in the fear of crime
- The hoarding intrudes into the on-road parking on Woodburn Rd, making parking difficult, and the hoarding adjacent to the car park area adds to the unsafe conditions on and around the site, as it hides pedestrians exiting Berala station from the view of oncoming motorists, and reduces opportunities for passive surveillance (ie. it increases the opportunity for criminal behaviour).
- The amount of graffiti and billposting on the hoarding adds to the 'grottness' and perception of reduced safety.
- Stagnant water in the site – a breeding ground for mosquitoes and a health hazard eg. attraction to vermin.
- The rubbish being dumped in the car park area needs to be removed.

- Loss of value to property due to the lack of a supermarket.

The loss of shops and lack of patronage due to people having to go elsewhere is slowly killing Berala. We believe that you have a duty of care that you are not addressing.

Sincerely,

Residents of Berala

ps A follow up meeting has been called for 1pm Saturday, July 26th, at the Jubilee Hall, St Peter Chanel Church, 60 Kingsland Rd, Berala. You, or your representative, are cordially invited to attend, and we hope for a favourable reply. Please contact Doreen Stanmore (People for a Better Berala) on 97491923 or Irene Simms (Residents Action Group for Auburn Area) on 96439703.

cc. Frank Sartor, Barbara Perry, Auburn Review

From: [Irene Simms](#)

To: office@sartor.minister.nsw.gov.au

Cc: office@perry.minister.nsw.gov.au

Sent: Sunday, June 01, 2008 9:26 PM

Subject: Loss of shopping centre in Berala due to stalled development

Dear Ministers,

A public meeting was held yesterday in Berala regarding the loss of almost half the shopping centre due to a development which has been commenced (just) and has now stalled for some time. The shops were closed (including the Food for Less Supermarket) around Easter, 2006, and the community, both residents and shopkeepers, has been struggling ever since.

Attached is a letter which was drafted by the meeting of almost 200 residents to the developer, Citadel Property Group (Berala) Pty Ltd. The meeting has asked that this letter be forwarded to you both. The catalyst for the meeting was the removal some three weeks ago of the work sheds from the site, despite repeated assurances from the developer that the building will go ahead.

I am happy to answer any questions you may have. It is apparent that some legislation is required which will prevent developers from demolishing critical infrastructure (in this case the supermarket & shops), until such time as they are ready and able to complete the new development or, at the very least, the Council should have the ability to put a time frame on the completion of the work.

Any assistance you can give would be greatly appreciated.

Clr Irene Simms
Deputy Mayor,
(Residents Action Group for Auburn Area)
ph/fax: 9643 9703

From: [Mark Brisby](#)

To: [Irene Simms](#)

Cc: [Glenn Francis](#)

Sent: Thu 17-Jul-08 8:52 AM

Subject: Berala Development - Questions from the public meeting !!

Clr Simms;

Good morning !! Please find responses to the questions from the public meeting as follows;

- Can council refuse to lease the hoarding to the applicant?

Council requires the hoarding as part of the Consent process along with Workcover authority requirements and as such could not refuse to allow the hoarding.

- Council to make sure posters are taken down, and seek removal of the hoarding

Council's Rangers monitor this area.

- Inspection on safety of hoarding and particularly protrusions... hard to park due to the protrusions. The perceived access near the pub is also an issue. If possible, can the hoarding adjacent to the car park please be removed?

Inspections indicate that the area is safe but Council's Rangers monitor this area.

- Can council regularly require cleaning of the car park

Council's Rangers monitor this area and Orders requiring cleaning of the area are served on the owner when required. It should be highlighted that to enhance the area, council recently directed the removal of the charity clothing bin, to prevent the dumping of clothing in the area.

- Check lighting around the hoarding

Council's Rangers have inspected the area and report that the lighting is adequate.

Quality of the shopping centres in LGA deteriorating

- Concern about what council can do or create to do... what avenues are available to bring pressure on the developer to move, one way or the other. Council to use every means at its disposal to keep pressure on the developer to progress the development or dispose of it

Commencement of the construction is a matter for the owner of the land. Council is not able to force them to complete the development.

- Investigate if there is any way that council can force the developer to fill in the hole in a certain time frame if no progress is made

Council can only require the owner to maintain the site in a safe and healthy condition.

- Can council ascertain what commitment (duty of care) the owner has to safety both in public access and also the hole itself

Council can only require the owner to maintain the site in a safe and healthy condition.

- Deep concern about the continuing water in the hole and its safety, both for drowning and for health impacts

Orders have issued on the owner requiring the water to be removed from the site.

The orders have just expired and the owner has been given a verbal direction that if he fails to have the hole pumped out , council will commence formal legal proceedings against him.

- Why did council allow them to build on a swamp?

All concerns regarding stormwater and drainage were addressed during the assessment of the Development Application.

- Report back as to who is responsible for loss of life as a result of inadequate security of the hole

While we are not Lawyers the owner is responsible for the safety of the site.

It should be also highlighted that NSW Workcover have inspected the site and found it to be generally in accordance with their requirements.

I trust this information is of assistance. Please do not hesitate to contact myself if you require anything further.

Thanks !!

Mark Brisby
Director Planning and Environment
Planning & Environment
Auburn Council
t: (02) 9735 1211
f: (02) 9643 1120
e: mark.brisby@auburn.nsw.gov.au

NOTICE OF MOTION. (June 18th, 2008)

We hereby move:

That Council prepare a motion to the NSW Local Government Association Conference to reflect the intent of the following:

"This conference calls on the Minister for Planning to enact a prohibition which prevents land owners from demolishing infrastructure deemed as 'essential' (to be determined by the relevant Local Council) without completing the replacement infrastructure within a time period specified by the Local Council."

Clr Irene Simms
Clr Victor Korabelnikoff
Clr George Campbell

DO YOU WANT TO KNOW MORE ABOUT US?

If you would like to know more about the Residents' Action Group for Auburn Area,
Our mailing address is : PO Box 273, Lidcombe, NSW 1825.