

18 February 2025  
Ref: 23111

Mills Oakley  
Level 7, 151 Clarence Street  
SYDNEY NSW 2000

Attention: Matthew Norman  
[mnorman@millsokley.com.au](mailto:mnorman@millsokley.com.au)

Dear Matthew,

**Land & Environment Court Proceedings No. 2024/00142854**  
**183 Macquarie Street, Parramatta**  
**Proposed Mixed Use Retail/Commercial & Co-Living (Student) Housing Development**  
**Response to Contention 6(g) – Provision of Motorcycle Parking**

### Introduction

This statement has been prepared in relation to the abovementioned Land & Environment Court (LEC) Proceedings pertaining to DA837/2022, involving the *construction of a 12-storey mixed use building containing ground floor retail/commercial space and 76 co-living rooms over one level of basement storage*.

This statement provides my position in respect of Contention 6(g) of the Statement of Facts & Contentions (SOFACs) prepared by Council, dated 24 May 2024. A revised set of architectural plans which attempt to address Council's contentions have been prepared by PTI Architects and are provided under separate cover.

I can confirm that I have read Division 2 of Part 31 of the Uniform Civil Procedure Rules (UCPR) and the Expert Witness Code of Conduct, by which I agree to be bound. A copy of my CV is attached.

I can also confirm that I was present at the s.34 conciliation conference held between the parties on Friday 11<sup>th</sup> October 2024, and am familiar with the project.

### Site

The development site is located on the southern side of Macquarie Street, approximately 65m east of Charles Street, and is currently vacant of any structures. The site has a street frontage of 10.655m in length to Macquarie Street and occupies a total area of approximately 487m<sup>2</sup>.

The existing site is currently used as an informal off-street parking area, with vehicular access provided via a single driveway crossover located midway along the Macquarie Street site frontage.

### Deemed Refused Proposal

According to the SOFACs, the proposal before the Court involves the *construction of a 12-storey mixed use building containing ground floor retail/commercial space and 76 co-living rooms over one level of basement storage*. Specifically:

- Approximately 500m<sup>2</sup> of retail/commercial floor area within the ground and first floor levels, including potential café seating fronting Macquarie Street
- The ground floor café seating area serves as a dual-use service vehicle (e.g. waste truck) and building manager's parking space after-hours
- Provision of 1 motorcycle parking space within the ground floor café seating area
- 10-storeys of co-living accommodation rooms on the levels above with 76 rooms and indoor/outdoor communal areas
- A single-level basement accommodating waste storage, services and 85 bicycle parking spaces
- Vehicular access to the site remained provided via the existing driveway located off Macquarie Street

### **Amended Proposal**

In response to the Council's particulars, the development proposal has been amended. The proposed modifications to the DA837/2022 design involves the construction of an 11-storey mixed use building containing ground floor retail/commercial space and 66 co-living rooms over one level of basement storage. Specifically:

- Approximately 500m<sup>2</sup> of retail/commercial floor area within the ground and first floor levels, including potential café seating fronting Macquarie Street
- The ground floor café seating area serves as a dual-use service vehicle (e.g. waste truck) and building manager's parking space after-hours
- Deletion of platform lift and inclusion of an accessible ramp within café seating area to access the lobby and lift area
- A single-level basement accommodating waste storage, services and 72 bicycle parking spaces
- Deletion of 1 motorcycle space within the ground floor café seating area and inclusion of 5 motorcycle parking spaces within the basement, accessed via a relocated service lift
- 9-storeys of co-living accommodation rooms on the levels above with 66 rooms and indoor/outdoor communal areas
- Vehicular access to the site remains proposed via the existing driveway located off Macquarie Street

### **Response to Contention 6(g)**

#### **Residential Amenity & Standard of Accommodation**

6. The development application should be refused because the proposal does not provide adequate amenity for future residents and commercial tenants with regard to visual privacy, solar access, outlook, cross ventilation, ceiling height, motorcycle parking and ground floor entrance sequence

#### **Particulars**

- (g) The proposed development does not include sufficient on-site motorcycle parking in accordance with Section 69(1)(h) of the *Housing SEPP*. The one proposed motorcycle space is insufficient to meet the needs of residents and will conflict with the use of the space as a café and a loading dock at other times. The proposed quantum of on-site motorcycle parking is also inconsistent with Section 6.9.2 of the *PDCP 2011*.

## **CJP Response**

The off-street motorcycle parking rates applicable to the co-living development proposal are specified in State Environmental Planning Policy (Housing) 2021 [NSW] in the following terms (yellow text highlighted for emphasis):

### **Part 3 Co-living housing**

#### **69 Standards for co-living housing**

(1) Development consent must not be granted for development for the purposes of co-living housing unless the consent authority is satisfied that—

- (h) the co-living housing will include **adequate** bicycle and motorcycle parking spaces.

In this instance, the provision of 5 motorcycle parking spaces is considered to be “adequate” because:

- the site is located approximately 400m walking distance east of Parramatta bus and rail interchange, one of the largest transport hubs in the Sydney metropolitan area
- the site is located approximately 500m walking distance south of Parramatta ferry wharf
- the site is located approximately 200m walking distance west of the Robin Thomas light rail stop
- the site is located approximately 700m walking distance east of Parramatta Westfield shopping centre
- there are 4 existing GoGet pods located within 400m radius of the site,
- the proposed development makes provision for 72 bicycle spaces,
- the site is located within walking and/or cycling distance to all of the nearby universities and TAFEs, and fundamentally,
- the proposal aligns with Parramatta Council's Local Strategic Planning Statement of “sustainable transport”.

Reference to the Parramatta DCP 2023, Part 6 Transport & Traffic, Control C.53, indicates that, “*Unless otherwise specified, provision for motorcycle parking should be provided at a rate of 1 space per 50 car parking spaces, or part thereof*”. Given the lack of off-street car parking proposed, PDCP does not require the provision of any off-street motorcycle parking either.

Furthermore, reference is also made to the following student accommodation developments as a comparison to the proposal, some which have minimal or zero off-street motorcycle parking.

**385 Wattle Street, Ultimo**

- City of Sydney LGA
- D/2019/811/A
- 72 rooms
- Zero car parking

**437-443 Wattle Street, Ultimo**

- City of Sydney LGA
- D/2016/1604/D
- 70 rooms
- Zero car parking
- 44 bicycle spaces

**445-483 Wattle Street, Ultimo**

- City of Sydney LGA
- D/2012/834/D
- 430 rooms
- 665 beds
- Zero car, motorcycle or bicycle parking

**1-3 Carillon Avenue, Camperdown – John Chapman House**

- City of Sydney LGA
- D/2020/1050
- 103 rooms
- 113 beds
- Zero car or motorcycle parking
- 21 bicycle spaces

**74-75 Carlton Crescent, Summer Hill – IGLU**

- Inner West LGA
- DA10.2018.220
- 184 rooms
- Zero car or motorcycle parking
- 52 bicycle spaces

In terms of tertiary educational establishments, there are a number located within a 1km radius of the site, as follows:

- University of Western Sydney (Parramatta)
- Choice Academic College
- University of Technology Sydney (Swinburne)
- Churchill Institute of Higher Education
- Asia Pacific International College
- Imperial Institute of Sydney (Parramatta)
- Duke College
- University of New England (Parramatta)
- Lead College Parramatta
- Australis Institute of Technology & Education

The site is therefore ideally located to suit the needs of student residents who do not own a car and rely on public transport, ride share and/or active forms of transport such as cycling and walking.

Accordingly, the proposed provision of 5 motorcycle parking spaces for 66 student accommodation rooms is considered "adequate" for the proposed development.

Lastly, with respect to Contention 6(g) and the inconsistency with Section 6.9.2 of the PDCP 2011, this appears to be incorrect, as there is no Section 6.9.2 of PDCP 2011, nor is there a Section 6.9.2 of PDCP 2023.

Please do not hesitate to contact me on the number below should you have any queries.

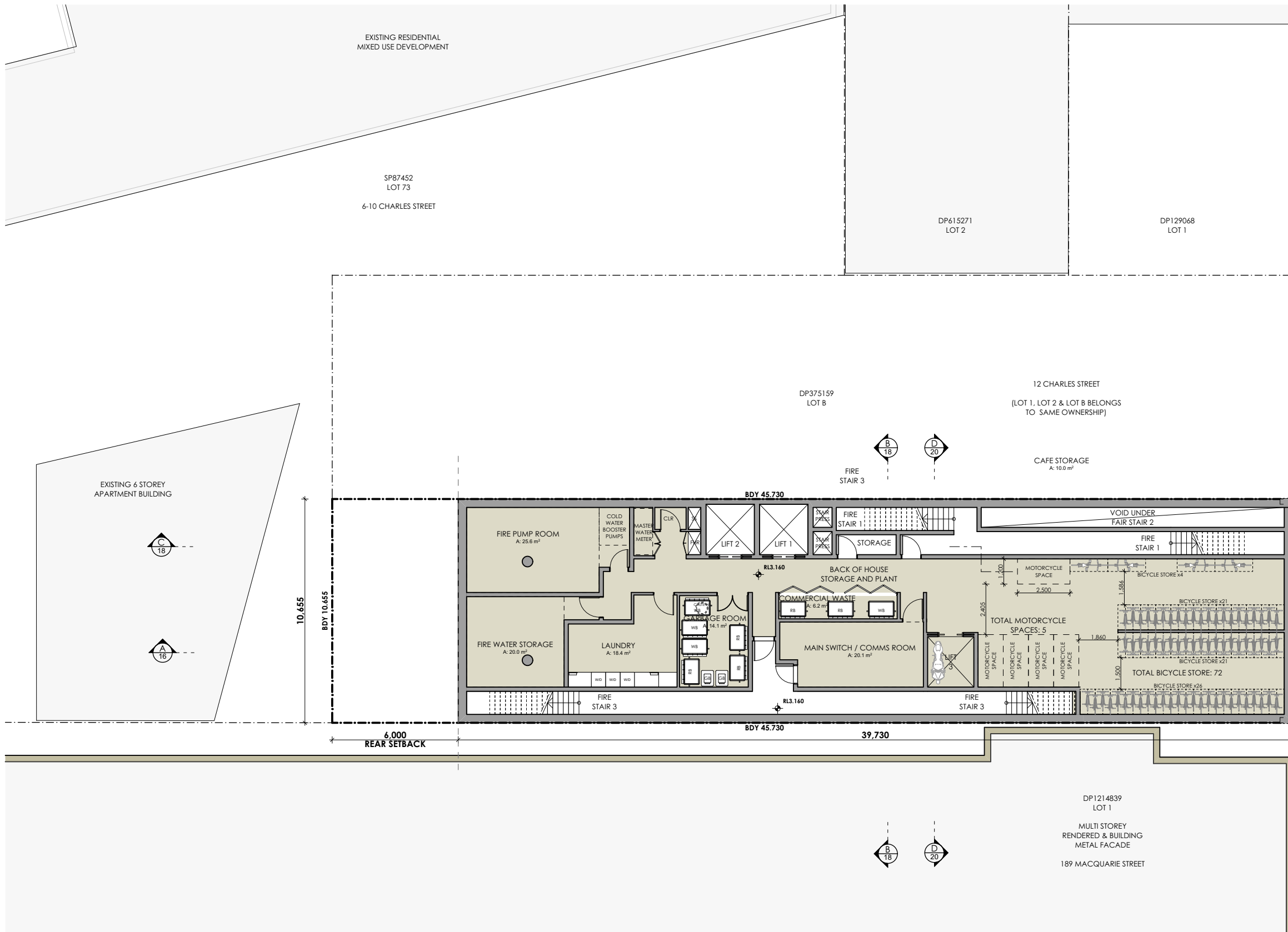
Kind regards



Chris Palmer  
Director  
B.Eng. (Civil), MAITPM

Attachments

- Revised architectural plans
- Chris Palmer CV



1 BASEMENT  
1:200

REV	DESCRIPTION	BY	DATE
J	For Review	JC	7/06/2023
K	For Review	JC	9/06/2023
L	For BASIX consultant	JC	15/06/2023
M	For SWPA	JC	16/06/2023
N	For Landscape Architect	JC	16/06/2023
O	For Review	JC	19/06/2023
R	Issue for LEC responses	NR	22/07/2024
S	Issue for LEC responses	NR	19/08/2024
T	Issued for Section 34 Responses	NR	7/11/2024
U	Issued for Section 34 Responses	NR	7/12/2025

CLIENT:  
RAPISARDA  
INVESTMENTS

PROJECT TITLE:

DEVELOPMENT APPLICATION  
NEW CO-LIVING ACCOMMODATION AT  
183 MACQUARIE STREET, PARRAMATTA

DRAWING TITLE:

BASEMENT FLOOR PLAN

NORTH POINT:



DRAWN BY: NR/LZ

CHECKED BY: PI

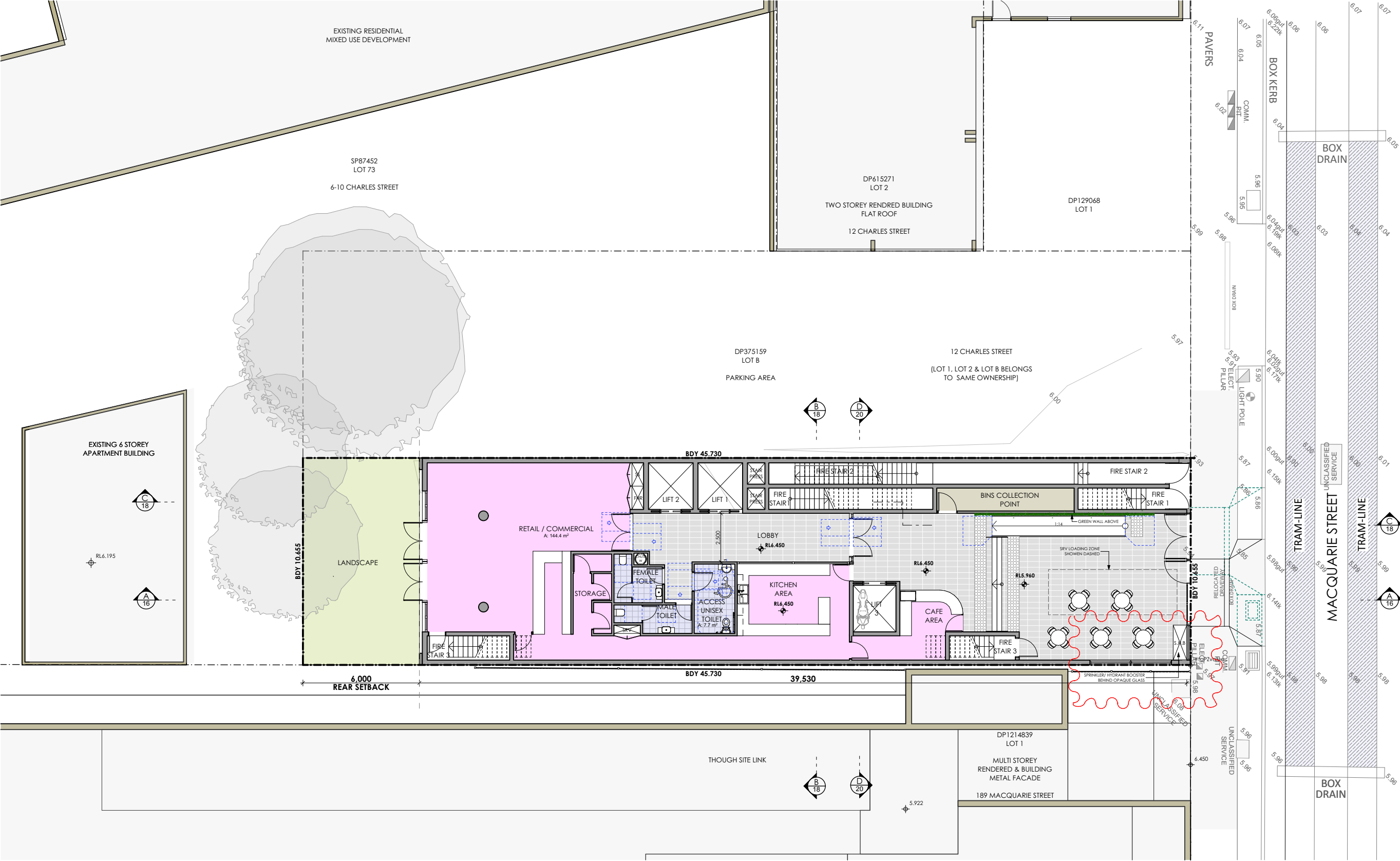
SCALE: 1:200 AT A3

PROJECT No: P567

DA  
stage.

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revision



1 GROUND FLOOR  
1:200



Main Office: Level 2, 68 Sophia Street, Surry Hills NSW 2010  
Parramatta Office: Level 14, 3 Parramatta Square, 153 Macquarie St, NSW 2150  
+ 61 2 9283 0860 | www.ptiarchitecture.com.au  
Nominated Registered Architect: Peter Israel (reg no 5064)  
ABN 90 050 071 022

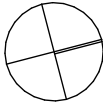
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U	Issued for Section 34 Responses	NR	7/02/2025

CLIENT:  
RAPISARDA  
INVESTMENTS

PROJECT TITLE:  
DEVELOPMENT APPLICATION  
NEW CO-LIVING ACCOMMODATION AT  
183 MACQUARIE STREET, PARRAMATTA

DRAWING TITLE:  
GROUND FLOOR PLAN

NORTH POINT:



DRAWN BY: NR/LZ

CHECKED BY: PI

SCALE: 1:200 AT A3

PROJECT No: P567

DA

stage.

6

dwg no.

U

revision





# Chris Palmer

PRINCIPAL TRAFFIC ENGINEER

## CAPABILITY

Chris is an experienced engineer with specialist services in the field of traffic and transport.

He holds a Bachelor of Civil Engineering from UWS and has successfully completed a number of traffic-related courses, including the IMEA/RMS course for Road Safety Auditors, the Transport for NSW course Prepare a Works Zone Traffic Management Plan and SIDRA modelling course.

Over the past 19 years, Chris has developed a specific expertise in traffic and transportation planning and the integration of that discipline into the overall planning process, with particular emphasis on assessing the traffic and parking implications of development proposals, as well as during the construction and occupation stages.

Chris has developed an extensive client portfolio and has been involved in several thousand projects over his 19 years in the profession, from development applications, rezoning and planning proposals through to construction and occupation documentation. Projects range in size from single dwelling houses up to multi-storey residential apartment towers, and a variety of land uses including residential, commercial, industrial, retail, educational, childcare centres, recreation centres, function centres and restaurants, to name a few.

As part of his role, Chris often liaises directly with Council and TfNSW to assist in achieving the desired outcome for his clients.

Chris is an effective communicator and prides himself on creating and maintaining client relations within the industry and enjoys seeing projects come to fruition.

Chris has proficiency in many traffic and transport related software programs including SIDRA, AutoCAD, AutoTURN & AutoTRACK.

Chris has also acted for both the Applicant and Council as an expert witness in a wide range of s.34 mediation conferences and contested hearings in the NSW Land & Environment Court, as well as more recently in the NSW Supreme Court.

## Qualifications & Memberships

**Bachelor of Engineering in Civil,**  
University of Western Sydney,  
(Sydney, Australia)

**TfNSW - Traffic Control Plans**  
Prepare Works Zone Traffic  
Management Plan

**Member of Professionals Australia**

**Member of Australian Institute of Traffic  
Planning and Management**

**Member of Hunters Hill Municipal  
Council's Movement & Transport  
Advisory Committee**

## Professional Background

Nov 2005 – Dec 2013  
Varga Traffic Planning Pty Ltd  
Traffic Engineer

Jan 2014 – Dec 2018  
Varga Traffic Planning Pty Ltd  
Senior Traffic Engineer

Jan 2019 – Mar 2022  
Varga Traffic Planning Pty Ltd  
Executive Traffic Engineer

Mar 2022 – Present  
CJP Consulting Engineers  
Director - Principal Traffic Engineer

### Planning Level:

Planning Proposals  
Masterplan Traffic and Transport Assessment  
DA Traffic & Parking Impact Assessments  
Parking Studies  
Car Parking Design  
Mechanical Car Parking Systems

### Expert Witness:

Land & Environment Court NSW  
Supreme Court NSW

### Technical Analysis:

Network Intersection Modelling (SIDRA)  
AutoCAD & AutoTURN

### Construction Certification (CC):

Construction Traffic Management Plans  
Construction Traffic Impact Assessments  
Car Parking Design  
Engineering Design Certification for Construction Plans

### Travel and Management Planning:

Green / Workplace Travel Plans  
Transport Access Guides  
Car Parking Management Plans  
Loading Dock Management Plans

### Occupation Certification (OC):

Car Parking Design Compliance