



Our Ref: 15178

2nd September, 2015

Director of Urban Renewal
NSW Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2001

Dear Sir

Re: Draft Ingleburn Precinct Land Use and Infrastructure Analysis

1. INTRODUCTION

We have carefully read the Draft Ingleburn Precinct Land Use and Infrastructure Analysis. This submission is made in relation to the proposed use of land between Nardoo Street and Carlisle Street, and south-west of Cambridge Street, currently used as a car park. We have previously made a submission to Campbelltown City Council on this matter (dated 3rd February, 2015).

2. BACKGROUND

On 18th December, 1979 the original developer of Ingleburn Shopping Centre received interim development consent for the shopping centre with a condition that the original developer would provide 198 off street parking spaces. This requirement was advised in the Consent could be satisfied by either a monetary contribution or:-

by taking steps "to provide sufficient land component and physically construct on an area designated for off-street car parking purposes a total of 198 off street parking spaces."

The developer decided to utilise this means of providing car parking, with the Council also requiring the original developer to "make satisfactory arrangement for the transfer of the land content together with a satisfactory contribution in respect of the construction."

A car park was constructed at that time and has existed since then to service the Ingleburn Fair Shopping Centre which contains a Coles supermarket, amongst other shops. There is no other off street car parking area close enough to service the Ingleburn Fair Shopping Centre.

The present owners of Ingleburn Fair Shopping Centre are awaiting approval of a Car Park Agreement submitted to Council on the 29th of September 2014 which was based upon the unanimous June 2014 Resolution of Council to upgrade the car park.

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3. THE PROPOSAL OF THE DRAFT INGLEBURN PRECINCT LAND USE AND INFRASTRUCTURE ANALYSIS

As shown on the Future Precinct Character section (Page 19) of the Draft Ingleburn Precinct Land Use and Infrastructure Analysis, the existing car parking site is identified to embrace high rise residential development on the existing car park site and other sites. This might be appropriate on sites where there is no legal right or responsibility involved.

We are advised by our legal counsel that the land was inappropriately placed within operational land in 1993 and should have been included within community land.

4. SUBMISSION

It is submitted that if the Council wish to permit further development of the car park land (the subject of the submission) then they should negotiate conditions within the September 2014 Car Park Agreement lodged by the owners of Ingleburn Fair Shopping Centre. Alternatively the existing car parking land (due to current legal constraints) should be excluded from any high rise residential consideration and specifically shown as a dedicated car parking area. We emphasise that the future of Ingleburn Shopping Village is dependent upon this car parking being available for shoppers.

The advice of legal counsel is that Council is not presently free to allow high rise residential use of the car park without an agreement with the owners of the Ingleburn Fair Shopping Centre and the Draft Ingleburn Precinct Land Use and Infrastructure Analysis should be amended accordingly.

5. THE FUTURE

We would appreciate being advised of any recommendation of officers or public hearing relating to this matter, and of any meeting at which we may address Council or any Commissioner or other person hearing submissions.

Thank you for your attention to this matter.

Yours faithfully

NEIL INGHAM