

Our Ref: L6PJB10009.doc

2 February 2011

The General Manager  
Orange City Council  
PO Box 35  
ORANGE NSW 2800

**Attention: Craig Mortell**

Dear Craig

**DEMOLITION (EXISTING BUILDING), MOTEL (SERVICED APARTMENTS) & RETAIL/COMMERCIAL PREMISES AT 104–108 SUMMER STREET & 41–47 SALE STREET, ORANGE – DA 326/2010(1)**

Further to our discussions of 28 January 2011 and with particular reference to the issue regarding containment of the development within lot boundaries, we confirm as follows:

- It is proposed to create an easement for parking over part of the shopping centre site to ensure the requisite number of off-street parking spaces (approx. 22) remains available to the proposed development; and
- The proponent would accept a condition of consent to this effect.

We trust that this is satisfactory and look forward to approval of the Development Application in due course.

Yours faithfully

***Peter Basha Planning & Development***



Per:

**PETER BASHA**

Our Ref: L4PJB10009.doc

28 January 2011

The General Manager  
Orange City Council  
PO Box 35  
ORANGE NSW 2800

**Attention: Craig Mortell**

Dear Craig

**ADDENDUM TO STATEMENT OF ENVIRONMENTAL EFFECTS  
DEMOLITION (EXISTING BUILDING), MOTEL (SERVICED APARTMENTS) & RETAIL/COMMERCIAL  
PREMISES AT 104–108 SUMMER STREET & 41–47 SALE STREET, ORANGE – DA 326/2010(1)**

In reference to the above matter and in response to the matters raised in Council's letter of 14 January 2011 we provide the following information.

**1. HERITAGE, STREETScape AND SCALE**

Revised architectural plans have been prepared to address the matters raised by Council. Cox Architects provide the following statement in support of the design and revisions:

*The amended proposal responds to the comments made by the Management of Development Assessments dated 14 January 2011.*

*The aim of the design is not to replicate the historic buildings in the conservation area. This is a mixed use building including shops to activate the street with a hotel with 46 units above. This is a different programme of uses to those of the buildings constructed in the Victorian and pre-war period.*

*The building form however, has been broken down to a scale consistent to the earlier buildings in the street.*

- *Form includes a base, a middle and a top*
- *The top is set back from Summer Street*
- *The western elevation is broken into 3 parts*

- *Additional articulation has been added to the walls and window openings*
- *Upper level sun shading has been removed to make the 4th floor read as a roof form*
- *The 3rd floor parapet is visually the scale of the building. The 4th floor is slightly set back and constructed from a light weight cladding which is visually recessive*
- *A broad material pallet of face brickwork, painted masonry and metal cladding*
- *Colours to match predominant hues in conservation area*
- *Street trees and lighting to produce an appropriate urban setting*

*The modified design is a successful attempt to accommodate contemporary functions into a building that respects the heritage of the precinct.*

In response to the specific issues raised in Council's we advise as follows:

- a) Council is concerned with the minimal level of fenestration and articulation. In response, the proposed level of fenestration and articulation is explained in the original design statement by the architect.

*The building aims to be a contemporary structure of simple elegant proportion, and detail to sit comfortably with the adjoining existing buildings..... The building is an unpretentious structure that extends the scale and proportion of the modest post war buildings on Summer Street around the corner into the car park.*

The heritage architect for the project appreciates the design intent and made the following comment in the Statement of Heritage Impact that accompanied the original DA submission:

*The architectural design of the building respects the architectural character of Summer Street providing a modern design without the pastiche of copying elements from other buildings or styles in the street. The parapet level of the building at level 3 is similar to that of the adjacent buildings. The architecture reflects the horizontal lines of existing awnings and parapets and maintains the predominant vertical proportion of windows at level one as exists elsewhere in the street. The shopfronts at ground level are large plate glass elements on a regular grid which is sympathetic with the shopfront character of the street.*

- b) Council is concerned with the overall bulk of the building and that the design does not provide a reasonable transition from third to fourth floor as a means of breaking up the visual bulk. In response to such concerns (and with reference to the latest design statement by the architect) we advise as follows:
- The revised design sees the removal of upper level sun shading to make the 4th floor read as a roof form.
  - The 3rd floor parapet is visually the scale of the building. The 4th floor is slightly set back and constructed from a light weight cladding which is visually recessive.
  - Following Council's suggestion, the western (and southern) elevation has been broken into 3 sections via different aesthetic treatments.
  - The facades that present to the west and south are large but are broken by vertical elements; varied finishes; balconies; glazing; and a lightweight upper level. The use of face brick, vertical window fenestration, colonnades and awnings at ground level assist to reduce the building to a more human scale. Following Council's suggestion, the western and southern elevations have been broken into 3 sections via different aesthetic treatments.

## 2. BUILDING HEIGHT

In regard to building height Council suggests that the height/prominence of the western façade could be reduced by making the area of the 4th floor smaller or including a setback along this elevation.

In response to this issue we advise as follows:

- a) A reduction in the area of the 4th floor or the provision of a setback would compromise the floor layout and reduce apartment numbers. The proponents do not support this in terms of the economic viability of the project.
- b) The CBD is dominated buildings which have an effective 2 to 3 storey scale. However, taller buildings are not uncharacteristic. The proposed building is comparable in height to other tall buildings in the CBD.
- c) The building is designed to read as a two-storey building at the immediate frontage to Summer Street. The top level is treated with a lightweight material and is recessed 6 metres from the Summer Street frontage. The foremost façade maintains a similar parapet height as the existing brick building just to the east and comprises vertically proportioned windows that extend over 2 levels.

### 3. CONTAINMENT OF DEVELOPMENT WITHIN LOT BOUNDARIES

Council will only allow the development to rely on the shopping centre site for car parking and landscaping if such arrangements are formalised (presumably by extending the boundary of the development site or by creating appropriate easements).

a) In regard to parking:

- Colston Budd Hunt & Kafes have prepared a supplementary traffic statement (attached) which demonstrates that the apartment component will be adequately serviced by the proposed basement spaces.
- It is acknowledged that the retail/commercial component of the development generates a parking shortfall of some 22 spaces. It is proposed that this shortfall be addressed by the proposed parking resources attributed to the overall redevelopment of the Summer Centre. That project is still being assessed under a separate development application. However, it is understood that the proposed parking resources for that development will incorporate a generous surplus of parking which should accommodate the spaces needed to serve this development.
- In response to Council's position it is proposed to create an easement for parking over part of the shopping centre site to ensure the requisite number of off-street parking spaces (approx. 22) remains available to the proposed development.

b) In regard to landscaping, it is submitted that easements would not be required to secure landscaped areas against potential pressure from future development of the shopping centre site. It is expected that issues relating to the loss or compromise of landscape areas in this precinct would be subject to assessment at the time that a Development Application for future development of the shopping centre site is made.

### 4. PROJECT DESCRIPTION – TRAFFIC ASSESSMENT AND CAR PARKING

Council is concerned that the traffic study submitted with the DA is predicated on 49 apartments rather than 85 keyed units.

The traffic engineers for the project, Colston Budd Hunt & Kafes have prepared a supplementary traffic report to address Council's concerns in relation to parking and traffic generation. A copy of the supplementary report is attached.

In accordance with Council's request, 2 additional disabled parking spaces will be included in the basement to give a total of 4. The revised drawings do not show this amendment but the proponent would agree to a condition to this effect. In this rearrangement, the parking resource is likely to reduce from 53 to 52 spaces. The reduction in spaces is considered acceptable based on the parking analysis provided by Colston Budd Hunt & Kafes in their supplementary traffic report.

## **5. RIGHT OF WAY**

Lot B DP 151926 is burdened by an L-shaped right of way. The development impacts on part of this right of way. Council requires the proponent to provide evidence that any legally benefitted owners are in agreement with the proposed effect on the right of way.

To address Council's concerns regarding this issue, the proponent has arranged for their solicitor to resolve the matter. The situation is as follows:

- a) The right of way is only registered on the title for Lot 1 DP 1109351 which is owned by Mr & Mrs Norris.
- b) A deed is being prepared which will confirm that the right of way that currently exists is being removed and replaced with a new right of way in favour of Mr & Mrs Norris.
- c) The owners of the adjoining blocks to Mr & Mrs Norris do not appear to have a registered interest.

The deed in respect of the benefit to Mr and Mrs Norris will be provided to Council shortly.

## **6. LOADING DOCK**

As requested by Council, the loading dock for the development will now be located in the adjoining parking area (on the southern side of the driveway that leads from Sale Street). A corridor has been provided on ground floor between Tenancy 5 and 6 to facilitate connection between the loading dock and the service areas of the building.

The shared loading dock that is proposed at the end of the existing laneway will be retained for the benefit of the existing Summer Street properties.

The site and ground floor plans in the revised architectural drawings depict the proposed arrangement.



## 7. ERRATA

The Type 2B unit on Level 2 has been corrected.

## 8. OTHER MATTERS

The *Other Matters* listed by Council are acknowledged and will be addressed at the Construction Certificate phase of the process.

However, with specific regard to the toilets for the retail/commercial tenancies, it is proposed that an easement be created granting these tenants use of the facilities in the Summer Centre shopping complex.

## 9. DOCUMENTATION

This Addendum to the SoEE is accompanied by the following plans and documentation:

- 4 copies of revised architectural drawings by Cox Architects.
- 4 copies of landscape master plan by Conzept Landscape Architects.
- Supplementary Traffic Statement by Colston Budd Hunt & Kafes.
- Preliminary civil design drawings.

We trust that this information is satisfactory and look forward to approval of the Development Application.

Yours faithfully

**Peter Basha Planning & Development**



Per:

**PETER BASHA**

Enc.

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# Colston Budd Hunt & Kafes Pty Ltd

as Trustee for C & B Unit Trust  
ABN 27 623 918 759

Our Ref: SK/7936/mp

Transport Planning  
Town Planning  
Retail Studies

19 January, 2011

Primespace Pty Ltd  
c/- Absolute Professional Services  
PO Box 463  
WAHROONGA NSW 2076

**Attention: Stephen Charlton**  
**Email: [steve@abshop.com.au](mailto:steve@abshop.com.au)**

Dear Sir,

**RE: PROPOSED SERVICED APARTMENTS,  
SUMMER STREET AND SALE STREET, ORANGE**

1. As requested, we are writing regarding parking matters raised by Orange City Council in their email dated Friday 19 November 2010 and letter dated 14 January 2011, in relation to the above development. We have previously prepared a traffic report<sup>(1)</sup> which was submitted with the development application.
2. In Council's email dated Friday 19 November 2010, Council officers raised concern with regards to the proposed parking provision for the serviced apartments component of the development. Council indicated that the proposed use is capable of being used as 85 units (rather than 49) requiring 85 spaces plus management and staff parking. Our response to this matter is set out below.
3. As set out in the traffic report, Orange City Council's DCP 2004 does not have a specific parking rate requirement for serviced apartments. Council's parking rate for motels however, is one space per unit, plus one space per resident manager, plus one space per two employees, plus one space for every 3 seats in the restaurant, and one space per 10m<sup>2</sup> of function area.

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<sup>(1)</sup> "Traffic Report for Proposed Service Apartments and Commercial/Retail Development, Orange" October 2010, Colston Budd Hunt & Kafes Pty Ltd.



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4. The proposed serviced apartments will not provide a restaurant nor function area and will employ five staff (including one resident manager). Other than the resident managers parking space, employee parking would typically be shared with the proposed visitor spaces, since the peak parking demand for visitor parking and staff parking do not coincide. For example the majority of the staff (maintenance and house keeping) are on-site during the traditional working hours when there is significantly reduced visitor parking demand.
5. The proposed development will provide 49 serviced apartments and parking for 52 vehicles within the basement parking level. However, it is noted that some units will be 'dual key' units which would allow them to be let to two different occupants. We discuss the effects of the 'dual key' use of units below.
6. In regards to assessing the appropriate parking provision for the serviced apartments we note that Quest operate a number of similar developments across Australia. The proposed serviced apartments is aimed at the corporate traveller market and is in response to the growth in key employment zones within Orange and the development of health, industry, commercial and mining infrastructure and supporting uses for the business community.
7. To demonstrate that the proposal provides an appropriate amount of on-site car parking, survey data has been provided, in regards to occupancy rates and parking provision, at two other Quest developments. These are:-
  - ☐ North Ryde
    - 172 units provided;
    - 84 on-site car parking spaces;
  - ☐ Castle Hill
    - 83 units provided;
    - 60 on-site car parking spaces.
8. Both developments operate a number of rooms with dual keys.
9. Surveys undertaken at these two developments recorded the number of on-site parking spaces used through a typical one week period. Counts were undertaken between 8.30am and 10.30am, and at 7.30pm to represent the period of maximum visitor parking demand rate overlapping with residual staff parking demand. The result of the surveys are summarised on the attached Table 1.

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Site	Single Key Units	Dual Key Units	Total Key Units	Car Parking spaces	Survey Data			21/11/2007 Tuesday			22/11/2007 Wednesday			23/11/2007 Thursday			24/11/2007 Friday			25/11/2007 Saturday			26/11/2007 Sunday			27/11/2007 Monday								
Castle Hill	7	38	83	60	Unit Keys Let	52	49	49	72	8:30am	62	59	56	64	74	61	58	78	8:30am	68	52	33	49	44	38	36	52	7:30pm	40	37	30	69		
					Total parking spaces used	25	32	21	42	10:30am	26	17	21	27	41	22	21	35	9:30am	42	32	21	40	35	30	22	40	10:30am	38	39	32	52		
					Parking rate per key/let	0.48	0.65	0.43	0.58	7:30pm	0.42	0.29	0.38	0.42	0.55	0.36	0.36	0.45	8:30am	0.62	0.62	0.64	0.82	0.80	0.79	0.61	0.77	7:30pm	0.95	1.05	1.07	0.75		
					Car Park Occupancy	42%	53%	35%	70%	10:30am	43%	28%	35%	45%	68%	37%	35%	58%	9:30am	70%	53%	35%	67%	58%	50%	37%	67%	10:30am	63%	65%	53%	87%		
					Number of Staff on-site	5	13	13	4	7:30pm	5	13	13	4	5	14	14	4	5	15	15	3	3	13	13	3	3	7:30pm	5	17	17	3		
					Number of staff parked on-site	5	11	11	4	10:30am	5	11	11	4	5	12	12	4	5	13	13	3	3	11	11	3	3	10:30am	5	15	15	3		
North Ryde			172	84	Unit Keys Let	172	172	172	172	8:30am	172	172	172	172	172	172	172	172	141	141	81	81	141	141	141	141	141	130	130	130	172	172	172	172
					Total parking spaces used	31	33	34	46	10:30am	37	32	30	60	24	30	32	65	9:30am	40	35	33	53	30	31	30	52	10:30am	38	30	35	44		
					Parking rate per key/let	0.18	0.19	0.20	0.27	7:30pm	0.22	0.19	0.17	0.35	0.14	0.17	0.19	0.38	8:30am	0.49	0.43	0.41	0.65	0.21	0.22	0.21	0.37	7:30pm	0.22	0.17	0.20	0.26		
					Car Park Occupancy	37%	39%	40%	55%	10:30am	44%	38%	36%	71%	29%	36%	38%	77%	9:30am	48%	42%	39%	63%	36%	37%	36%	62%	10:30am	45%	36%	42%	52%		
					Number of Staff on-site	20	25	25	10	7:30pm	20	25	25	10	20	25	25	10	12	20	25	15	12	5	5	10	10	7:30pm	20	25	26	15		
					Number of staff parked on-site	6	8	9	4	10:30am	6	8	10	4	8	10	12	6	8	12	13	8	3	2	6	6	6	6	7:30pm	8	12	13	8	

Table 1 – Results of Surveys to Identify Car Park Occupancy and Parking Rate Per Let Key

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10. Table I shows that the on-site car park utilisation at both sites never exceeded the available capacity for any of the time periods surveyed during the week period. The parking demands of both staff and visitor parking were satisfactorily accommodated within the on-site parking provision. Within the survey periods there would have been no need for parking to occur off-site.
11. Table I shows that the peak parking rate per let room key, at the time of peak visitor parking (7.30pm) were as follows:-
  - ☐ North Ryde - (7.30pm) 0.65 spaces per let key; and
  - ☐ Castle Hill - (7.30pm) 0.78 spaces per let key.
12. Based on experience from other similar developments, Quest has found that the dual key arrangement whilst increasing occupancy numbers, generally results in shared transport to the site.
13. Room occupancy rates over a 12 month period at North Ryde and Castle Hill where as follows:-
  - ☐ North Ryde - 47.2% to 86.4%; and
  - ☐ Castle Hill - 47.7% to 77.3%.
14. Adopting the North Ryde peak parking and room occupancy rates, for the proposed development (85 unit keys), results in a parking demand of some 26 to 48 vehicles for both visitors and staff.
15. By comparison, using the Castle Hill peak parking and room occupancy rates, for the proposed development, results in a parking demand of some 32 to 51 vehicles for both visitors and staff.
16. The proposed development, providing a total of 85 dual key units and 52 car parking spaces, should therefore satisfactorily accommodate the total parking demand for the proposed service apartments.
17. As set out in the traffic report, the required parking for the ground floor commercial/retail area on the subject site, will be incorporated into the overall car parking supply for the adjacent shopping centre development.
18. In Council's letter dated 14 January 2011, Council officers requested additional information in regards to the traffic generation and effects of the proposed

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development based on 85 keyed units.

19. As noted in the traffic report, the traffic implications of the approved Summer Centre redevelopment and the operation of the surrounding road network has previously been assessed in the traffic reports which supported the shopping centre development applications. Those reports concluded that the surrounding road network including the proposed access driveways to the shopping centre, will be able to cater for the traffic generated by the proposed redevelopment.
20. As discussed in our previous report the Roads and Traffic Authority's "Guide to Traffic Generating Developments" indicates that motel developments generate 0.4 vehicles per hour two-way per unit during the afternoon peak hour period. Application of this generation rate to the 85 keyed serviced apartments results in a traffic generation of 34 vehicles per hour two-way during the afternoon peak hour period.
21. The traffic generation of the proposed ground floor commercial/retail area has previously been assessed in association with the approved redevelopment of the Summer Centre. That assessment found that the proposed redevelopment of the shopping centre would result in an increase in traffic generation of some 90 vehicles per hour two-way during the Friday afternoon period.
22. In order to undertake a cumulative assessment of the traffic effects of the proposed development and the redevelopment of the adjacent shopping centre, the additional traffic generated by both developments has been assigned to the road network taking into account the revised access arrangements for the adjacent shopping centre and the proposed access arrangements for the proposed development on Sale Street. The redistributed existing traffic flows plus additional development traffic are shown on Figures 1 and 2, and summarized in Table 2.
23. Traffic flow increases in Sale Street, from where access to the proposed development is proposed, would be some 20 to 50 vehicles per hour two-way during the Friday afternoon peak period.
24. The intersections previously analysed in the traffic report which supported the development application have been reanalysed with the additional development traffic shown in Figure 2. The SIDRA analysis found that the signalised intersection of Summer Street and Sale Street will continue to operate with average delays of less than 25 seconds per vehicle during the Friday afternoon peak period. This represents a level of service B, which is a good level of

intersection operation.

<b>Table 2: Redistributed Peak Hour Two-Way (Sum of Both Directions) Traffic Flows Plus Development Traffic</b>			
<b>Road/Location</b>	<b>Friday Afternoon (Vehicles/Hour)</b>		
	<b>Base Case<sup>(1)</sup></b>	<b>Plus Shopping Centre Traffic</b>	<b>Plus Serviced Apartments</b>
<b>Summer Street</b>			
- east of Sale Street	1110	+30	+10
- west of Sale Street	1135	+20	+10
- east of Hill Street	1205	+40	+10
- west of Hill Street	1135	+20	
<b>Sale Street</b>			
- north of Summer Street	595	+20	-
- south of Summer Street	750	+30	+20
- north of Kite Street	1115	+15	+20
- south of Kite Street	255	+10	-
<b>Hill Street</b>			
- north of Summer Street	965	-	-
- south of Summer Street	895	+40	-
<b>Kite Street</b>			
- east of Sale Street	970	+10	+10
- west of Sale Street	830	+15	+5

(1) Redistributed existing base case traffic flows

25. The roundabout controlled intersection of Summer Street and Hill Street will also continue to operate at level of service B during peak periods. The analysis found that peak period average delays, for the movement with the highest average delay, will be less than 20 seconds per vehicle, the same as today.
26. The roundabout controlled intersection of Kite Street and Sale Street will operate with average delays for all movements through the intersection, of less than 15 seconds per vehicle during peak periods. This represents a level of service A/B, which is a good level of intersection operation.
27. The surrounding road network and its intersections, with the additional development traffic and the traffic generated by the redevelopment of the Summer Centre, will continue to operate at a satisfactory level of service during peak periods.

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28. We trust this provides the information you require. Should you have any queries, please do not hesitate to contact us.

Yours faithfully,

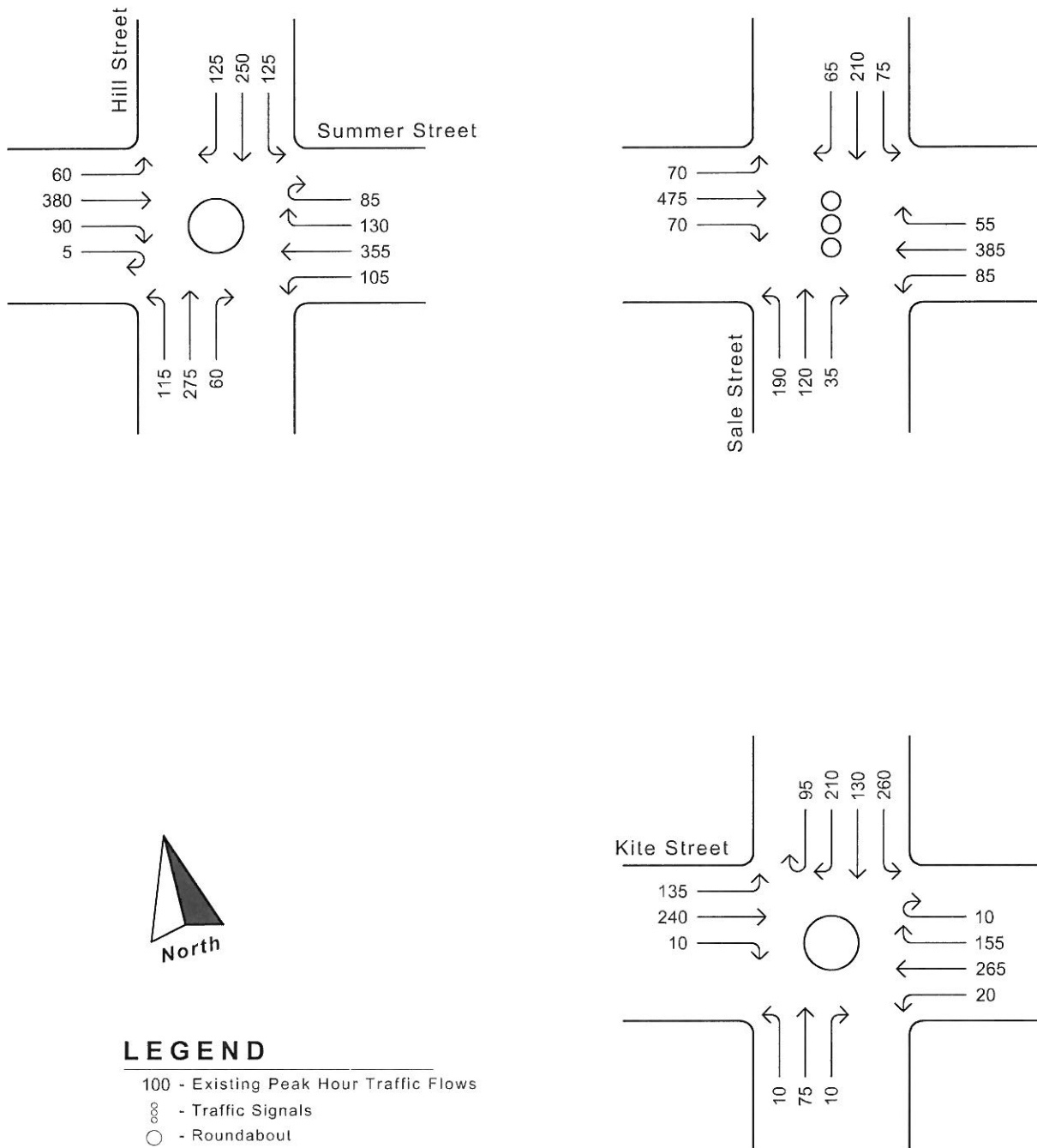
COLSTON BUDD HUNT & KAFES

A handwritten signature in cursive script, reading "Stan Kafes". The signature is written in black ink and is positioned above the printed name and title.

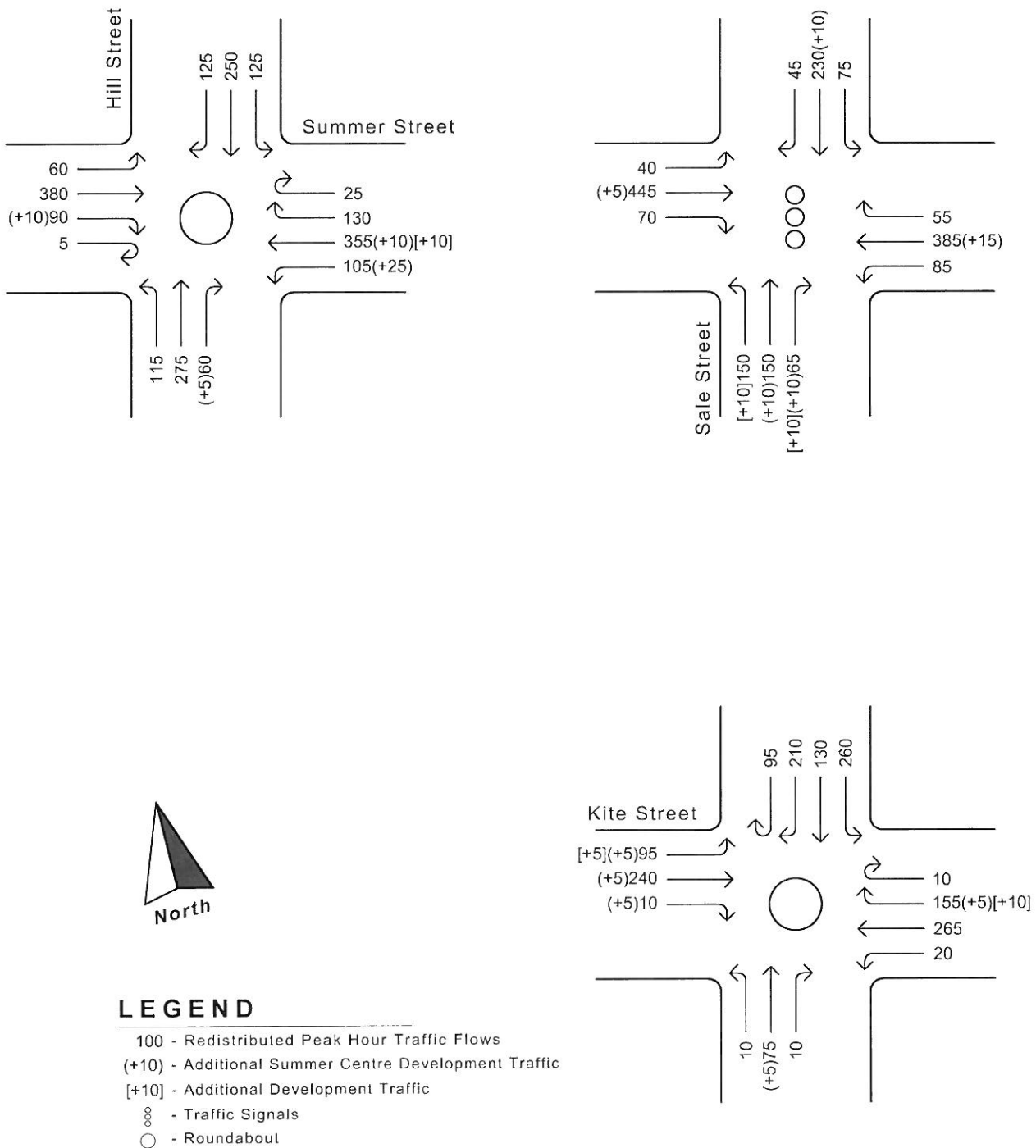
Stan Kafes

Director





**Existing Friday afternoon  
peak hour traffic flows**



**Redistributed Friday afternoon peak hour traffic flows plus development traffic**