

7 June 2023

Ref: 22222

Iris Capital  
GPO Box 5479  
SYDNEY NSW 2000

Attn: Warren Duarte  
[warren@iriscapital.com.au](mailto:warren@iriscapital.com.au)

Dear Warren,

**DA21/0945 – PPSSWC-214**  
**180 Great Western Hwy & 26 Rodgers St, Kingswood**  
**Proposed Mixed Use Development**  
**Adequacy of Proposed Pub Parking Provision**

As requested, I have undertaken a review of the Peer Review prepared by EMM Consulting, dated 15 May 2023, which was commissioned by the Sydney Western City Planning Panel (SWCPP) as part of the abovementioned development application (DA). In the view of the author of the Peer Review, there were a number of matters that were not adequately addressed in the DA package or needed further information/clarification.

Furthermore, I have also undertaken a review of Council's Assessment Report for the DA as well as a subsequent Memorandum to the SWCPP, dated 1 June 2023, which addressed each of the matters raised in the EMM Peer Review.

Notwithstanding the above, and with particular focus on the adequacy of the quantum of car parking for the proposed pub, the following information is provided.

In this regard, the EMM Peer Review states:

- *Based on the evidence provided, I do not agree that the introduction of random breath testing can be considered as a basis for reduced parking demand at pubs. It should be noted that random breath testing in NSW commenced in 1982. The PDCP provisions were adopted in 2014. It is not conceivable that the 2014 PDCP provisions did not already contemplate changes in driver behaviour and parking demand from road traffic changes introduced in 1982.*
- *Similarly, ride sharing services (e.g. Uber) also commenced before the adoption of the 2014 PDCP.*
- *The ttp Traffic Impact Assessment (TIA) also anticipates that visitors to the bar, bistro and VIP lounge areas would primarily be residents who could walk to the facility.*

As noted in Council's Memorandum to the SWCPP, the current car parking rates in the DCP 2014 are similar (if not the same) as the car parking rates used by Council in at least 2005, and possibly prior to that time.

Furthermore, I have been able to source copies of old hard copies of Council's "Parking Code" requirements from prior to 2005. Comparisons of the pubs and registered clubs parking rates are provided on the following page, whilst copies of the "Parking Code" hard copies are attached.

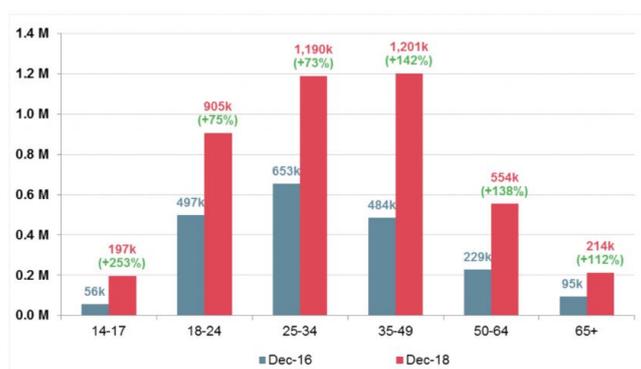
Penrith Council Historical Parking Rates				
Lane Use	Penrith Parking Code (1971-1985)	Penrith DCP 2006	Penrith DCP 2010	Penrith DCP 2014
Pubs & registered clubs	1 car space per 3.5m <sup>2</sup> of bar floor area plus 1 car space per 5.5m <sup>2</sup> of dining room	1 car space per 3.5m <sup>2</sup> of bar floor area plus 1 car space per 5.5m <sup>2</sup> of dining room, plus 1 per 3 rooms for accommodation	1 car space per 3.5m <sup>2</sup> of bar floor area plus 1 car space per 5.5m <sup>2</sup> of dining room	1 car space per 4m <sup>2</sup> of bar floor area plus 1 car space per 6m <sup>2</sup> of dining room
Residential flat buildings	1 covered space for each flat. Visitor spaces may be required in special cases.	1 or 2 bedrooms: 1 space 3 or more bedrooms: 2 spaces In addition, provide visitor parking for developments that have 5 or more dwellings: 1 space for every 5 dwellings	1 or 2 bedrooms: 1 space 3 or more bedrooms: 2 spaces In addition, visitor parking is to be provided for developments that have 5 or more dwellings: 1 space for every 5 dwellings	1 space per 1 or 2 bedrooms 2 spaces per 3 or more bedrooms 1 space per 40 units for service vehicles. In addition, visitor parking is to be provided for developments that have 5 or more dwellings: 1 space per every 5 dwellings, or part thereof
Retail	1 car space for every 26m <sup>2</sup> of net retail space excluding arcades, colonnades, and other areas outside the limit of the shop which are not used for display or sales purposes	1 car space per 26m <sup>2</sup> of net retail area	1 car space per 25m <sup>2</sup> of floor area that is used for retail purposes	1 car space per 30m <sup>2</sup> GFA

Therefore, despite the EMM Peer Review’s comment regarding Council’s parking rates before and after the advent of random breath testing in 1982, the attached (and above) documentation confirms that, other than a small rounding up of the rates in the current DCP 2014, the parking rates for pubs and registered clubs has not changed since 1971 – i.e. long before random breath testing came into effect.

With respect to Uber commencing before the adoption of Penrith DCP 2014, online research indicates that Uber commenced in Sydney in 2012. It is reasonable to assume that this relatively short 2 year period was insufficient to undertake any meaningful strategic analysis of the impact of ride-sharing on the pubs and registered clubs industry, hence the parking rates remained relatively unchanged between DCP 2010 and DCP 2014 (other than the slight rounding up of rates).

Reference to <https://thenewdaily.com.au/finance/consumer/2019/04/30/uber-ride-share-taxis-australia/> indicates that the number of Australians who travelled by Uber in an average three month between December 2016 and December 2018, more than doubled in percentage terms over that two year period, rising from 10.6% of the population to 20.8% of the population, as indicated in the graph extract below.

Growth of Ubers by age group (Dec 2016 vs Dec 2018)

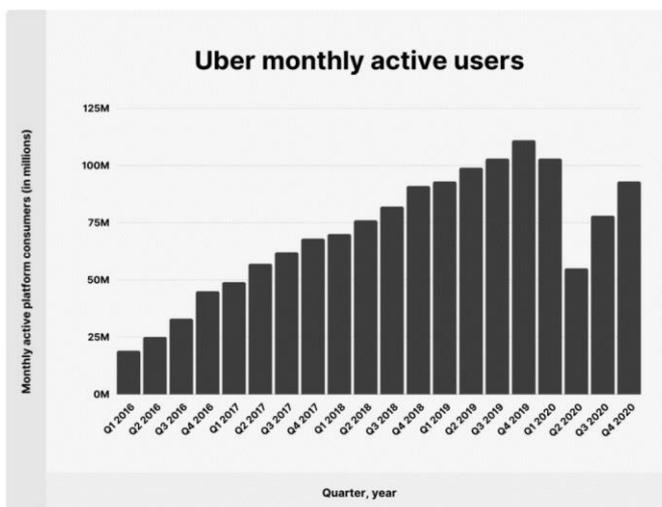


Source: Roy Morgan Single Source (Australia), January-December 2016, n=14,330 and January-December 2018, n= 14,913. Base: Australians 14+

One of the primary reasons that ride-sharing has exploded is that when compared to taxis, they are generally cheaper. According to <https://www.moneyaustralia.net/uber-statistics/>, they are 20% cheaper. Therefore, many of those people in the past that would have chosen to drive to a venue and either not drink or run the risk of drink driving, now choose to use ride-share.



Reference to [www.backlinko.com/uber-users](http://www.backlinko.com/uber-users) also indicates that in the US, monthly active users of Uber steadily rose between the start of 2016 and the end of 2019, as indicated in the graph extract below. The drop off in the graph in 2020 is obviously related to usage during the Covid-19 pandemic, however, the graph indicates that usage in the US is steadily increasing again.



Similar graphical Australian data could not be found online, hence the reference to the above US data. Whilst the Australian and Sydney Uber market are obviously different to the US Uber market in terms of the number of users, it is reasonable to assume that the above trend would be fairly consistent between the two developed Western countries.

In terms of the anticipated visitor characteristics of the proposed pub, I completely agree with ttp's TIA which noted that they expect visitors to be primarily residents who could walk to the venue.

The site lies within the Penrith Health and Education Precinct, which includes a large area of existing and future employees and residents all living and/or working within walking distance of the venue. It is these people that will likely make up the majority of patrons at the proposed pub.

It can also not be ignored that Kingswood railway station is located directly opposite the site, with safe pedestrian crossings provided at the Great Western Highway and Bringelly Road traffic signals.

The EMM Peer Review also states:

- *The ttp TIA draws on an example of the Wentworth Hotel, 193 Great Western Highway (sic. Correct address is 195 Parramatta Road), Homebush. Surveys undertaken at the Wentworth Hotel are not reliable as an indication of parking demand at the Kingswood Hotel which is approximately 37 km away and in a different local government area. Furthermore, the survey is nearly eight years old, hence parking demand can't be reliably derived from such an old survey.*

In my opinion, the fact that the comparison site of the Wentworth Hotel at Homebush being in a different LGA, along with the age of the surveys, is irrelevant. As discussed above, if anything, the proliferation of ride-share services over the last 8 years would mean that the peak parking demand has reduced.

It is also worth noting that Enfield Ibis, located at 626-628 Liverpool Road, Strathfield South, has recently been approved by the Strathfield Local Planning Panel (DA2021.233). The TIA that accompanied DA2021.233 was also prepared by ttp and similar arguments run. Furthermore, the parking rate accepted by this Panel was as follows:

- Enfield Ibis, Strathfield South
  - 626-628 Liverpool Road, Strathfield South
  - DA approved in 2023 for new hotel & intensified use of tavern
  - approximately 5km to nearest railway station
  - sports bar, gaming, bistro, bottle shop
  - 1,400m<sup>2</sup> of floor area
  - 102 car parking spaces
  - **1 space per 13.7m<sup>2</sup>**

Other examples of pubs that have been approved in the last 8 years or less include:

- Station House Hotel
  - 201-203 Beamish St, Campsie
  - a new pub approval directly opposite Campsie railway station (as per the Kingswood Hotel) and within the town centre
  - sports bar, gaming, bistro
  - heritage building completely renovated with accommodation
  - 450m<sup>2</sup> of floor patron area
  - **zero off-street car parking**
  
- Homebush Hotel
  - 136 Parramatta Road, Homebush
  - newly opened pub beneath a new multi-storey residential apartment building (as per the Kingswood Hotel)
  - sports bar, gaming, bistro
  - 500m to Homebush railway station
  - 530m<sup>2</sup> of patron floor area
  - 16 dedicated off-street pub car parking spaces
  - **1 space per 33.1m<sup>2</sup>**

By way of comparison, Kingswood is proposing the following:

- Kingswood Hotel
  - 180 Great Western Hwy, Kingswood
  - a new pub directly opposite Kingswood railway station and within the Penrith Health and Education Precinct
  - located beneath a new multi-storey residential apartment building
  - sports bar, gaming, bistro
  - 753m<sup>2</sup> of patron floor area
  - 56 car parking spaces
  - **1 space per 13.4m<sup>2</sup>**

The Enfield Ibis site has no public transport or residents in the immediate context, whereas Kingswood is located immediately opposite the train station and within an existing and future high employment and residential area. Interestingly, the Wentworth Hotel at Homebush, which the EMM Peer Review referenced, was also used by ttp as a base to compare to. The Wentworth Hotel surveys identified an average maximum parking demand in the order of “**1 space per 34m<sup>2</sup>**”. Wentworth Hotel is also situated in a location that does not have access to public transport or nearby residents and is therefore considered a good comparison to the ‘worst case’.

Lastly, and perhaps fundamentally, parking assessments provide a large focus on existing vs proposed arrangements of a development proposal, which the EMM Peer Review has clearly not considered. In this regard, the proposed (permanent) pub requires the provision of 150 parking spaces based on the DCP rates, of which 56 spaces are proposed, representing a shortfall of 94 spaces.

Comparison must be made, however, with the existing pub on the site. Based on the DCP rates, the existing pub requires the provision of 120 parking spaces, of which just 8 spaces are provided, representing a shortfall of 112 spaces.

Even with the removal of a small number of on-street parking spaces along Wainwright Lane, largely to facilitate Council’s garbage truck, the proposed parking shortfall is *less than* the existing shortfall – i.e. the proposed development will essentially free-up on-street parking in the surrounding area as more patrons will be able to park on site.

In real terms, the proposal is providing 7x the quantum of pub parking compared to the existing provision, noting the proposal is not providing anywhere near 7x the floor area.

The proposed pub is in an ideal location given the proximity to the railway station, existing and future low, medium and high density residential development, commercial/retail strip and the health precinct, all within walking distance.

The remaining matters raised in the EMM Peer Review relating to car parking number discrepancy, signage plans, bicycle parking, servicing arrangements and car wash bays, have all been addressed in Council’s Memorandum to the SWCPP by way of recommended conditions of consent.

In summary, the proposal has undergone extensive review and analysis by both ttp and CJP as well as Council staff who have recommended approval, with all of the opinion that the proposed provision of pub car parking is sufficient. I trust the foregoing addresses the EMM Peer Review’s comments and that the SWCPP has some comfort in endorsing the proposed pub redevelopment.

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

1. Penrith Council's Parking Code (Adopted September 1971, Amended June 1985)

PARKING CODE

Formally Adopted 6th September, 1971

Amended 22nd August, 1972 - Amended 5th December, 1978

Amended 21st May, 1981 Amended 4th June, 1985

<u>Type of Development</u>	<u>Minimum Parking Requirement</u>
Residential Flat Buildings	1 covered car space for each flat. Visitors' spaces may be required in special cases
Residential Buildings: Boarding Houses, etc.	1 space for every three (3) bedrooms
Dwelling Houses	1 space for each dwelling unit
Commercial Offices and Professional Chambers	1 car space for each 29m <sup>2</sup> of nett lettable commercial floor space in respect of occupants' vehicles together with one car space for each 92m <sup>2</sup> (Penrith) or 90m <sup>2</sup> (St. Marys) of nett lettable commercial floor space in respect of clients' vehicles. (Adopted 5.12.78).
Retail Shops	1 car space for each 26m <sup>2</sup> of nett retail space excluding arcades, colonnades and other areas outside the limit of the shop which are not used for display or sales purposes (Adopted 5.12.78). <i>Relates to Penrith and St. Marys Town Centres only.</i>
Industry	1 car space for each 75m <sup>2</sup> of gross lettable floor area or 1 car space for each 2 employees, whichever is the greater
Bulk Stores & Warehouses	1 car space for each 92m <sup>2</sup> of gross lettable floor area
Licensed Hotels	1 car space for each 3.5m <sup>2</sup> of bar floor area plus 1 car space for each 5.5m <sup>2</sup> lounge and dining room floor area plus 1 car space for every three (3) bedrooms (minimum requirements - 175 vehicles)
Licensed Clubs	1 car space for each 3.5m <sup>2</sup> of bar and lounge floor area plus 1 car space for each 5.5m <sup>2</sup> of dining room floor area
Motels	1 car space for each bedroom unit plus 1 car space for every six employees and 1 car space for manager
Restaurants, Catering and Reception Establishments	1 car space for each 5.5m <sup>2</sup> of seating area or 1 car space for every four (4) seats whichever is the greater
Non-Licensed Hotels	1 car space for each bedroom plus 1 car space for each six (6) employees plus 1 car space for manager

Motor Showrooms	1 car space for each 92m <sup>2</sup> of display area plus 1 car space for each employee
Service Stations	Ten (10) car spaces
Church Halls, Places of Public Worship, Public Halls	1 car space for each 3.5m <sup>2</sup> of gross floor area
Stadia, Theatres, Places of Assembly	1 car space for every ten (10) seats
Hospitals	1 car space for every three (3) bedrooms plus 1 car space for every three (3) employees
Nurseries and Convalescent Homes	1 car space for every ten (10) beds plus 1 car space for every three (3) employees
Mortuaries/Funeral Parlours	1 car space for every five (5) seats
Bowling Alleys, Squash Courts	Three (3) car spaces for each lane or court
Bowling Clubs	Thirty (30) spaces for each green
Schools	1 car space for every two (2) teachers (Primary and secondary) and 100 car spaces for pupils (secondary only)

- GENERAL -

The Council may consider a monetary contribution in lieu of land for parking in certain circumstances. All such cases will be considered on their individual merit and the contribution will be based on the current parking levy in respect of off-street parking demands generated by development but not satisfied on the site. The parking levy will be in the sum of -

Penrith ... ..	\$4,850 for each car (Adopted 4.6.85);
St. Marys ... ..	\$3,950 for each car (Adopted 4.6.85)

This figure is reviewed annually in the light of changes in the estimated cost of acquisition and construction.

COUNCIL'S TYPICAL CAR PARKING LAYOUTS

	BAY WIDTH		
	2.5m	2.6m	2.7m
AISLE WIDTH - Shopping, etc.	8.0m	7.6m	7.2m
AISLE WIDTH - Commuters, flats	7.3m	7.0m	6.7m
BAY LENGTHS (in all cases)	5.5m (4.3m to kerb)		

NOTE: Obstructed Bays (walls, columns, etc) need 26mm minimum entrance width plus 30m unobstructed internal width (i.e. 0.2m extra clearance on each side that is obstructed)

Note: Dimensions shown are to be clear of all columns and other obstructions.