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Rhodes Precinct Car Parking Update Finalisation Report

Amendments to the Canada Bay Local Environment Plan 2013

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Acknowledgment of Country

The Department of Planning and Environment acknowledges the Traditional Owners and Custodians of the land on which we live and work and pays respect to Elders past, present and future.

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1 Introduction

Overview

1.1.1 Summary

This report provides the Department of Planning and Environment's (the Department) finalisation assessment of the proposed amendments to increase the maximum car parking rates for residential development within the Rhodes Precinct (the Precinct) under the Canada Bay Local Environment Plan 2013 (LEP).

This report includes:

- Information on the public exhibition undertaken and an overview of the submissions received;
- The Department's consideration of the issues raised during public exhibition; and
- The Department's assessment of the proposed amendments to the planning controls for the Rhodes Precinct under the LEP.

1.1.2 Background

The Precinct was rezoned on 30 October 2021 (2021 Amendment) following the finalisation of the Rhodes Place Strategy 2021 (Place Strategy). The Place Strategy and rezoning allows for up to approximately 4,200 new dwellings in the Precinct and recommends that this number be capped at 3,000 dwellings pending further infrastructure investment.

The 2021 Amendment rezoned the Precinct in accordance with the Place Strategy including introducing Place Strategy heights and floor space ratios (FSRs), design excellence requirements and the 3,000 dwelling cap. The 2021 Amendment set maximum numbers of car parking spaces for different land uses in the Canada Bay LEP 2013.

In late 2022, the Department undertook consultation with landowners and developers in the Rhodes Precinct to consider concerns that they had raised regarding development and feasibility challenges following the 2021 Amendment.

A key part of the feedback landowners provided was that the current maximum car parking rates do not match current property market expectations for the area.

One of these was Meriton Property Group, who commissioned consultants Transport Planning Partnership (TTPP) to test what alternative rates of parking could be suitable in the Precinct. The TTPP report (**Attachment A**), *High Density Development in Rhodes Research on Trip Generation and Parking Provision* was then reviewed by Transport for NSW (TfNSW). TfNSW wrote to the Department on the 21 February 2023 advising that changes to increase the maximum car parking rates would be supported subject to a comparative review of parking rates for similar places and centres.

The Department sought the advice of traffic consultants, Jacobs who originally prepared a key supporting transport report for the Place Strategy and 2021 Amendment, the *Rhodes Precinct Traffic and Transport Report September 2021*. Jacobs advised in their Technical Memorandum dated 24 April 2023 (Jacobs' report) (**Attachment B**) undertook the comparative review of parking rates sought by TfNSW. Jacobs found that raising maximum car parking rates for residential uses to align with rates for other accessible areas in the City of Canada Bay Local Government Area (LGA) would likely result in comparable traffic generation rates to those assumed in their 2021 report; thereby not significantly increasing traffic impacts. These rates are the same rates proposed by the EIE - see **Table 1** below.

1.1.3 Site description

The Precinct is made up of land to the east of Rhodes Station bound by the rail line Concord Road and Mary Street East, and to the west of the rail line bound by Mary, Marquet, Gauthorpe and Walker Streets. The Precinct and Rhodes suburb boundaries are shown in red and blue, respectively in **Figure 1** below.



Figure 1 Rhodes suburb (blue) and Precinct (red) boundaries
(source: *Rhodes Place Strategy*, nearmap)

1.1.4 Proposed amendments

Based on advice from Jacobs, the Department proposed to amend the LEP 2013 as follows:

- Amend the maximum car parking spaces for dual occupancies, multi dwelling housing, residential flat buildings and shop top housing in the Precinct in Clause 7.8(2)(d) to give effect to the recommended car parking rates in **Table 1**; and
- Amend Clause 4.6(8)(cc) to replace Clause 7.8 with Clause 7.8(2)(a)-(c) to enable applications to be made to vary the maximum number of car parking spaces in Clause 7.8 for dual occupancies, multi dwelling housing, residential flat buildings and shop top housing.

Table 1: Current and proposed car parking rates for residential development in the Precinct

Dwelling Type	Current LEP Rates	Recommended Rates
<i>Studio</i>	0.1	0.6
<i>1 bedroom</i>	0.3	0.6
<i>2 bedroom</i>	0.7	0.9
<i>3 bedroom</i>	1	1.4
<i>Visitor</i>	1 space per 20 dwellings	1 space per 7 dwellings

All rates in the table above are maximum rates of car spaces per dwelling.

2 Public exhibition

An Explanation of Intended Effect (EIE) outlining the proposed amendments was publicly exhibited from 29 June to 14 July 2023.

Almost 10,000 residents and property owners in the precinct were notified of exhibition by mail and email notification of exhibition was sent to approximately 950 subscribers to the Rhodes Precinct website.

A total of 29 submissions were received during the exhibition period. Of the submissions received:

- 24 were received from the community
- 4 were received from interest groups, and landowners / developers
- 1 was received from a government agency (the City of Canada Bay Council).

Of the 29 submissions received, 13 objected to the proposal, 11 supported the proposal and 5 provided comment. A summary of the matters raised in submissions and the Department's response is provided below.

Submissions during exhibition

There were 24 submissions received from individuals. Of the individual submissions, 11 objected to the proposal (45.8%), 10 supported the proposal (41.7%) and 3 were just providing comments on the proposal (12.5%).

2.1.1 Submissions supporting the proposal by individuals

Matters raised in supporting submissions by individuals are summarised below:

- Two submissions supported the increase in rates suggesting traffic was not an issue or would not be affected by the proposed amendments.
- Three submissions supported the increased parking rates referencing a current shortage of parking in the area, while some suggested that the rates (including visitor parking rates) should be even higher.
- One submission suggested the increased rates would have little impact on uptake of public transport as many of the Rhodes Precinct residents use public transport, even those with cars.
- One submission noted that as electric vehicles become prevalent, concerns regarding pollution would be reduced.
- One submission stated that apartments with no parking spaces have low capital growth, trapping economically constrained buyers.

Matters raised in commenting submissions by individuals are summarised below:

- One submission said the rates should be higher still as car ownership is often higher and overflow parking will result a mismatch between car ownership and car parking provision.
- One submission said visitor parking should be higher.
- One submission called for higher rates of on street parking.

2.1.2 Submissions objecting to and/or raising issues about the proposal by individuals

Objections submissions by individuals raised the following issues:

Traffic

Six community submissions raised concerns related to traffic congestion, including:

- existing infrastructure is inadequate to support traffic and access to Rhodes and the surrounding road network;
- increased parking rates would compound existing traffic and access issues; and,
- the TTPP report is inadequate as it didn't take into consideration weekends, seasonal changes or weather impacts, and the sample sites used were all west of the Rhodes station.

Department response

The Department is satisfied that the advice of its traffic consultants Jacobs, considered the traffic impacts of the proposed parking controls. The Jacobs report concludes that the proposed rates are unlikely to generate traffic volumes exceeding those that were tested to inform the 2021 Amendment. This factored in the additional upgrades to road intersections, including along Concord Road.

The Jacobs report analysed weekend traffic volume data and observed the following:

“Investigation of limited sites and available data presented in this technical note shows that daily and peak Saturday trip generation rates can be higher than weekday trip generation rates with potential for greater network impact”.

In recommending the exhibited car parking rates, Jacobs considered these findings related to weekend trip rates and traffic.

Further testing will be carried out as part of any development application process for future proposed development in the Rhodes Precinct and will be subject to in-depth assessment by the relevant consent authority. Traffic is discussed further in **Section 3**.

Parking

One submission objected to the proposed parking rate increase stating that the current provisions are sufficient.

Department response

The proposed parking rates are informed by the TfNSW’s *Guide to Traffic Generating Development October 2002*, updated 2013 (GTTGD) and a comparative review of parking rates for similar centres. When recommending the proposed car parking rates, the Department’s consultant Jacobs also considered likely traffic generation. The Department is satisfied that the proposed car parking rates are suitable in the Rhodes Precinct context.

Car parking is considered further in **Section 3**.

Public / Active Transport

Four submissions received raised concerns that the increase in parking rates would shift users and resources away from public/ active transport infrastructure. Another noted existing issues with active and public transport infrastructure.

Department response

A range of transport options are to be provided to enhance and expand capacity of existing alternative transport modes.

Specifically, the Infrastructure Schedule of the Place Strategy identifies a range of integrated infrastructure items that will be delivered to support the vision for the Rhodes Precinct including:

- new and upgraded pedestrian and cycle links that will make it easier for people to connect within the Precinct and surrounding areas;
- improvements to Rhodes Station to increase its passenger capacity, accessibility and level of comfort; and,
- upgrades to road intersections, including along Concord Road.

The above transport infrastructure improvements will support greater mode transport utilise public transport, walking or cycling and will not be impacted by the proposed car parking rate amendments.

2.1.3 Other issues raised by individuals

Other matters raised by submissions which do not relate to the proposed amendments included:

- excessively loud vehicles in the late hours;
- trailers are taking up two spaces in permanent parking zones;
- apartment building parking spots are not adequately managed;
- concerns that development in the area only benefits Council, not existing residents;
- more car spaces are needed at the Coptic Church; and
- a question about whether parking permits for on-street parking have been considered.

Submissions from Landowners / Developers and interest groups

There were 4 submissions received from landowners/developers/interest group. 1 objected to the proposal, 1 supported the proposal and 2 providing comments.

Landowner / developer submissions and one submission from interest group Urban Taskforce raised the following points:

- Proposed increase in the visitor parking provision does not reflect current visitor behaviour or demand for visitor parking.
- The observed vehicle trip generation rates in surveys of one developer's sites in Rhodes west were on average lower than the 0.22 trips per apartment currently adopted for the Precinct as per the Place Strategy.
- There is limited evidence that a development cap of 3,000 dwellings is required.
- The higher parking rates outlined in the TTPP report should be used.
- Maximum parking rate caps dissuades potential purchasers, and the market should determine the appropriate level of parking.
- Residents are using public transport for peak hour travel, irrespective of whether they own a car or have a car space.
- Linkages between car parking spaces and vehicular usage are based on out-of-date data, which TfNSW are currently updating.
- Higher parking provision will have little impact on the traffic generated by developments.

Two landowners also sought changes to other aspects of the LEP controls for Rhodes Precinct to increase development capacity on their site or remove the 3,000 dwelling cap that applies to the precinct under the LEP. One of these requests was on the basis that the development has been unnecessarily constrained due to a false understanding infrastructure available service the precinct. The other request was made on the basis that current LEP controls are unfeasible.

The Department has considered requests of this nature and determined not to change these aspects of the LEP. The reasons are outlined in the [post-rezoning feedback report](#) on the Department's webpage.

Department response

The proposed visitor parking rates are maximums and set the upper limit of visitor parking spaces, not the minimum required. Jacobs' analysis notes that larger development may be able to use visitor car parking more efficiently, and that this will be a matter for consideration at the Development Application stage when analysis of traffic management needs of individual sites is assessed. The Department does not consider that further changes are required to proposed visitor parking controls.

The proposed parking rates are informed by the TfNSW's GTTGD and a comparative review of parking rates for similar centres consistent with advice from TfNSW. The Department is satisfied that the proposed parking rates are appropriate maximums as the results of the applied parking rates have similar traffic generation outcomes for the precinct as was expected when the precinct was rezoned in 2021.

Jacobs' report analysed the data presented in the TTPP report including trip rates for different development sites in traffic survey data. The Jacobs analysis concluded that due to the wide range in trips across different developments sites there is a risk with drawing conclusion from average trip rates to support a particular car parking rate. The Jacobs report also found that data and analysis in the TTPP report did not support the car parking rates sought by Meriton.

The proposed amendments to car parking rates include allowing Clause 4.6 variations for residential car parking rates, is also expected to enable applicants to request development application approval from the consent authority to further alter maximum car parking rates for residential uses, but only where this is considered appropriate and based on additional justification.

Like the proposed changes to the parking rates for units, the visitor parking rates were also increased to marry with the same rates applied elsewhere in the LGA. Additional parking for visitor parking beyond this is not considered necessary, given the accessibility to the precinct via other forms of transport.

Submission from Council

Matters raised in the submission from City of Canada Bay Council are summarised below:

- The increase in parking rates will impact the traffic and transport outcomes for the Rhodes Peninsula and undermine the intended modal shift to public transport.
- Alternative car parking rates in-line with comparable high-density precincts in the City of Canada Bay should be adopted.
- The application of car parking rates that apply generally to Mixed Use centres and other transport nodes in the City of Canada Bay is not relevant to the density that is planned for the Rhodes Precinct.
- Car parking rates should instead align with the car parking rates that apply to *Parramatta Road Corridor Urban Transformation Strategy* (PRCUTS) precincts in the LGA.
- The proposal to increase car parking rates is contrary to previous technical evidence.
- The increase in parking rates reflects the old fashioned 'predict and provide' approach, rather than the 'vision and validate' approach to car parking.
- The approach the TTPP report used in determining traffic generation from on-street parking surveys appears to be flawed and likely significantly underestimates the traffic generation rate when correctly accounting for the use of on-street parking.
- The absence of a strong justification in the TTPP report for why traffic generation rates are higher at some sites than others indicates a level of unpredictability and an associated significant risk to the road network operation in Rhodes East.
- The proposed increase to resident car parking rates is likely to increase the number of vehicle trips on weekends and any increase in vehicle congestion on weekends will have a significant and negative impact on the regional road network.

Department response

Regarding potential impacts of the proposed parking amendments on the modal shift to active and public transport, Jacobs considered the data on car spaces and travel demand in TfNSW document *Guide to Traffic Generating Development*. In particular they looked at parking and trip rates on comparable centres with similar travel behaviour to that sought for Rhodes in the Place Strategy. Jacobs concluded that the proposed car parking rates would generate traffic volumes that align with mode share assumptions in their 2021 report that supported the Place Strategy. For this reason, the Department considers that the proposed car parking rates are generally consistent with the mode share aspirations in previous technical studies for the Rhodes Precinct or the Place Strategy.

Regarding previous technical advice, the Department is of view that proposed parking rates are consistent with technical aspects of Jacobs previous traffic and transport studies for the Rhodes Precinct. Jacobs' note in their 2023 report that car parking rates in their previous 2021 work were not related to the traffic modelling that determined the capacity of infrastructure and upgrades required to support development of up to 3,000 dwellings in the precinct. Also, the mode share target adopted in Jacobs' previous reports as part of the vision and validate approach was not informed by the car parking rates in previous reports.

Council's submission quotes policy principles from early papers prepared by Jacobs as part of the planning process that led to adoption of the Rhodes Place Strategy. The principles describe restricted car parking rates as a means of encouraging active and public transport use.

Whereas the proposed car parking rates remain as 'maximum' car parking rates and provide an average of less than one car space for apartments with 2 bedrooms or less. The proposed parking rates result in less parking than if the old DCP rates for Rhodes West were applied. Jacobs' 2023 report notes that capped car parking rates are only one approach in a suite of comprehensive measures to encourage active and transport use which include:

1. improving accessibility and access to Rhodes Station, which has been included as an infrastructure item in the Rhodes Place Strategy. TfNSW is currently planning these upgrades;
2. people centred street network, which was implemented in the Rhodes Place Strategy through the creation of walkable street grid with new streets and through site links;
3. diversity of land uses to encourage more walking trips, which was implemented through Rhodes Place Strategy via the location of mixed-use development in both the Station Gateways East and Leeds Street character areas; and
4. supporting job and recreational uses in Rhodes the suburb. The Place Strategy includes infrastructure items to improve access to key employment nodes in the Rhodes suburb to the south and west of the precinct. It also include upgrades to Mcllwaine Park (first stage of which is currently under construction) as well as new community and public open space in the Leeds Street character area.

Regarding the alternate parking rate proposed by Council, this is based on recent rezonings for other land in the Parramatta Road corridor. Car parking rates for the Parramatta Road corridor were considered in a separate traffic study and recently rezoned areas along Parramatta Road, which will benefit from Sydney Metro West and WestConnex. The Department does not consider it necessary to align car parking rates in Rhodes Precinct with the rates used for Parramatta Road as the context for the two rates is different.

Regarding the TTPP report commissioned by Meriton, the Department engaged Jacobs consulting to provide independent advice about the appropriate car parking rates in Rhodes Precinct. The proposed rates are based on advice from Jacobs consulting, not the TTPP report commissioned by Meriton Group. It should be noted that the proposed rates are also different to, and lower than the rates recommended by TTPP.

The Jacobs' advice relied on data in the TfNSW document *Guide to Traffic Generating Development* when recommending the proposed car parking rates, rather than data in the TTPP report commissioned by Meriton. Jacobs' report also evaluated different trip rates for different developments in the TTPP data and noted a relationship between the size of the development and trip rate; noting that developments with more units generally had lower trip rates. Jacobs considered that this could be due to proximity to the station and the convenience offered by the mix of uses in larger developments. However, ultimately Jacobs concluded that due to the variability in the TTPP surveys data, there were risks with relying on the data to determine car parking rates. This is why Jacobs looked to data in the *Guide to Traffic Generating Development*.

Regarding the impact of proposed car parking rates on weekend traffic, the Jacobs noted that reliable data demonstrating a relationship between car parking spaces and weekend traffic was limited. Jacobs found that TfNSW intersection data for regional roads in the Rhodes precinct showed evidence that weekend traffic flows were at times as high or slightly higher than traffic flows for the same interactions in the weekday peak. Jacobs considered these findings when recommending the proposed car parking rate. The Department considers that the proposed rates are appropriate in the context of available information about weekend traffic and is satisfied that Jacobs have taken weekend traffic into account when recommending the proposed rates.

The Department is satisfied that the advice of Jacobs consultants demonstrates that traffic generated by the proposed car parking rates can be appropriately managed and is unlikely to have any unacceptable impacts on the road network or mode share aspirations for the Rhodes precinct.

3 Department's assessment

The Department's assessment of proposed amendments is summarised below.

Car Parking

Car parking rates for residential development across metropolitan Sydney varies greatly (see Table 2 below). Maximum car parking rates are generally designed to limit total car spaces and are often applied to high density areas with good transport amenity. However it is noted many centres of similar accessibility to transport and services have minimum and not maximum car parking rates (see below).

As advised by TfNSW, Jacobs undertook a comparative review of residential parking rates for similar places and centres (see **Table 2** below).

Table 2: Residential Car Parking Rates - Comparison

Dwelling Type	Current LEP for Rhodes Precinct (max)	Burwood North and Five Dock PRCUTS (max)	Canada Bay Development Control Plan (DCP) areas within 800m of a train station (max)
Studio	0.1	0.15	0.6
1 bedroom	0.3	0.5	0.6
2 bedroom	0.7	0.9	0.9
3 bedroom	1	1.2	1.4
Visitor	1 space per 20 dwellings	1 space per 10 dwellings	1 space per 5 dwellings

Dwelling Type	Burwood Town Centre DCP (min)	Strathfield DCP (min)	Wentworth Point DCP (min)	Bays West (max)	Wolli Creek DCP
Studio	0.5	Not stated	1	0	1
1 bedroom	1	1	1	0.25	1
2 bedroom	1	1.5	1.1	0.5	2
3 bedroom	1.5	2	2	0.5	2
Visitor	1 space per 5 dwellings	1 space per 5 dwellings	1 space per 10 dwellings	0	1 space per 5 dwellings

Dwelling Type	Mascot DCP	Zetland LEP (max)	Potts Point LEP (max)	Frenchs Forrest transport study	Chatswood DCP (max) for multi dwelling housing, residential flat buildings and attached dwellings with more than 2 storeys and 4 or more dwellings
Studio	1	0.4	0.2	Not stated	0.5
1 bedroom	1	0.5	0.4	0.6	0.5
2 bedroom	2	1	0.8	1	0.5
3 bedroom	2	1.2	1.1	1.5	0.5
Visitor	1 space per 5 dwellings	0.2 spaces per dwelling up to 30 dwellings 0.125 space per dwelling more than 30 dwellings and up to 70 0.67 spaces per dwelling more than 70 dwellings	0.167 spaces per dwelling up to 30 dwellings 0.1 space per dwelling more than 30 dwellings and up to 70 7 per dwelling more than 70 dwellings	1 space per 10 dwellings	1 space per 7 dwellings

The residential car parking rates under Council's DCP align with those recommended for sites within 800m of train stations in the GTTGD, and the Apartment Design Guidelines (2015).

Based on this review, Jacobs recommended residential car parking rates for the Precinct be increased to be consistent with rates for other parts of the LGA in Council's DCP, which apply to other places also have good access to public transport (see **Table 1**).

These adjusted rates were recommended as they are:

- consistent with evidence-based rates in TfNSW document GTTGD; and,
- result in acceptable average weekday peak trip generation rates like that which was modelled for the original Rhodes Traffic and Parking Report 2021.

The Department is satisfied that the higher car parking rates proposed will provide sufficient on-site car parking for residents and visitors. Furthermore, the adequacy of the car parking provision will be assessed further as part of any future Development Application (DA).

Traffic

When determining suitable car parking rates Jacobs made sure that they would not result in exceeding the traffic volumes in the traffic model undertaken for the Rhodes Precinct in 2021.

Jacobs consider the proposed rates acceptable from a traffic perspective because they expect these parking rates will generate the same rate of traffic that was assumed in this traffic modelling.

Jacobs included assumptions based on potential weekend trip generation when making their recommendations for the exhibited parking controls and are satisfied that the proposed rates was unlikely to have unacceptable traffic implications in terms of road network capacity.

While the parking rates are sought to be changed in the LEP, traffic impacts of individual developments within the Rhodes Precinct will additionally be assessed as part of future development applications.

In light of the above, the Department is satisfied that traffic generated by proposed changes to the parking rates will not likely result in a significant impact on the surrounding road network.

Clause 4.6

It is proposed that Clause 4.6(8)(cc) of the LEP 2013 be amended to replace the reference to Clause 7.8 with a reference to Clause 7.8(2)(a)-(c) only. Clause 7.8 (2)(d) sets out the maximum number of car parking spaces for dual occupancies, multi dwelling housing, residential flat buildings and shop top housing in the Rhodes Precinct.

The proposed amendment to Clause 4.6(8)(cc). Clause 4.6(8)(cc) would still preclude variation applications being made for parking rates for certain commercial premises, retail premises and restaurants and cafes through the retention of Clause 7.8(2)(a)-(c) in Clause 4.6(8).

No submission opposed or provided any comments with the Clause 4.6 aspect of the exhibited controls.

4 Recommendation

It is recommended that the Minister make the proposed changes to the LEP because the issues raised during consultation have been addressed as following.

1. The proposed car parking rates are consistent with the key traffic and transport assumptions and principles that informed the Places Strategy, including:
 - a. Mode share aspiration – Jacobs’ analysis concludes that the proposed car parking rates will align the with mode share assumptions in previous reports and traffic modelling.
 - b. Traffic impacts – Jacobs’ analysis concludes that the proposed car parking rates will not have an adverse impact on traffic and will align with car trip rates assumed in previous reports and traffic modelling.
 - c. Principles for encouraging active and public transport use – in addition to concluding that the proposed rates will be consistent with previous mode share assumptions, the Jacobs report notes that car parking is just one of suite of measures to encourage active and public transport use. No changes are proposed to these other measures.
2. The proposed car parking rates are evidence based. Jacobs’ analysis found that:
 - a. the evidence and underlying transport guidance used to determine parking rates in many other locations in Sydney is limited;
 - b. the variability of data cited in the TTPP report (prepared on behalf of Meriton) poses risks for relying on that data to recommend a car parking rate; and
 - c. the main guidance available is TfNSW document *Guide to Traffic Generating Development* and proposed rates are consistent with rates in the Guide. The Guide has also informed parking rates in the Apartment Design Guide and rates applied elsewhere in the City of Canada Bay LGA.

3. The proposed car parking rates strike a balance between providing car parking for future residents of the Rhodes Precinct without exceeding the capacity of the road network or the assumptions in Jacobs previous traffic modelling. The additional car parking offers flexibility for changing demographics of apartments in the Rhodes Precinct, including an increasing number of families living in apartments.
4. Additional assessment of the quantum of car parking will occur on a site-by-site basis as part of future development applications. As the proposed car parking rates are maximum rates, there is the potential to seek to provide less car parking (including visitor parking) through the Development Application process. Conversely, proposed changes to Clause 4.6 of the Canada Bay Local Environment Plan will allow future Development Applications to apply to vary proposed car parking rates with suitable evidence and justification.
5. The provision of car parking will still be subject of the Council's Development Control Plan, which allows for unbundling of car parking and car share spaces; offering further flexibility and efficiency for future changes in car parking needs in the future.

Attachments

Attachment	Document
A	TTPP Report - High Density Development in Rhodes - Research on Trip Generation and Parking Provision
B	Technical Memorandum Rhodes East Parking Rate Jacobs, April 2023
C	Explanation of Intended Effect - Rhodes Car Parking Update