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Development Assessment Report

Development Application

DA 318/2018 (1)

Commercial Premises & Public Administration Building Prince Street, Orange



**Prepared by Keylan Consulting Pty Ltd on behalf of
Orange City Council**

November 2018

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Abbreviations

Applicant	Verde Property (Aust) Pty Ltd
CIV	Capital investment value
Council	Orange City Council
CTMP	Construction Traffic Management Plan
DA	Development Application
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EPI	Environmental planning instrument
LoS	Level of Service
LGA	Local government area
Keylan	Keylan Consulting Pty Ltd
NPI	Noise Policy for Industry
OLEP 2011	<i>Orange Local Environmental Plan 2011</i>
OSD	Onsite Detention
RNP	NSW Road Noise Policy
RPP	Regional Planning Panel
SEE	Statement of Environmental Effects
SOHI	Statement of Heritage Impact
SRD SEPP	<i>State Environmental Planning Policy (State and Regional Development) 2011</i>

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Cover image: Proposed Commercial & Public Administration Building – Prince Street, Orange (Source: Group GSA)

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Executive Summary

This report is an assessment of a development application (DA) and accompanying Statement of Environmental Effects (SEE) lodged with Orange City Council (Council) by Verde Property (Aust) Pty Ltd (the Applicant).

The application proposes the construction of a four-storey commercial premises and public administration building on the former Orange Base Hospital site at Prince Street, Orange in the Orange local government area.

The Western Regional Planning Panel (RPP) is the relevant consent authority for the application.

Council is the owner of the land subject to the application. Council engaged the services of Keylan Consulting Pty Ltd (Keylan) to undertake an independent assessment of the application and to provide a recommendation for determination of the DA, including any recommended conditions of consent.

Proposed development

The project involves the construction of a four-storey commercial premises and public administration facility, comprising:

- a four-storey building with a total gross floor area (GFA) of 8,500 m²;
- commercial and public administration uses on the upper floors of the building;
- ancillary retail uses at the ground floor level (café, restaurant);
- a total of 393 car parking spaces provided at basement level, at-grade and within a separate multi-level car parking facility;
- end of trip facilities;
- site landscaping and fencing; and
- associated plant facilities.

The project is valued at approximately \$55 million and is expected to generate in the order of 130 full-time equivalent jobs during construction and accommodate 650 full-time equivalent jobs during operation.

The building is proposed to be tenanted by the NSW Department of Primary Industries (DPI) which is expected to relocate from its existing office premises at Kite Street in Orange.

The site

The site is formally described as Lots 1 and 2 (Section 4) in DP 758817 – Prince Street in Orange. The site is located approximately 800 metres north of the Orange town centre and is bordered by Prince Street, Anson Street, Dalton Street and Sale Street in the suburb of Bletchington.

The site previously accommodated the Orange Base Hospital which was decommissioned in 2011. The hospital buildings and associated infrastructure were demolished in 2017 and the site is currently vacant.

The land subject to this application forms part of a recent subdivision approval involving the creation of three Torrens title lots. The subdivision was approved by Council on 2 October 2018 (DA 312/2018(1)). The is located on Lot 500 encompassing an area of 10,044.1 m².

Adjoining Lot 501 comprises an area of approximately 10,694.7 m² and is zoned for future medium residential development and public recreation purposes.

The former Ambulance Station located at the south-eastern corner of the site will be retained on Lot 502 encompassing an area of approximately 888 m².

The site is surrounded by various residential, commercial and educational uses including the TAFE Western (Orange campus) located directly to the south and a range of health and medical related facilities. Residential development in the vicinity of the site generally consists of single-storey detached dwellings and two-storey apartments and townhouses.

Permissibility

The site is zoned B4 Mixed Use under the *Orange Local Environmental Plan 2011* (OLEP 2011). *Commercial premises* and *public administration buildings* are wholly permissible with consent in the B4 Mixed Use zone.

The proposed development is located at the eastern extent of the former Orange Base Hospital site. The land was recently rezoned from R3 Medium Density Residential to a combination of zones including B4 Mixed Use at the eastern extent of the site and R3 Medium Density Residential and RE1 Public Recreation at the western extent.

The site rezoning was finalised in 2017 and was initiated to facilitate future commercial land uses such as offices and business premises, medium density residential development and a mix of other non-residential uses such as retail, education facilities, restaurants and cafes.

Consent authority

The project is Regionally significant development as it meets the criteria under clause 2 of Schedule 7 of *State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP) as it is for development with a capital investment value (CIV) of more than \$30 million.

The project also meets the criteria under clause 3(b) of Schedule 7 of the SRD SEPP as it is development that has a CIV over \$5 million and Council is the owner of the land on which the development is to be carried out.

Section 4.5(b) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) designates the consent authority for Regionally significant development to the regional planning panel for the area in which the development is to be carried out. Therefore, the Western RPP is the relevant consent authority for the application.

Public exhibition

The application was publicly exhibited for a period of 14 days in accordance with the requirements of section 89 of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation).

The application was made available on Council's website and for inspection at Council's offices from Friday, 14 September 2018 until Friday, 28 September 2018.

A total of 5 submissions were received during the public exhibition period including 2 public agency submissions and 3 submissions from the general public.

Key assessment issues

The key issues of consideration during the assessment of the application relate to build form and design, traffic and car parking and heritage.

Built form and design

The SEE describes the development as a three storey and four storey structure presenting to Prince Street that is separated by a contracted centre form.

The proposed building has a maximum roof height of RL 886.2 (15.4 metres) and maximum built form (top of roof plant) of RL 891.7 (20.9 metres). The tallest component of the development (RL 891.7 or 20.9 metres) is situated in the centre of the site which permits buildings up to a maximum of 26 metres in height under the OLEP 2011.

The SEE confirms the proposed building would comply with the height controls (maximum of 26 metres) under the OLEP 2011. The proposed building is of a similar height and scale to the Orange Base Hospital building that formerly occupied the site, prior to its demolition in 2017.

Design elements proposed as part of the development include a brick-clad base upon which the building sits, east and west facades that feature large glazed areas with vertical projecting fins acting as sun shading and façade modulation and perforated metal cladding on the outside of the multi-storey car park to provide interest and facilitate a reduction in apparent bulk and scale of the structure.

The proposed design and siting of the structure, including generous setbacks to Prince Street and Anson Street, ensures it will not visually overwhelm the surrounding precinct. Further, the recent rezoning of the site, including increased building heights and FSR indicates the site is identified as an appropriate location for taller buildings with greater floor space provisions.

Traffic and car parking

Traffic modelling undertaken as part of a Traffic Impact Assessment (TIA) determined that the existing traffic conditions surrounding the site operate at a Level of Service (LoS) 'A' during the AM and PM peak periods. The TIA predicts the development will generate a daily peak of 386 trips and that a LoS 'A' will be maintained at the surrounding intersections.

The TIA concludes that the surrounding road network can accommodate the number of vehicles generated by the development. Any impacts on the road network due to an increase in traffic generation would be minimal and would likely be experienced over a relatively short period of time during the AM and PM peak.

The proposal includes 393 car parking spaces including 88 spaces at-grade, 132 spaces in the basement level of the building and 173 spaces in a multi-level car parking facility. The

number of car parking spaces is considered appropriate for the development and complies with the minimum car parking requirements for business and retail uses in accordance with the Orange Development Control Plan 2004 (DCP).

Two vehicular access points are proposed, including general vehicle access via Anson Street to the at-grade car park and service vehicle access via Prince Street to a secure loading dock located at the rear of the proposed building. A recommended condition of consent limits the size of vehicles servicing the site to a maximum of 9.6 metres to ensure the safety of pedestrians along Prince Street.

Heritage

The site is in proximity to a number of heritage items listed under Schedule 5 of the OLEP 2011 including the historic former Ambulance station located adjacent to the south-eastern boundary of the site.

A Statement of Heritage Impact (SOHI) has been prepared as part of the application that confirms the proposed development will have no physical impact on the former Ambulance station. Further, the SOHI considered an appropriate visual curtilage will be retained and its future potential for adaptive re-use will not be compromised by the proposed development.

The proposed development is consistent with the heritage requirements and guidelines of the OLEP 2011 and the Orange DCP 2004.

Other issues

Other issues considered during the assessment of the application related to contamination, noise and vibration, stormwater management, active transport and development contributions.

The assessment concludes there would be no significant impacts of the proposed development in relation to these matters. Conditions of consent are recommended to manage noise and vibration impacts and to ensure appropriate stormwater management measures are incorporated as part of the development.

Recommendation

The site is considered suitable for the proposed development as it complies with the land use planning directions outlined in the Central West and Orana Regional Plan 2036 and is consistent with the aims and objectives of the OLEP 2011, including the zoning and built form controls applicable to the site.

The proposal is also considered to be in the public interest as it would create jobs and provide a positive contribution to the regional economy of Orange.

The SEE and accompanying technical reports confirm there would be no major impacts as a result of the proposed development.

It is therefore recommended that the Western RPP grant consent to DA 318/2018(1) for *Commercial Premises and Public Administration Building* at Lots 1 and 2 (Section 4) in DP 758817 – Prince Street in Orange, subject to the recommended conditions of consent.

1 Introduction

This report provides an assessment of a development application (DA) for a commercial premises and public administration building on the former Orange Base Hospital site at Prince Street, Orange in the Orange local government area (LGA). The Applicant is Verde Property (Aust) Pty Ltd.

The DA seeks consent for a four-storey commercial building with ancillary retail uses at ground level (café/restaurant) and 393 on-site car parking spaces. The development is described in further detail at **Section 2**.

The development has a capital investment value of more than \$30 million and therefore meets the criteria of Regionally significant development under clause 2 of Schedule 7 of *State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP).

The project also meets the criteria of Regionally significant development under clause 3(b) of Schedule 7 of the SRD SEPP as it is development that has a CIV over \$5 million and Council is the owner of the land on which the development is to be carried out.

The Western Regional Planning Panel (RPP) is the relevant consent authority for the application.

1.1 Site location

The DA relates to land bordered by Prince Street, Anson Street, Dalton Street and Sale Street in Orange. The site is formally described as Lot 2 (Section 4) in DP 758817 and was previously occupied by the Orange Base Hospital.

The site is approximately 800 metres north of the Orange town centre. The development is proposed to occupy the eastern extent of the site with the western extent of the site identified for future medium density residential development and public recreation purposes.

The site location in context to the Orange town centre is shown in Figure 1 and Figure 2. Photographs of the site are shown at Figure 3 and Figure 4.



Figure 1: Site location (Source: Group GSA)



Figure 2: Subject site in context to the Orange town centre (Source: SEE, MacroPlan)



Figure 3: Subject site viewed from Prince Street looking east (Source: Keylan)



Figure 4: Former Ambulance station viewed from the Prince Street and Anson Street intersection (Source: Keylan)

1.2 Surrounding development

Land uses immediately surrounding the site are predominantly commercial and educational uses.

TAFE Western (Orange campus) is a large educational establishment located on land adjacent to the site to the south. There are a range of health and medical related facilities operating in proximity to the (former) Orange Base Hospital site, including medical centres, pharmacies and pathology services. There is also low and medium density residential development located in proximity to the site.

The Orange town centre is the commercial and retail core for the town and is located approximately 800 metres to the south.

The subject site is shown in Figure 2. Photographs of the surrounding area including the TAFE Western campus is shown in Figure 5 and Figure 6.



Figure 5: TAFE Western campus viewed from the corner of Prince Street and Anson Street (Source: Keylan)



Figure 6: TAFE Western campus viewed from Prince Street (Source: Keylan)

1.3 Site history

The site formerly accommodated Orange Base Hospital which opened in 1933 and was decommissioned in 2011. The hospital buildings and associated infrastructure were demolished in 2017 under approved DA 251/2016.

The historic former Ambulance Station, located at the south-eastern corner of the site, is a local heritage item under the *Orange Local Environmental Plan 2011* (OLEP 2011) and has been retained.

The subject site prior to, and following demolition, of the former hospital is shown in Figure 7 and Figure 8 respectively.



Figure 7: Subject site in December 2013, prior to demolition of the former hospital (Source: GML Heritage)



Figure 8: Subject site in July 2018, following demolition works (Source: GML Heritage)

On the 2 August 2017, the NSW Department of Planning and Environment issued a Gateway Determination that supported the proposed rezoning of the subject site (and adjacent land) from R3 Medium Density Residential to a combination of zones including R3 Medium Density Residential, B4 Mixed Use and RE1 Public Recreation. The Gateway Determination also supported increased building heights and densities for the site. The OLEP 2011 has since been amended with the land subject to this application now zoned B4 Mixed Use.

1.4 Subdivision of land

The land subject to this application forms part of a recent subdivision approval involving the creation of three Torrens title lots (DA 312/2018). The subdivision was approved by Council on 2 October 2018. The subdivision configuration comprises:

- Lot 500 – land subject to this DA located at the eastern extent of the site (encompassing 10,044 m²) proposed to be developed for purposes of a commercial premises and public administration building;
- Lot 501 – land at the western extent of the site identified for future residential development and public recreational uses (encompassing 10,694 m²); and
- Lot 502 – land at the south-eastern corner of the site containing the heritage listed former Ambulance Station (encompassing 888 m²). Adaptive reuse of the building will be subject to separate development application and approval.

The approved subdivision layout is show in Figure 9.

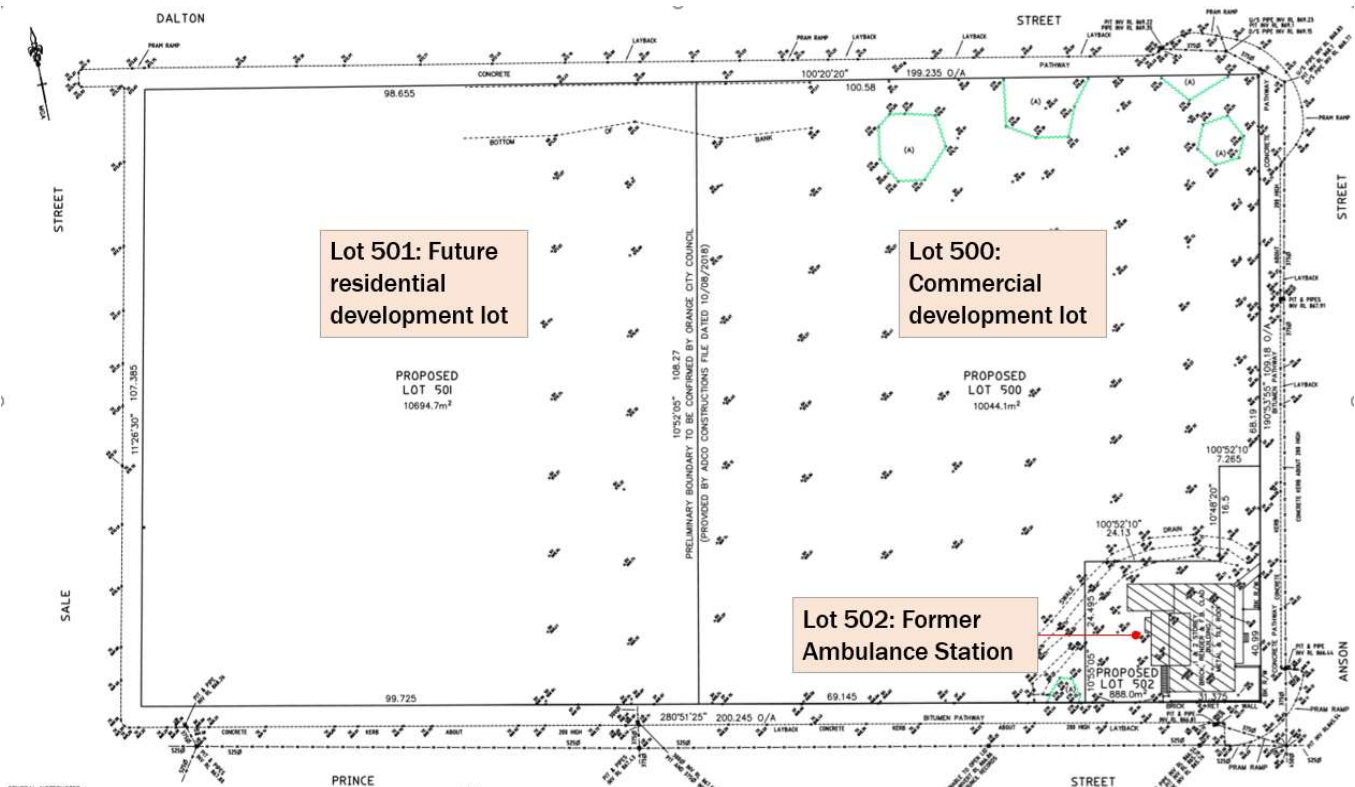


Figure 9: Plan of subdivision (Base source: SEE, MacroPlan)

2 The proposal

2.1 Description of the proposal

Key components of the proposed development are outlined in Table 1.

Development aspect	Description
Development summary and land uses	Four storey commercial premises and public administration building, comprising: <ul style="list-style-type: none"> • commercial/office uses on the upper floors of the building; • ancillary retail uses at the ground floor (café/restaurant); • end-of-trip facilities; • a multi-level car parking facility; • additional at-grade car parking; and • landscaping and fencing.
Gross floor area	8,500 m ²
Building height	A maximum building height of 20.9 metres.
Access	Two vehicle access points to the site, including: <ul style="list-style-type: none"> • general vehicle access via Anson Street; and • service vehicle access to a secure loading dock via Prince Street.
Car parking	A total of 393 car parking spaces, including: <ul style="list-style-type: none"> • 88 spaces at-grade for visitors to the site; • 132 spaces in the basement level of the building for employees; and • 173 spaces in the multi-level car parking facility for employees.
Motorcycle and bicycle parking	<ul style="list-style-type: none"> • 13 spaces for motorcycles; and • 58 spaces for bicycles.
Capital investment value	\$55 million.
Employment	130 full-time equivalent jobs during construction and 650 full-time equivalent jobs during operation.
Applicant	Verde Property (Aust) Pty Ltd

Table 1: Key components of the proposed development

The indicative site layout is shown in Figure 10. A photomontage of the development is shown in Figure 11.

2.2 Proposed future use

The proposed building will be tenanted by the NSW Department of Primary Industries (DPI) which is expected to relocate from the existing premises at Kite Street in Orange as the existing tenancy lease is due to expire.

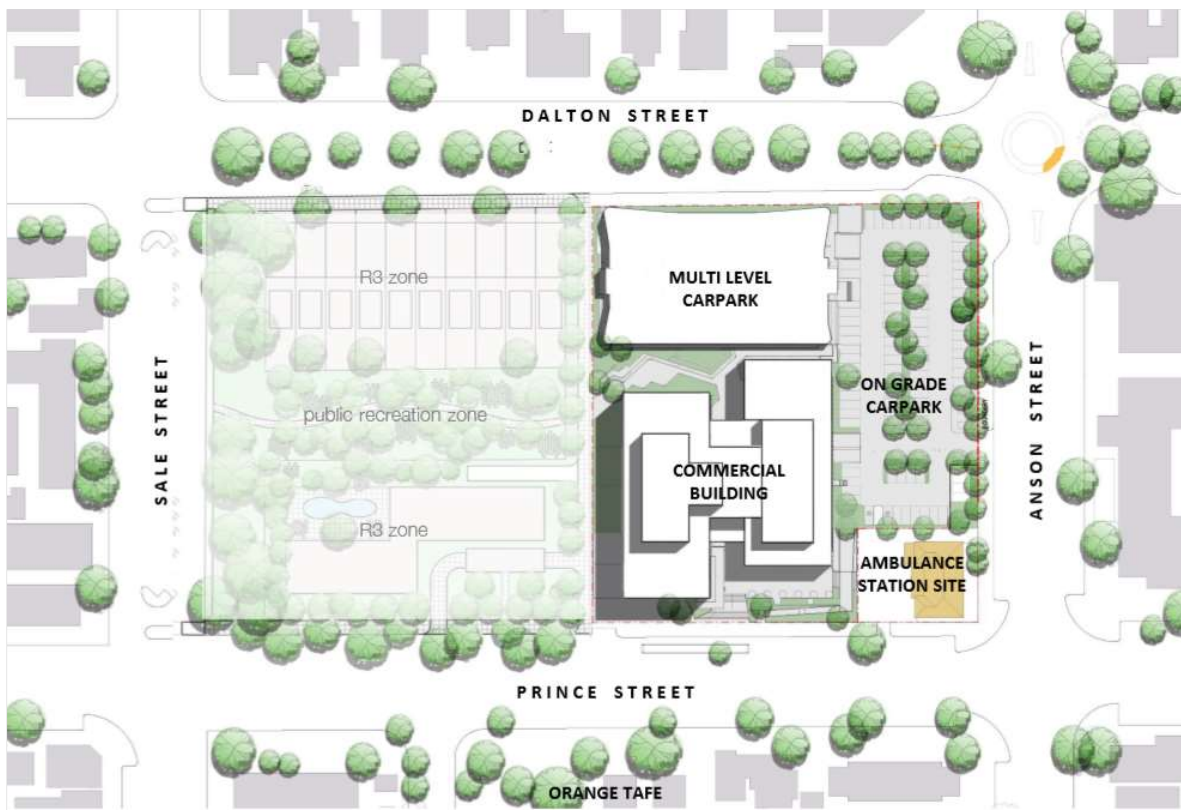


Figure 10: Indicative site layout (Source: Group GSA)



Figure 11: Photomontage of the proposed development – looking north-west (Source: Group GSA)

3 Strategic planning context

3.1 Central West and Orana Regional Plan 2036

The Central West and Orana Regional Plan 2036 is the NSW Government's strategy for guiding land use planning decisions for the Central West and Orana region for the next 20 years. The Plan sets out four goals for the region, including:

- the most diverse regional economy in NSW;
- a stronger, healthier environment and diverse heritage;
- quality freight, transport and infrastructure networks; and
- dynamic, vibrant and health communities.

The Plan outlines specific directions that are the responsibility of State and local government bodies that will ensure the overarching goals for the region are achieved.

Of relevance to this application is Direction 10 – *promote business and industrial activities in employment lands*. The site is located on land that has recently been rezoned B4 Mixed Use which provides for a mixture of compatible land uses including business, office and retail related uses. The proposed development would promote commercial business and retail activities on a site that is appropriately zoned and strategically located in proximity to the Orange town centre.

3.2 Orange City Council Community Strategic Plan 2018–2028

The Orange City Council Community Strategic Plan 2018-2028 is a 10-year plan to guide long-term growth, community development and infrastructure renewal in the Orange LGA. The Plan divides the desired direction of the city of Orange into four elements, including:

- *Our City: The Orange community will embrace and support strong, accountable leadership to ensure effective, long-term inclusive planning and decision-making within the region.*
- *Our Community: The Orange community will support and enhance a healthy, safe and liveable City with a range of recreational, cultural and community services to cater for a diverse population.*
- *Our Economy: The Orange community will plan and grown an innovative, diverse and balanced economy while protecting the character of the City and the region.*
- *Our Environment: The Orange community will pursue the balance of growth and development with the protection and enhancement of the built and natural environment while recognising climate impacts and the diverse needs of the urban, village and rural communities.*

Of most relevance to this application is *Our Economy*. As discussed in **Section 3.1**, the proposed development would promote business activities on a site that is strategically located in proximity to the Orange town centre.

4 Statutory planning context

4.1 Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (EP&A Act) aims to promote the orderly and economic use and development of land and to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making on environmental planning and assessment matters.

Section 4.15 of the EP&A Act outlines the matters that a consent authority is to take into consideration in determining a development application. These matters and where they are addressed in the assessment report are outlined in Table 2.

Section 4.15 matters for consideration	Consideration
(a) the provisions of:	The relevant environmental planning instruments including the OLEP 2011 are addressed at Section 4.2 .
(i) any environmental planning instrument, and	
(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and	The relevant draft environmental planning instruments are addressed at Section 4.3 .
(iii) any development control plan, and	The Orange Development Control Plan 2004 is addressed at Section 4.5 .
(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and	No application (no planning agreement has been entered into).
(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and	
(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,	Potential environmental impacts of the development are assessed at Section 6 .
(c) the suitability of the site for the development,	The site is considered suitable for the proposed development. This is supported by the recent rezoning of the site from R3 Medium Density Residential to B4 Mixed Use. The proposed development is compatible with the site's zoning and built form controls.
(d) any submissions made in accordance with this Act or the regulations,	Submissions received on the application are summarised at Section 5 and included at Appendix 2 and Appendix 3 . The issues raised in the submissions are addressed at Section 6 .
(e) the public interest.	The proposed development is considered to be in the public interest as it will create jobs during construction and operational phases of the development and is compatible with the site's zoning and built form controls.

Table 2: Section 4.15(1) matters for consideration

4.2 Environmental Planning and Assessment Regulation 2000

The *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation) contains key operational provisions for the NSW planning system. This includes procedures relating to development applications, requirements for environmental assessments, environmental impact assessments, building regulations and other miscellaneous matters.

Schedule 1, Part 1 of the EP&A Regulation sets out the information and documentation that is to be included as part of a DA including a description of the development to be carried out

4.3 Environmental planning instruments

4.3.1 State Environmental Planning Policy (State and Regional Development) 2011

The SRD SEPP identifies development that is SSD, State significant infrastructure (SSI), critical SSI and regionally significant development.

The project is Regionally significant development as it meets the criteria under clause 2 of Schedule 7 of the SRD SEPP as it is for development with a CIV of more than \$30 million.

The project also meets the criteria under clause 3(b) of Schedule 7 of the SRD SEPP as it is development that has a CIV over \$5 million and Council is the owner of the land on which the development is to be carried out.

The consent authority for Regionally significant development is the regional planning panel for the area in which the development is to be carried out. Therefore, the Western RPP is the relevant consent authority for the application.

4.3.2 State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP) identifies the environmental assessment category into which different types of infrastructure and services development fall.

The Infrastructure SEPP requires certain traffic generating developments to be referred to Roads and Maritime Services (RMS) including development proposing more than 200 car parking spaces (whether or not ancillary to other development).

The development proposes a total of 393 car parking spaces. Accordingly, the DA and accompanying SEE were referred to RMS for review and comment during the public exhibition period. RMS' submission on the proposal is discussed at Section 5.1.

4.3.3 State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) applies to the State and aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment by specifying when consent is required, and when it is not required, for a remediation work.

SEPP 55 provides that a consent authority must not grant consent to the carrying out of any development on land unless it has considered whether the land is contaminated and, if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out.

Previous contamination investigations carried out on the site as part of the demolition of the former Orange Base Hospital (DA 251/2016) and subsequent Site Audit Statement have determined that the site can be made suitable for future commercial development. Contamination is further considered at Section 6.4.

4.3.4 Draft State Environmental Planning Policy (Remediation of Land)

Draft State Environmental Planning Policy (Remediation of Land) aims for better management of remediation works by aligning the need for development consent with the scale, complexity and risks associated with the proposed works. Once adopted, the SEPP will provide a state-wide planning framework for the remediation of land and require consent authorities to consider the potential for land to be contaminated when determining development applications.

As discussed in Section 4.3.3, previous contamination investigations carried out on the site have determined the site can be made suitable for future commercial development.

4.3.5 Draft State Environmental Planning Policy (Environment)

Draft State Environmental Planning Policy (Environment) aims to promote the protection and improvement of key environmental assets for their intrinsic value and the social and economic benefits they provide. Once adopted it will consolidate the following existing environmental planning instruments (EPIs):

- *State Environmental Planning Policy No.19 – Bushland in Urban Areas*
- *State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011*
- *State Environmental Planning Policy No.50 – Canal Estate Development*
- *Greater Metropolitan Regional Environmental Plan No.2 – Georges River Catchment*
- *Sydney Regional Environmental Plan No.20 – Hawkesbury-Nepean River (No.2-1997)*
- *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005*
- *Willandra Lakes Regional Environmental Plan No.1 – World Heritage Property*

It is noted that the preliminary maps accompanying the Draft Environment SEPP do not identify the site as urban bushland or a critical habitat area. The site has been extensively cleared following demolition of the former Orange Base Hospital. Therefore, the development is not expected to significantly affect any threatened species, populations or ecological communities or their habitats.

4.4 Orange Local Environmental Plan 2011

4.4.1 Clause 1.2 – Aims of Plan

The aims of the OLEP 2011 are outlined under clause 1.2(2). Those aims relevant to the application include:

- (a) *to encourage development that complements and enhances the unique character of Orange as a major regional centre boasting a diverse economy and offering an attractive regional lifestyle,*
- (b) *to provide for a range of development opportunities that contribute to the social, economic and environmental resources of Orange in a way that allows the needs of present and future generations to be met by implementing the principles of ecologically sustainable development,*
- (f) *to recognise and manage valued environmental heritage, landscape and scenic features of Orange.*

The proposal is considered consistent with aims (a), (b) and (f) listed above. The development has been architecturally designed to enhance the unique local character of Orange and further enhances the city as a major regional centre with a diverse local economy.

4.4.2 Clause 1.6 – Consent authority

This clause specifies the consent authority for applications made under the OLEP 2011 to be Council (subject to the EP&A Act). However, section 4.5(b) of the EP&A Act specifies the consent authority for development that is declared by an EPI as 'regionally significant development' to be the regional planning panel for the area in which the development is being carried out.

As discussed at Section 4.3.1, the SRD SEPP identifies the development as regionally significant development and therefore the Western RPP is the relevant consent authority for the application.

4.4.3 Clause 1.9A – Suspension of covenants, agreements and instruments

This clause provides that covenants, agreements and other instruments which seek to restrict the carrying out of development do not apply, with the following exceptions:

- *covenants imposed or required by Council, or*
- *prescribed instruments under Section 183A of the Crown Lands Act 1989, or*
- *any conservation agreement under the National Parks and Wildlife Act 1974, or*
- *any trust agreement under the Nature Conservation Trust Act 2001, or*
- *any property vegetation plan under the Native Vegetation Act 2003, or*
- *any biobanking agreement under Part 7A of the Threatened Species Conservation Act 1995, or*
- *any planning agreement under Division 6 of Part 4 of the EP&A Act.*

The DA does not identify any covenants, agreements and/or instruments on the title of the subject site that would restrict the carrying out of development.

4.4.4 Mapping

The subject site is identified in the LEP maps listed in Table 3.

OLEP 2011 Map	Consideration
Land Zoning Map	Land zoned B4 Mixed Use
Floor Space Ratio Map	Maximum floor space ratio 1.8:1
Height of Buildings Map	Maximum building height limits of 26 metres (centre of the site), 22 metres for land fronting Prince Street and Anson Street and 16 metres for land fronting Dalton Street
Lot Size Map	No minimum lot size
Heritage Map	Not a heritage item or heritage conservation area
Additional Permitted Uses Map	No additional permitted uses
Obstacle Limitation Map	No obstacle limitation restrictions
Drinking Water Catchment Map	Not within the drinking water catchment
Terrestrial Biodiversity Map	No biodiversity sensitivity
Groundwater vulnerability Map	Groundwater vulnerability
Urban Release Area Map	Not within an urban release area
Flood Planning Map	Not within a flood planning area

Table 3: Consideration of LEP maps

4.4.5 Clause 2.2 – Land use zones

The subject site is located on land zoned B4 Mixed Use and is shown in Figure 12.

The development is defined as a *commercial premises* and *public administration building*. Both uses are permitted with consent in the B4 Mixed Use zone.

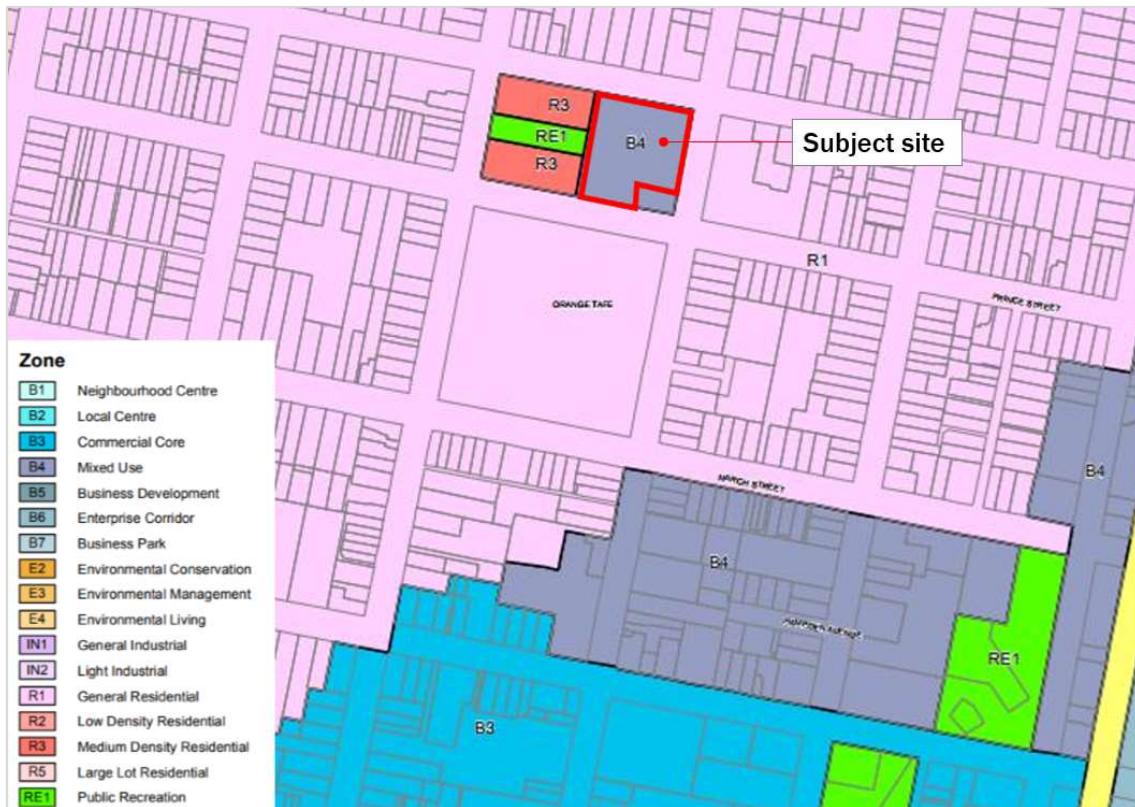


Figure 12: Land zoning map (Source: SEE, MacroPlan)

4.4.6 Clause 2.3 – Zone objectives

The objectives of the B4 Mixed Use zone are addressed in Table 4.

Objective	Consideration
<i>To provide a mixture of compatible land uses.</i>	The proposed development is for a commercial premises and public administration building which are permissible uses in the B4 Mixed Use zone and compatible with the existing mixed use nature of the surrounding area including educational establishments, medical related facilities and residential development.
<i>To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.</i>	The proposed development integrates predominately business and commercial uses. A limited amount of retail use (i.e. café) is proposed on the ground floor of the building.
<i>To promote, where possible, the retention and reuse of heritage items as well as the retention of established buildings that contribute positively to the heritage or cultural values of the land in the zone.</i>	The historic former Ambulance station located at the south-eastern corner of the site has been retained and would not be impacted by the proposed development.

Objective	Consideration
To promote development that supports the role of Orange CBD as the primary retail and business centre in the region.	The proposed development would support the role of the Orange CBD being located in proximity (walking distance) to the town centre. Further, it contains only limited convenience retail which will not undermine the retail functions of the Orange CBD.

Table 4: Zone compatibility

The proposal is consistent with the objectives of the B4 zone. The development will facilitate the integration of business, office and retail uses in a location that is serviced by public transport. End-of-trip facilities are proposed as part of the development to encourage walking and cycling to and from the site.

4.4.7 Clause 4.3 – Height of buildings

This clause aims to enable a transition in building height in response to varying urban character and function and to protect the amenity of neighbouring properties and public places, with particular regard to visual bulk, scale, overshadowing, privacy and views. The clause requires the height of a building on any land to not exceed the maximum height shown for the land on the Height of Buildings Map.

The Height of Buildings Map provides for a range of building heights across the site. The tallest component of the development is concentrated in the centre of the site which permits buildings up to a maximum of 26 metres. Land adjacent to Prince Street and Anson Street permits buildings up to a maximum of 22 metres, while land adjacent to Dalton Street permits buildings up to a maximum of 16 metres.

The maximum building heights on the subject site are shown in Figure 13.

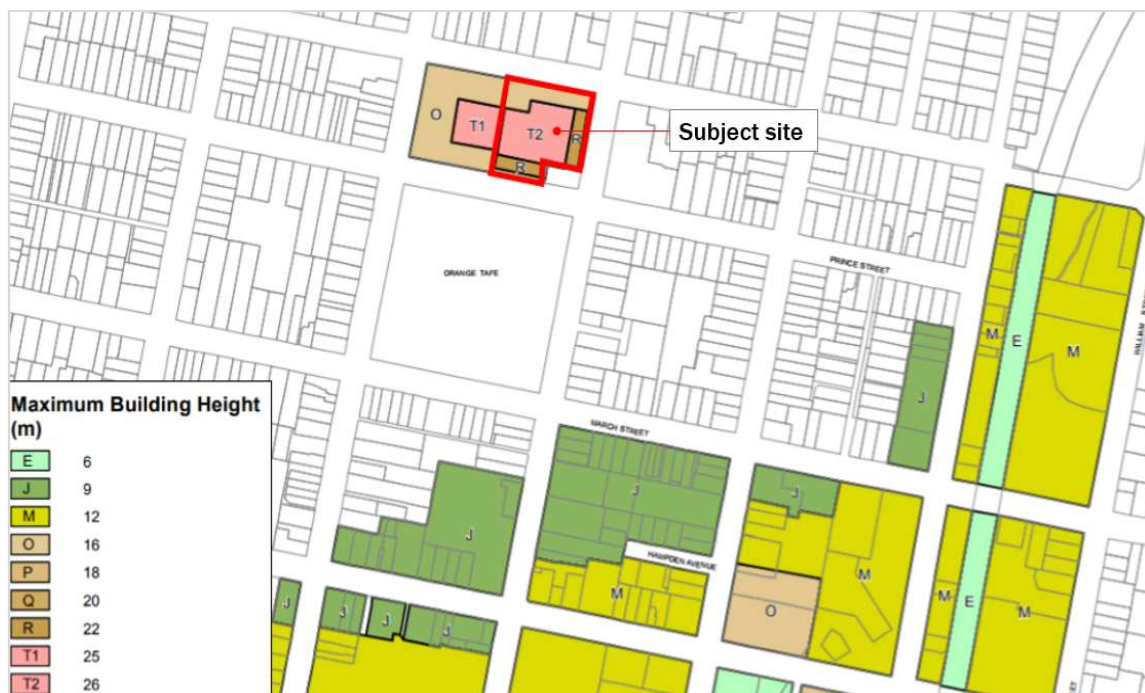


Figure 13: Height of buildings map (Source: SEE, MacroPlan)

The proposed development has a maximum building height of 20.9 metres and is compliant with the building height controls that apply to the site.

4.4.8 Clause 4.4 – Floor space ratio

This clause aims to ensure the scale and bulk of development does not have an unacceptable or adverse impact on streetscape and the character of the area in which the development is located.

The Floor Space Ratio Map identifies the site as having a maximum floor space ratio (FSR) of 1.8:1, which would allow for a development comprising up to 18,000 m² of floor space. The application proposes 8,500 m² of commercial and ancillary floor space which equates to a FSR of 0.92:1 on the site. The proposed development therefore complies with the FSR controls for the site.

4.4.9 Clause 5.10 – Heritage conservation

This clause aims to conserve the environmental heritage of Orange including the conservation of heritage items, heritage conservation areas, archaeological sites, Aboriginal objects and Aboriginal places of heritage significance.

The site does not contain any listed heritage items and is not located within a Heritage Conservation Zone. The site is however located adjacent to and opposite a number of local heritage items including:

- *Dental Services (Former Ambulance Station)* – corner of Anson Street and Prince Street;
- *Anson Cottages* – 107 Prince Street;
- *Kingsclere flats* – 102 Prince Street (I225);
- *House* – 306 Anson Street (I90);
- *Dwelling* – 71 Dalton Street (I244); and
- *Central Orange Heritage Conservation Area* (C1).

The SEE included a Statement of Heritage Impact (SHI) prepared by GBA Heritage Pty Ltd. The SHI considers the surrounding heritage items to be physically or visually separated from the proposed development and therefore will not be adversely affected by the proposal. Further, the proposed development is not expected to visually dominate the surrounding heritage items and is of an appropriate bulk and scale. The SHI is satisfied the development is consistent with the heritage requirements of the OLEP 2011. Heritage impacts are discussed further at Section 6.3.

4.4.10 Clause 7.3 – Stormwater management

This clause aims to minimise the impacts of urban stormwater on the land to which the development applies and on adjoining downstream properties, native bushland and receiving waters.

The proposed development includes a 150 m² onsite stormwater detention (OSD) tank that would collect stormwater flows from a surface area of 8,513 m² across the site prior to discharging (via an outlet pipe) to Council's stormwater system at Anson Street. Stormwater management is further discussed at Section 6.4.

4.4.11 Clause 7.6 – Groundwater vulnerability

This clause aims to maintain the hydrological functions of key groundwater systems and to protect vulnerable groundwater resources from depletion and contamination as a result of inappropriate development.

The subject site is mapped as being ‘groundwater vulnerable’. However, the proposed development does not include any uses or activities that would likely impact on existing groundwater conditions at the site.

4.4.12 Clause 7.11 – Essential services

This clause requires the consent authority to be satisfied that essential services for the proposed development are available (or that adequate arrangements have been made to make them available) with respect to the supply of water, electricity, disposal and management of sewage, stormwater drainage and road access.

Essential services including electricity, reticulated water and sewerage infrastructure are available for connection to the site and considered adequate to service the proposed the development. Adequate road access is provided via both Anson Street (general public vehicle access) and Prince Street (service vehicle access).

Essential Energy did not raise concern in its submission on the application regarding the ability of the development to connect to existing electricity infrastructure.

4.5 Orange Development Control Plan 2004

The Orange Development Control Plan 2004 (DCP) provides the criteria for assessing development to support the statutory provisions of the OLEP 2011. The relevant sections of the DCP are assessed below.

PO-0.4-10 Interim Planning Outcomes – Residential Proximity

- 1. The design of industrial and commercial development is consistent or compatible with nearby residential areas in terms of design, siting and landscaping.*
- 2. The hours of operation, traffic and noise generation do not interfere with reasonable expectations of residential amenity.*
- 3. Noise-generating activities are contained within the building where practicable.*
- 4. Industrial air conditioning compressors are shielded to direct noise away from residential development.*
- 5. Car park and security lighting is positioned and shielded to prevent direct light spill onto residential properties.*
- 6. Measures to prevent dust, odour and chemical spray from reaching or affecting residential properties must be demonstrated.*
- 7. The design must demonstrate how residential privacy and solar access will be maintained.*

The proposal incorporates commercial development in proximity to residential development.

As stated in the EIS, the hours of operation are limited, with the premises not open to the public after hours or on weekends. The hours of operation are not likely to interfere with residential amenity. A traffic impact assessment and acoustic impact report were both submitted in support of the proposal. The assessments consider the proposal as capable of complying with all applicable standards and will not result in excessive traffic or noise generation. Given the existing mixed use nature of the locality, and the siting and design of

the proposed building, it is considered that the proposal will not result in significant amenity impacts and is compatible with nearby residential development.

Chapter 3 – General Considerations

PO 3.1-1 Planning Outcomes – Cumulative Impact

- 1. Applications for development demonstrate how the development relates to the character and use of land in the vicinity.*
- 2. The introduction of new development into a locality maintains environmental impacts within existing or community-accepted levels.*
- 3. Water conservation measures are implemented.*

The proposed development has considered the amenity of the surrounding area, which is typically characterised by mature trees, wide streets and period style houses. The proposed development is not considered to negatively impact the existing residential area or the nearby town centre.

The proposal is supported by an environmentally sustainable design statement, which confirms that the proposed development will incorporate a range of ESD elements which will achieve the Green Star and NABERs ratings.

PO 3.2-1 Planning Outcomes – Scenic, Landscape and Urban Areas

- 1. Development incorporates landscaping that enhances the landscaped setting of the locality.*
- 2. External finishes, materials and colour schemes of development complement its setting.*

The proposal is supported by a landscape plan, which incorporates landscaping, landscape furniture and fencing.

The proposed landscape plan incorporates tree planting, screening plants, small shrubs, feature plants and groundcovers. The proposed landscape plan enhances the landscaped setting of the locality.

The proposed finishes, materials and colours schemes identified in the landscape plan are in keeping with the setting of the site.

Chapter 4 – Special Environmental Considerations

PO 4.1-1 Planning Outcomes – Sewage Disposal

- 1. Development within the urban area of Orange as defined above is connected to sewerage facilities or arrangements to the satisfaction of Council have been made for the provision of sewerage services prior to occupation.*
- 2. Where sewerage services are not provided, on-site disposal of effluent is designed and implemented in accordance with the relevant guidelines for on-site sewage management systems.*
- 3. Suitable areas for on-site disposal of effluent are defined prior to:*
 - issue of a construction certificate for a building; or*
 - issue of a subdivision certificate for new lots.*
- 4. Lots to be created by subdivision for residential purposes indicate an envelope defining an area suitable for on-site disposal of effluent that has been subject to geotechnical assessment.*
- 5. Rural or rural residential-zoned land is served by on-site sewage management systems unless the land is traversed by sewer mains with adequate planned capacity.*

Civil engineering documents have been submitted with the proposal.

Conditions are recommended requiring civil works to be consistent with the submitted civil engineering plans and the planning outcomes identified under Planning Outcome 4.1-1 of the DCP.

PO 4.3-1 Planning Outcomes – Land Shaping

1. *Applications include details on the existing and proposed landform, watercourses and vegetation.*
2. *Applications are accompanied by a soil-erosion control plan for implementation prior to and upon commencement of the work.*
3. *Landfilling comprises inert material only and does not include putrescible waste, vegetation, or other material that may decompose.*
4. *Landfill is compacted to the required standard and evidence of compaction rates are provided upon completion of the work or otherwise as directed by Council.*

The site survey submitted with the proposed development shows the site as relatively flat. The proposal requires minimal land shaping.

A soil erosion control plan has not been submitted as part of the proposal. The civil engineering documents submitted with the proposed development notes that all temporary sediment and erosion control device will be constructed, placed and maintained in accordance with the technical specifications, erosion and sedimentation control plan and Council's requirements where applicable.

Conditions are recommended to require a soil erosion control plan prior to and upon commencement of the work.

PO 4.4-1 Planning Outcomes for Contaminated Land

1. *Land subject to development is clear from contamination.*
2. *Development complies with the Contaminated Land Management Act 1997.*
3. *Applications for development consent on land used or likely to have been previously used for uses in the table below include contamination assessment and where necessary a proposed remediation strategy to make the site suitable for the proposed use.*
4. *An independent site audit at the applicant's cost is carried out to assess the information provided with an application where Council considers that:*
 - *information may be incorrect or incomplete;*
 - *it needs to verify that the information adheres to appropriate standards, procedures or guidelines; or*
 - *the type or level of contamination requires an independent technical review.*

Demolition and remediation works were undertaken as part of DA 251/2016. Site remediation works were undertaken in accordance with the submitted remedial plan and the contaminated land planning guidelines.

The proposed development for the four-storey commercial premises and public administration building is considered consistent with PO 4.4-1. Contamination is further discussed at Section 6.4.

Chapter 8 – Development in Business Zones

8.1 Orange CBD

The site is not located within the Orange CBD. The site is not identified as a Fringe-CBD area but satisfies the overall objective by retaining the existing character.

8.2 Shops in Zone 3(b) – PO 8.2-1 Planning Outcomes – Business Services Areas

- 1. Applications clearly demonstrate that the development will not detract from the role of the CBD as a regional centre.*
- 2. Provision of adequate fire-safety measures and facilities for disabled persons (according to the BCA) is addressed at the application stage (relevant for all development but particularly important where converting residential buildings for business use).*
- 3. Heritage streetscapes are conserved and enhanced through adaptive reuse of heritage buildings, restrained advertising and landscaped gardens.*
- 4. Areas on the main roads into and out of Orange (such as Molong Road and Bathurst Road) provide a high level of architectural design to enhance the visual character of the City entrances.*
- 5. All sites contain an element of landscaping. Landscaping provided is of a bulk, scale and height relative to buildings nearest the front property boundary so as to provide beautification and visual relief to the built form proposed or existing on the site. The depth of the landscape bed at the site frontage is sufficient to accommodate the spread of plantings that meet the abovementioned outcomes but, where practicable, a minimum depth of 3m is provided. Plantings are designed to provide shade for parking areas, to break up large areas of bitumen, to enhance building preservation and to screen against noise.*

The proposed commercial development will complement the surrounding commercial land uses and are not expected to detract from the role of the CBD as a regional centre.

The fire safety design statement submitted with the proposed development states that the proposal will generally satisfy the performance requirements of the Building Code of Australia by complying with the Deemed-to-Satisfy provisions.

In accordance with the recommendation of the fire safety design statement, conditions are recommended that the design be refined through performance-based fire engineering to achieve compliance with the Performance Requirements of the BCA.

The site contains heritage item I254 “Anson Cottages”, located in the south east corner of the site.

As discussed in Section 4.4.8, the SHI submitted with the proposal considers the surrounding heritage items to be physically or visually separated from the proposed development and therefore will not be adversely affected by the proposal. Further, the proposed development is not expected to visually dominate the surrounding heritage items or streetscapes.

Chapter 13 – Heritage

PO 13.3-1 Planning Outcomes – Heritage Development

- 1. Development relates to the significant features of heritage buildings on or near the site, as reflected in inventory sheets.*
- 2. Development conforms with recognised conservation principles.*
- 3. Conservation Management Plans are prepared for development having a significant effect on heritage sites.*

The site does not contain any listed heritage items and is not located within a Heritage Conservation Zone. The site is however located adjacent to and opposite a number of local heritage items.

As discussed previously in this report, a SHI has been prepared for the proposal which ensures that the proposed development won't negatively impact the surrounding heritage items.

The proposal is unlikely to have a significant effect on heritage items and it is not considered necessary for a conservation management plan to be prepared.

Chapter 15 – Car Parking

15.4 Parking Requirements

The proposal is required to provide 1 space per 40m² of GFA for development comprising office or business premises.

The development proposes 393 car parking spaces. The DCP requirements require a minimum 213 spaces. The proposal complies with the minimum requirement of the DCP. Car parking is further discussed at Section 6.2.2.

5 Public Exhibition

Public exhibition was carried out for a period of 14 days from 14 September to 28 September 2018. The DA and accompanying SEE were publicly exhibited in accordance with the requirements of clause 89 of the EP&A Regulation.

A public exhibition notice was placed in the Orange City Life on 13 September 2018. The DA and SEE was made available on Council's website and was also able to be inspected at Council's Customer Service Counter during regular business hours.

5.1 Submissions

A total of 5 submissions were received during the public exhibition period, including 2 public authority submissions (refer **Appendix 2**) and 3 submissions from the general public (refer **Appendix 3**).

The issues raised in the submissions are summarised in Table 5 and are addressed at **Section 6**.

Submissions	Comments
Public agency submissions	
Roads and Maritime Services	<ul style="list-style-type: none"> As the site is centrally located adjacent to the TAFE campus and several aged care residential premises the attraction by these people to potentially access the café for example needs to be considered through the provision of a safe pedestrian access site plan. It is recommended the current traffic signals located at the intersection of Anson Street remain. Appropriate safety considerations be provided to ensure safe sight distance for cyclists at the proposed Anson Street carpark entrance. Due to the size of the site and potential future servicing requirements, the Applicant should consider whether vehicular access for larger service vehicles (12.5 metres for example) should be accommodated within the site. A forward motion only for vehicle ingress and egress is recommended to increase safety. It is recommended further consideration be given to the carpark ingress/egress via Anson Street to ensure safe sight distance is achieved. Given the close proximity to traffic signals and a roundabout, a concrete median with left in/left out only movements is recommended. Given the location of the on-road cycleway along Anson Street and close proximity to traffic signals and a roundabout, it is recommended the Anson Street access/egress driveway be restricted to left in/left out only.
Essential Energy	<ul style="list-style-type: none"> If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is further consulted. Any existing encumbrances in favour of Essential Energy noted on the title should be complied with. There are existing 11,000 volt underground powerlines located within Lot 2 Section 4 DP758817. Prior to carrying out any works, a "Dial Before You Dig" enquiry should be undertaken in accordance with the requirements of Part 5E (Protection of Underground Electricity Power Lines) of the <i>Electricity Supply Act 1995</i>. The Applicant is responsible for the making of an application to Essential Energy for the supply of electricity to the development.

Submissions	Comments
	<ul style="list-style-type: none"> It is the responsibility of the person(s) completing any works around powerlines to understand their safety responsibilities.
Public submissions	
Submission 1	<ul style="list-style-type: none"> Concerns are raised regarding the amount of car parking. The proposed number of car parking spaces will not meet the requirements of the DCP should the maximum GFA of 18,000 square metres be achieved. The proposed car parking spaces will not meet the current and future requirements of the development.
Submission 2	<ul style="list-style-type: none"> Car parking near the site is already problematic and will be exacerbated by the development. The area is already congested with traffic at different times throughout the day and evening. The entry and egress driveway is dangerous due to parked cars blocking sight distances. Noise impacts on surrounding residents should be considered. The development is out of character with the local architecture and aesthetic of the locality. The building should be redesigned to be more in keeping with the locality. The application should provide further details around the future re-use of the former Ambulance station.
Submission 3	<ul style="list-style-type: none"> The development should provide for better integration with the adjoining site that is zoned for medium density residential and public recreation uses. The building should be re-orientated to front Anson Street, further activating and enhancing the street and to provide a single entry point to the building. The space between the development and the ambulance station should be redesigned to integrate better with the heritage item and to further activate the site. The service loading dock should enter from a separate street to the building entry and be integrated with the carpark. The proposed built form of both the office building and on-site car park should be refined to address issues relating to blank walls, street activation, urban design, overshadowing and visual impacts. A single point of entry for a car parking comprising 393 spaces will place significant pressure on street network and interfere with pedestrian movements along Anson Street. Multiple vehicle ingress/egress points should be included to distribute traffic. Improvements could be made to the building amenity relocation of the café to better active the street frontage, re-orientation of the roof top terrace and provision of enlarged end of trip facilities.

Table 5: Summary of submissions

6 Assessment

6.1 Built form and design

The SEE describes the key built form and design components of the proposed commercial building to include:

- a three storey and four storey structure presenting to Prince Street that is separated by a contracted centre form;
- a brick-clad base upon which the building sits, elevated above the street;
- north and south facades that emphasise the different building masses with a 'punched window' façade on the west wing and 'framed window' on the east wing; and
- east and west facades that feature large glazed areas with vertical projecting fins acting as sun shading and façade modulation.

A photomontage of the proposed building, as viewed from Prince Street, is shown in Figure 14 illustrating the proposed massing of the structure, brick-clad base and façade modulation.



Figure 14: Photomontage of the proposed commercial building – viewed from Prince Street (Source: Group GSA)

6.1.1 Height of structures

The proposed building has a maximum roof height of RL 886.2 (15.4 metres) and maximum built form (top of roof plant) of RL 891.7 (20.9 metres). The proposed multi-storey carpark is a staggered 5 level structure that is set partly below ground at the Dalton Street frontage. The carpark structure has a maximum height of RL 874.800 (7.35 metres).

The tallest component of the development is concentrated in the centre of the site which permits buildings up to a maximum of 26 metres under the OLEP 2011. Land directly adjacent to Prince Street and Anson Street permits buildings up to a maximum of 22 metres while land adjacent to Dalton Street permits buildings up to a maximum of 16 metres.

The SEE includes a Design Statement at Appendix A. The Design Statement notes that the architecture for the proposed commercial building references two prominent historic

buildings in Orange – the Royal Hotel and the Canobolas Hotel. Both buildings are three to four storeys in height with a ‘base’ and ‘top, punched’ window openings of select sizes and horizontal ‘banding’ elements.

The proposed building elevations are shown at Figure 15 to Figure 18.



Figure 15: Southern elevation – view from Prince Street (Source: Group GSA)



Figure 16: Northern elevation – view from Dalton Street (Source: Group GSA)

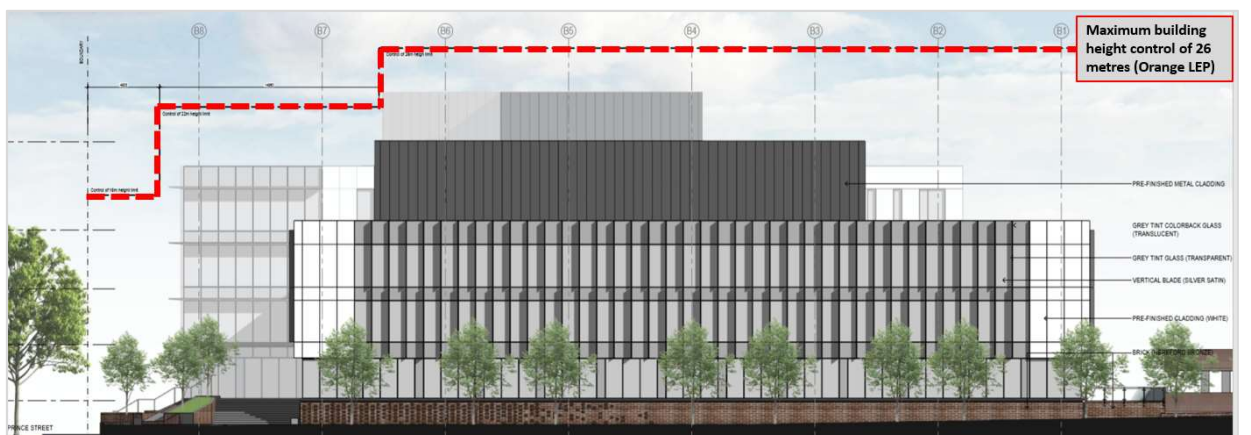


Figure 17: Eastern elevation – view from Anson Street (Source: Group GSA)

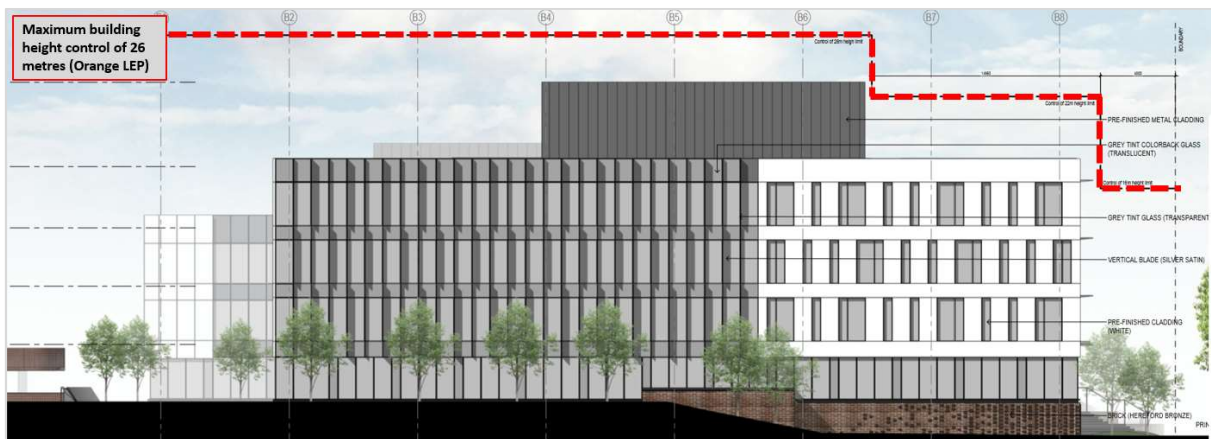


Figure 18: Western elevation – view from adjoining Lot 501 (Source: Group GSA)

The SEE confirms the proposed building would comply with the height controls specified under the OLEP 2011, which were recently amended to provide increased building heights and FSRs on the site and adjoining land at Lot 501.

A key issue raised in public submissions related to the built form of the structure and its integration into the surrounding locality.

The proposed structure is of a similar height and scale to the former Orange Base Hospital building that occupied the site, prior to its demolition in 2017 (shown in Figure 19 below). Further, the TAFE Western campus also includes buildings of up to three storeys including the existing building shown in Figure 20 fronting Prince Street, near the intersection with Sale Street. This indicates an historic and prevailing built form character that comprises buildings of varying heights including taller, multi-storey buildings.

The proposal is therefore considered to be compatible with the surrounding built form character in terms of building height and scale.

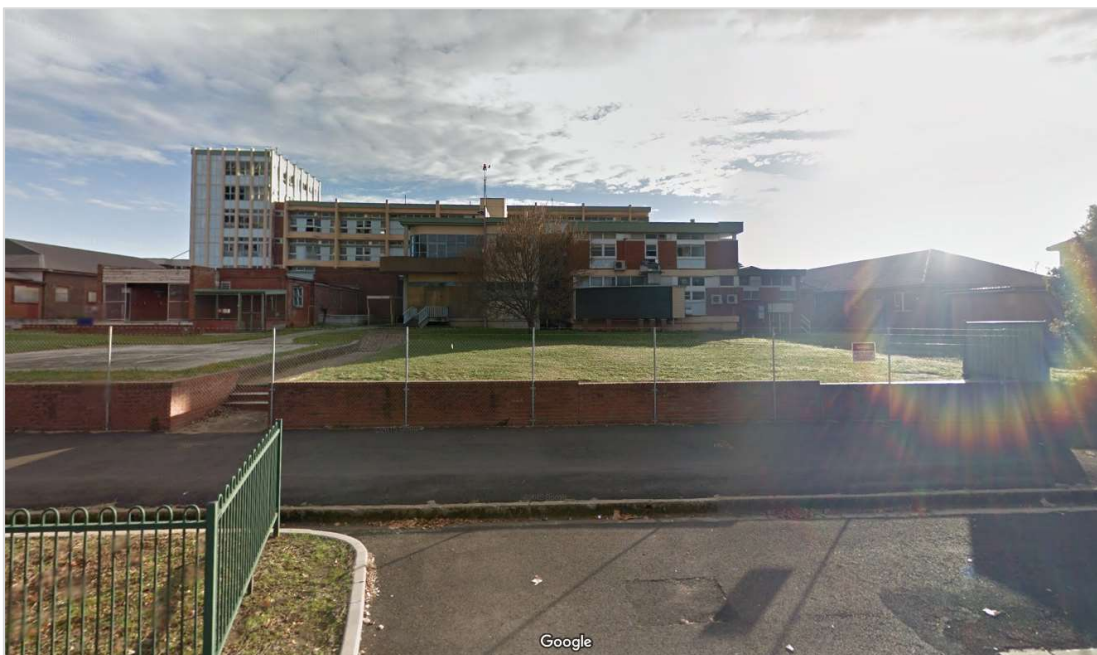


Figure 19: Former Orange Base Hospital – viewed from Prince Street (Source: Google)



Figure 20: TAFE Western campus – view from Prince Street (Source: Keylan)

While the height and scale of the proposed commercial building is greater than some existing buildings in the immediate vicinity of the site, the proposed design and siting of the structure, including generous setbacks to Prince Street and Anson Street, ensures it will not visually overwhelm the surrounding precinct.

Further, the recent rezoning of the site, involving increased building height and FSR controls, indicates the site is an appropriate location for taller buildings with greater floor space provisions.

Once the basis of the above, the height of the proposed building is considered acceptable.

6.1.2 Urban design and landscaping

The proposed site layout includes private open space along the northern and western sides of the building that will connect with a (future) shared public recreation area on the western precinct of the site. The proposed landscaping plan for the site is shown in Figure 21.

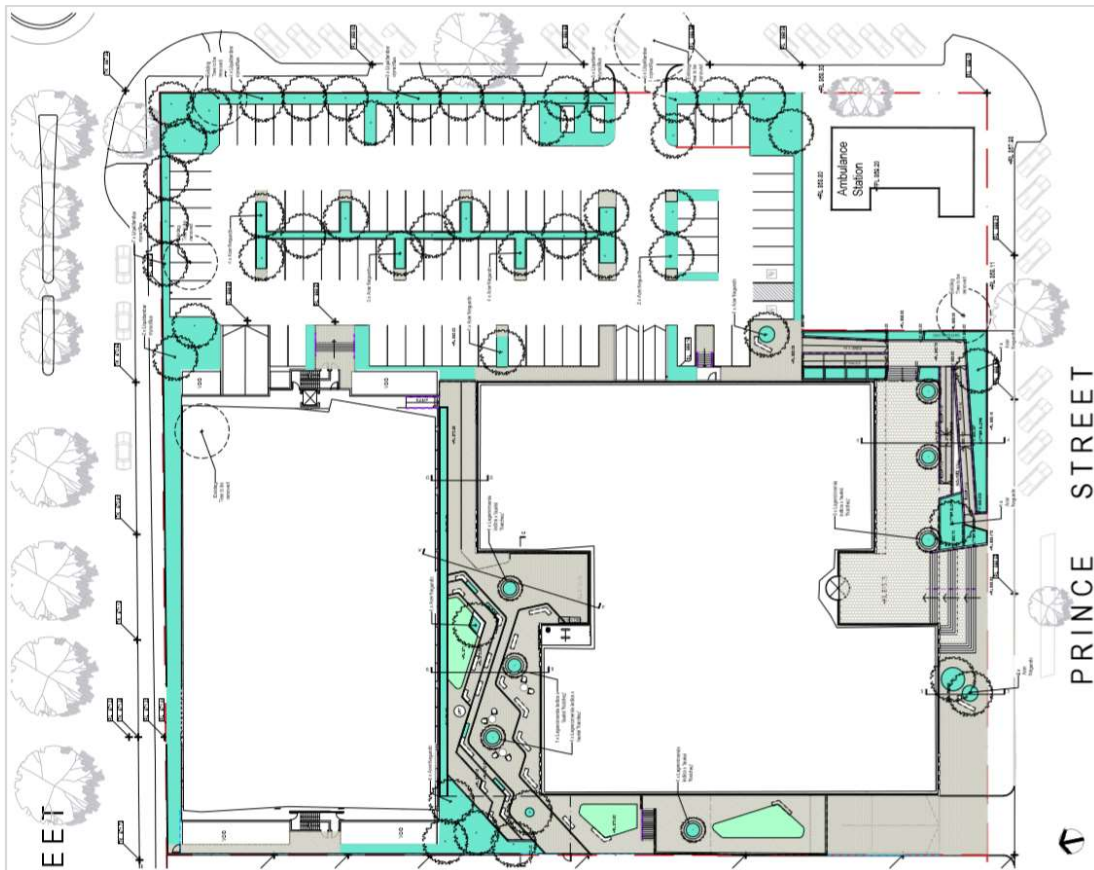


Figure 21: Proposed landscaping plan (Source: Group GSA)

The recommended conditions of consent require landscaping treatments and use of street trees in accordance with Council's standards. Further, the applicant is required to provide updated landscaping plans that provide additional landscaping along the Dalton Street elevation to provide further visual interest and shielding of the multi-storey car park structure.

In response to the proposed design of the building, the Design Statement states that:

'the general massing of the proposed building is setback from the western and Prince Street boundaries. The adopted setbacks vary for the different primary building forms. This is an acknowledgement of the general setback response of buildings on the opposite side of Prince Street, to assist with mass and bulk modulation and to respect the presence of the Ambulance station and to allow it to retain a significant presence in the streetscape'.

The external materials proposed as part of the building include pre-finished metal louvers/cladding, dark grey vision and spandrel glass, pre-finished cladding, pre-finished framing and brickwork. The Applicant provided a façade finishes board as part of the application.

The multi-story car park is proposed to include perforated metal cladding that will provide interest in the structure's façade and facilitate a reduction in apparent bulk and scale of the structure, particularly when viewed from Dalton Street (southern elevation). Bricks will be used along the base of the structure and concrete used for the entry ramps. The perforated metal cladding on the outside of the structure is considered an appropriate design response.

Figure 22 provides a photomontage of the proposed structure.

It is considered that the proposed materials are appropriate for a contemporary commercial office building and will contribute to a high quality design outcome.



Figure 22: Proposed carpark façade treatment (Source: Group GSA)

The proposed architectural design, external materials and colouring of the proposed building and multi-storey car park are considered appropriate for the site and the its surrounding setting. The landscaping treatments across the site including new plantings along street frontages will soften the mass of the proposed building and offset the loss of a small number of trees that are identified for removal.

6.2 Traffic and car parking

The SEE includes a Traffic Impact Assessment (TIA) prepared by ptc. The TIA includes information relating to the existing traffic volumes on the surrounding road network, anticipated traffic volumes that would be generated by the development and proposed car parking and vehicular access provisions.

6.2.1 Traffic generation

Traffic count surveys were carried out in August 2018 during the AM and PM peak periods to determine the existing traffic volumes at the site. Surveys were conducted at the following intersections:

- Prince Street and Anson Street; and
- Dalton Street and Anson Street.

A summary of the surveyed traffic volumes is provided at Table 6 and Table 7.

Approach	Anson St			Princes St			Anson St			Princes St			Grand Total
Time Period	Lights	Heavies	Total	Lights	Heavies	Total	Lights	Heavies	Total	Lights	Heavies	Total	
8:15 to 9:15	184	4	188	130	1	131	344	1	345	235	1	236	900
15:00 to 16:00	233	4	237	163	2	165	207	0	207	281	3	284	893

Table 6: Existing traffic volumes – Prince Street/Anson Street intersection (Source: ptc.)

Approach	Anson St			Dalton St			Anson St			Dalton St			Grand Total
Time Period	Lights	Heavies	Total	Lights	Heavies	Total	Lights	Heavies	Total	Lights	Heavies	Total	
8:30 to 9:30	149	4	153	321	8	329	354	0	354	412	0	412	1,248
15:00 to 16:00	225	7	232	388	0	388	235	0	235	253	2	255	1,110

Table 7: Existing traffic volumes – Dalton Street/Anson Street intersection (Source: ptc.)

The data obtained as part of the traffic surveys was used to undertake a SIDRA analysis in determining the existing Level of Service (LoS) and anticipated LoS once the development is operational.

The SIDRA analysis determined that the existing traffic conditions surrounding the site operate at a LoS 'A' during both the AM and PM peak periods. LoS 'A' is described as free-flowing traffic with individual users virtually unaffected by the presence of others in the traffic stream.

The TIA references the RMS Guide to Traffic Generating Developments (2002) for office and commercial uses in predicting the traffic generation rates of the proposed development. Trip rated for office and commercial uses under the RMS Guide are as follows:

- daily vehicle trips = 10 per 100 m² of GFA; and
- evening peak hour trips = 2 per 100 m² of GFA.

Based on the above rates and a total GFA of 8,500 m², the TIA predicts the development will generate a daily peak of 386 trips.

The projected daily traffic generation rate was used to model the two surveyed intersections and the access driveway to Anson Street. As shown in Table 8, the intersections are expected to continue to operate at LoS 'A', even once the development is operational.

Intersection	Period	Level of Service	Average Delay (sec)	Degree of Saturation	95% Queue Length (m)
Prince Street and Anson Street	AM Peak	LOS A	9.9	0.453	15.6
	PM Peak	LOS A	10.8	0.483	16.4
Access Driveway	AM Peak	LOS A	2.6	0.296	4.7
	PM Peak	LOS A	3.3	0.336	4.5
Dalton Street and Anson Street	AM Peak	LOS A	6.9	0.396	6.9
	PM Peak	LOS A	6.4	0.359	6.1

Table 8: Summary of intersection modelling (Source: ptc.)

RMS' submission on the application confirmed that the traffic modelling provided as part of the SEE indicates the post-development performance of intersections adjacent to the site will not be unduly compromised by the proposal.

During its assessment of the application, Keylan advised the Applicant that the RMS trip generation rates referred to in the TIA (RMS Guide to Traffic Generating Developments (2002)) were updated in 2013 and that the traffic generation assessment should reflect the most recent (2013) rates.

The Applicant provided supplementary information including trip generation rates based on the 2013 surveys. The Applicant confirmed that, in accordance with the most recent (2013) rates, the proposed development would generate in the order of 306 vehicle trips in the PM peak (some 77 less trips than the 2002 rates originally used in the TIA). Therefore, a higher PM peak rate is assumed in the TIA, and accordingly, any adjustment to the SIDRA modelling to account for the 2013 rates would in fact lessen the extent of traffic impacts by the proposed development.

On this basis, it is considered that the surrounding road network can accommodate the number of vehicles generated by the development. Any impacts on the road network due to an increase in traffic generation would be minimal and would likely be experienced over a relatively short period of time during the AM and PM peak.

6.2.2 Car parking

The proposed development includes 393 car parking spaces including:

- 88 spaces at-grade for visitors to the site;
- 132 spaces in the basement level of the building for employees; and
- 173 spaces in the multi-level car parking facility for employees that is accessed via the at-grade car park.

The application also proposes 58 bicycle parking spaces and 13 motorbike parking spaces.

The plans submitted as part of the application also show an additional 4 car parking spaces located on the former Ambulance station site. The Applicant has confirmed that these spaces are indicative spaces only and do not form part of the application.

In accordance with the requirements of the Orange DCP, the minimum parking rate for business or retail activities is 1 space per 40 m² of GFA. Based on these provisions, the minimum car parking requirement for the development is 214 spaces.

The proposal exceeds the minimum requirement by 179 spaces. A summary of the proposed car parking provisions is provided at Table 9.

Parking Provision	Parking Rate	Spaces Required	Spaces Provided
Car Parking	1 space per 40m ² GFA	214	393
Accessible Car Parking	1 space for every 100 parking spaces or part thereof	4	4
Service Vehicle Parking			2 (9.5m Docks) 2 (Courier bays)
Bicycle Parking	Commercial employee / resident: 1 per 200m ² GFA Visitor :1 per 750m ² GFA	Class 1 or 2: 46 Class 3: 12	58
Motorbike Parking			13

Table 9: Summary of car parking provisions (Source: ptc.)

The car parking access and layout arrangements have been designed in accordance with the requirements of Australian Standards 2890.1 – *Parking facilities* (AS 2890.1).

Car parking was a key issue raised in public submissions, including concerns around the availability of on-street car parking once the proposed development is operational. It is noted that the proposed car parking provision exceeds the minimum number of spaces required for the development under the Orange DCP by 179 spaces. Consequently, the development is considered to provide sufficient on-site car parking that will reduce the demand for on-street car parking in surrounding areas.

The Applicant was requested to provide justification for the significant exceedance of the minimum car parking requirements as this would potentially result in increased traffic generation and subsequent impacts on adjacent intersections and the broader road network. The Applicant advised that the building will be tenanted to the DPI which requires car parking to accommodate up to 650 employees and special purpose fleet cars. Further, the Applicant considered that the additional car parking spaces provide capacity should an increase in floorspace provisions (within the permissible FSR controls for the site) be provided in the future, which would be subject to future DAs and assessment.

In summary, the total number of car parking spaces is considered appropriate for the development. The recommended conditions of consent require the car parking access and layout arrangements to be constructed in accordance with the design standards outlined in AS 2890.1 and Council's Subdivision and Development Code. The recommended conditions also require the carpark design and construction to allow access to the four indicative (future) car parking spaces located on the former Ambulance station site.

6.2.3 Site access and servicing

The application proposes two vehicular access points, including general vehicle access via Anson Street to an at-grade car park and service vehicle access via Prince Street to a secure loading dock located at the rear of the proposed building. The site access points are shown at Figure 23.

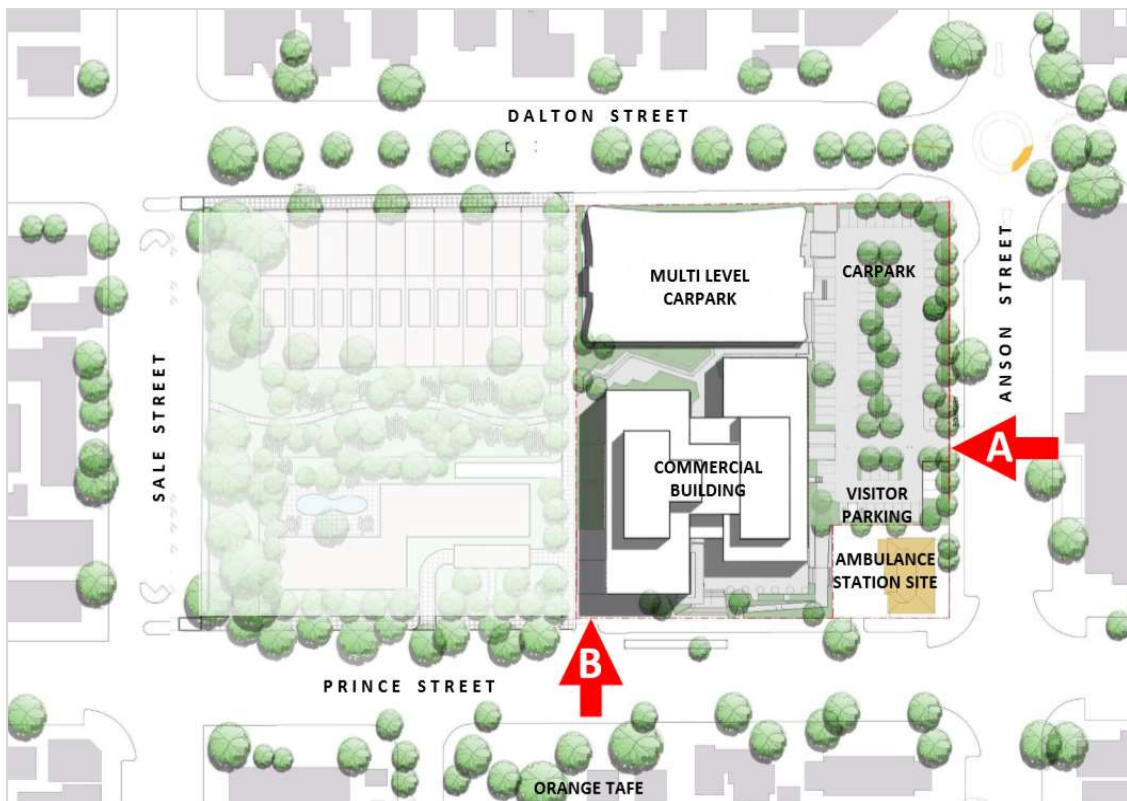


Figure 23: Vehicle access points (Source: Group GSA)

RMS recommended in its submission that further consideration be given to ensure safe sight distance is achieved at the Anson Street entry and egress point. Given the close proximity to traffic signals and a roundabout, RMS recommended a concrete median with left in/left out only movements be constructed.

To address the concerns raised by RMS and the public, a recommended condition of consent requires the Applicant to construct a concrete median on Anson Street that would ensure traffic movements to and from the site are restricted to left in/left out only. The new concrete median is to be located and designed to the satisfaction of Council.

The service access driveway at Prince Street allows for vehicles up to 9.5 metres in length and has been assessed on a performance basis by means of a swept path analysis. The TIA states that the proposed service vehicle driveway width of 6 metres accommodates the expect service vehicle movements, is fit for purpose and therefore meets the intent of the AS 2890.1.

A larger 12.5 metre heavy rigid vehicle (including front lift garbage truck) would be unable to enter and exit the site in a forward direction without crossing the public footpath. This was a concern raised by Council and in the public submissions.

A recommended condition of consent limits the size of vehicles servicing the site to a maximum of 9.6 metres to ensure the safety of pedestrians along Prince Street. Further, a separation (barrier) is to be provided between the turning bay and the public footpath along Prince Street. The separation barrier is to be located and design to the satisfaction of Council.

6.2.4 Construction traffic

The Applicant provided a preliminary Construction Traffic Management Plan (CTMP) which aims to minimise the impact of construction vehicle traffic on the overall operation of the road network and ensure the safe and efficient movement of traffic.

Construction will be undertaken in three stages, as outlined in Table 10. Construction vehicle access to and from the site is shown in Figure 25 and Figure 24.

Stage	Works	Vehicle size	Estimated daily trips
1	Early / enabling works	Semi-trailer / HRV	2 / 30
2	Above ground works	Semi-trailer / HRV / Concrete agitators (MRV)	2 / 30 / 30
2	Finishing works	MRV	10

Table 10: Summary construction vehicle movements (Source: ptc.)

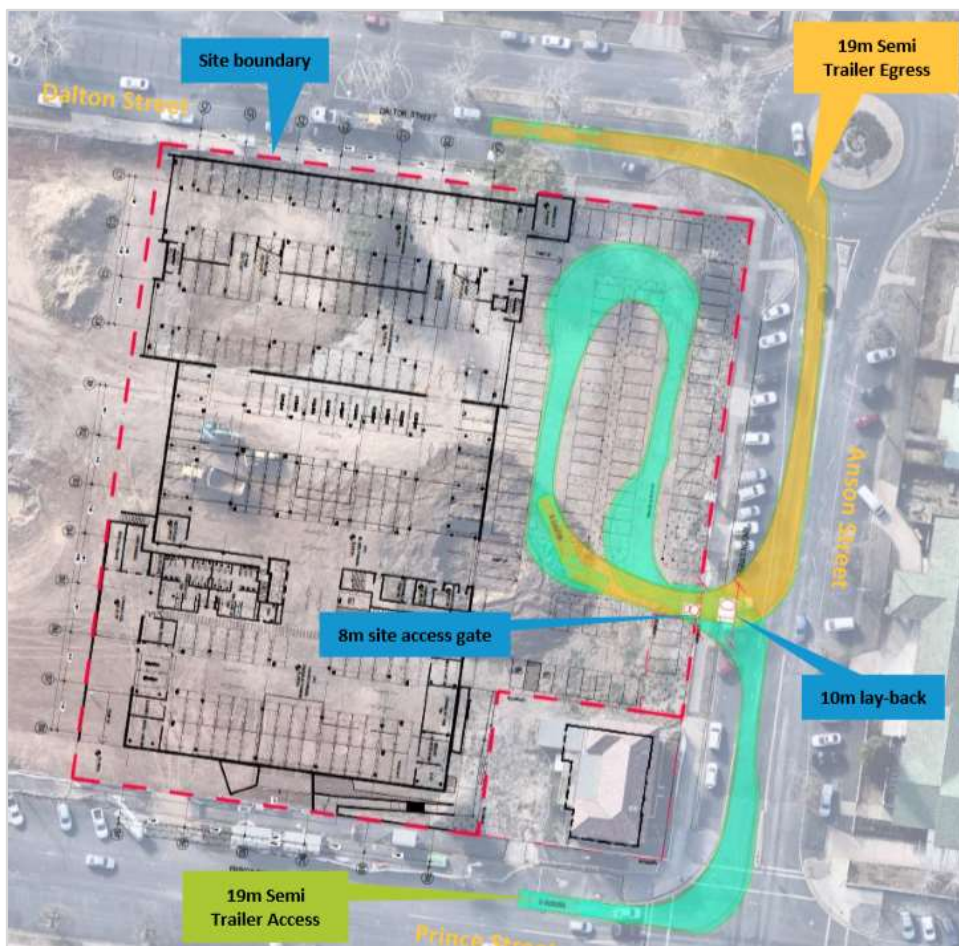


Figure 24: Construction vehicle site access and egress (Source: ptc.)

The CTMP indicates the maximum number of trips for construction vehicles would be in the order of 30 vehicles per day (during construction stages 1 and 2). The relatively low number of additional vehicle trips experienced across to the road network during construction is not expected to detrimentally impact on existing road network conditions or LoS at key intersections including the intersection of Anson Street with both Prince Street and Dalton Street.

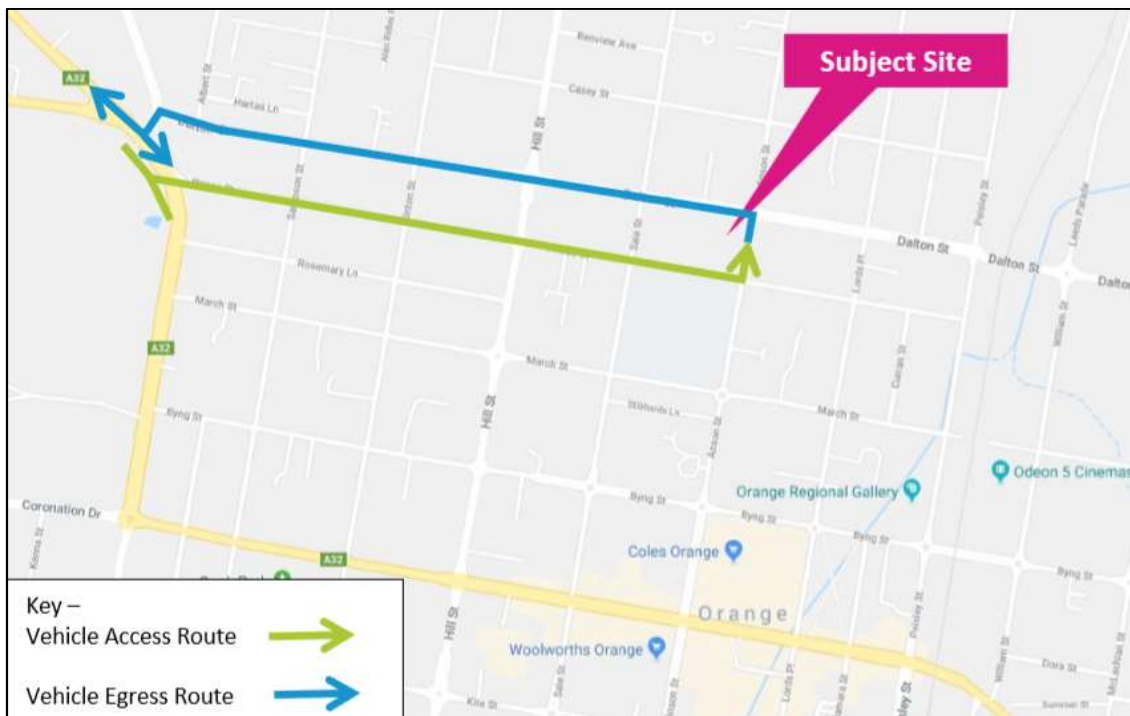


Figure 25: Construction vehicle routes to and from the site (Source: ptc.)

Key points of consideration in the CTMP include:

- access and egress to the site during construction will be via a new driveway to Anson Street and construction vehicles will be required to enter and exit the site in a forward direction;
- traffic controllers will be employed to safely manage site access and egress at all times;
- queuing or marshalling of trucks will not be permitted on any public road;
- a Traffic Control Plan will inform road users of any changed traffic conditions in the vicinity of the works site; and
- pedestrian access around the site will maintained at all times.

On the basis of the above, it is considered that the preliminary CTMP indicates construction traffic impacts can be appropriately managed.

6.3 Heritage

The SEE included a Statement of Heritage Impact (SOHI) prepared by GBA Heritage. The objective of the SOHI is to determine the impact of the proposed development on the established significance of the heritage items in its vicinity.

The site is not listed as an item of heritage significance in any statutory instrument and is not located in a heritage conservation area. Items of local heritage significance located in proximity to the site and listed under Schedule 5 of the OLEP 2011 include:

- Dental Services (Former Ambulance Station) located at Anson Street, corner Prince Street, Bletchington (I254);
- “Anson Cottages” located at 107 Prince Street, Bletchington;
- “Kingsclere” flats at 102 Prince Street, Bletchington (I225)1;
- House at 306 Anson Street (I90);

- Dwelling at 71 Dalton Street (I244); and
- Central Orange Heritage Conservation Area (C1).

The location of the above heritage items is shown in Figure 26.



Figure 26: Location of surrounding heritage items (Source: GBA Heritage)

The NSW Heritage Inventory provides the following Statement of Significance for the former Ambulance Station:

"The former Ambulance Station is a two storey face brick building in a restrained Interwar Stripped Classical architectural style, with a building form characteristic of Interwar Colonial Georgian architecture. It presents well in the streetscape to the prominent intersection with a symmetrical façade comprising 3 former vehicle bays.

The building was funded after intense lobbying by a committee including Dr. Howse and completed in 1932. The Hospital Dental Services were relocated into the building in 1999 after new facilities were provided for the Ambulance Service.

The site is of social significance given its role, and contribution as part of the continual evolution and improvement of the Orange Health Service during the early 1930s when the first Base Hospital in NSW was established on the site."

The SOHI determined the proposed development will have no physical impact on former Ambulance station. An appropriate visual curtilage will be retained and its future potential for adaptive re-use will not be compromised by the proposed development.

In respect to the other items of significance in proximity to the site, the SOHI considered the design of the proposed development in terms of its scale, siting, bulk and form is respectful of the surrounding heritage items and that views to and from adjacent heritage items will be

retained. The SOHI concluded that *there should be no hesitation, from a heritage perspective, in approving the application.*

The proposed development is consistent with the heritage requirements and guidelines of the OLEP 2011 and the Orange DCP 2004. Further, the SOHI has not raised any concerns regarding impacts on surrounding heritage items. On this basis, it is considered that the proposed development would not have a detrimental impact on the adjacent former Ambulance station or other surrounding items of heritage significance.

To ensure the protection of the former Ambulance station during construction, the recommended conditions of consent require a structural Dilapidation Report be prepared that is required to detail the existing condition of the former Ambulance station. At the completion of the construction, the applicant must then prepare a Post-Construction Dilapidation Report to ascertain whether the construction activities created any structural damage to the building.

6.4 Other issues

Other issues considered as part of the assessment of the application relate to contamination, noise and vibration and active transport. These issues are addressed in Table 11.

Issue	Consideration and recommendation
Contamination	<ul style="list-style-type: none"> Extensive site contamination assessments were carried out as part of the demolition of the former Orange Base Hospital (DA 251/2016). This application included a Phase 1 contamination assessment and preparation of a Remedial Action Plan. The Applicant provided a copy of the Site Audit Statement required under DA 251/2016 for 84 Dalton Street, Orange. The Site Audit Statement was commissioned by Council (the land owner) and prepared by an accredited site auditor under the <i>Contaminated Land Management Act 1997</i>. The site auditor determined the site investigation and remedial validation indicate that the property is suitable, from a contamination perspective, for proposed future uses including a mix of commercial and residential development. Site remediation works are the responsibility of Council. The SEE states that a Contamination Clearance Certificate for the land will be provided prior to the land being sold. SEPP 55 states that a consent authority must not grant consent to the carrying out of any development on land unless it has considered whether the land is contaminated and, if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out. In summary, it is considered that the previous contamination investigations carried out on the site (as part of DA 251/2016) and subsequent Site Audit Statement have determined that the site can be made suitable for future commercial development. The recommended conditions of consent require all works on the site to cease immediately in the event of an unexpected find, such as (but not limited to) the presence of undocumented waste, odorous or stained soil, asbestos, structures such as underground storage tanks, slabs, or any contaminated or suspect material. Works on site must not resume unless the express permission of Council is obtained in writing.
Noise and vibration	<ul style="list-style-type: none"> The SEE included an Acoustic Report prepared by Wood & Grieve Engineers to assess construction and operational noise impacts of the proposed development.

Issue	Consideration and recommendation
	<ul style="list-style-type: none"> • The Acoustic Report provides details of noise data collected by a combination of attended and unattended noise monitoring at representative locations around the site. The monitoring determined the background noise levels at locations around the site that have been used to establish noise management levels/criteria during construction and operation of the development. • The Acoustic Report includes recommendations to ensure noise levels meet relevant noise criteria including the NSW Noise Policy for Industry (NPI) and NSW Road Noise Policy (RNP). • Operational noise sources from the development would include increased traffic noise and mechanical plant (including the car park exhaust and supply fans, cooling towers and air conditioning units). • The Acoustic Report confirms the noise emissions from the mechanical plant servicing the proposed development will comply with the project noise management levels for the day, evening and night-time periods. • The assessment of road traffic noise made use of the projected vehicle numbers provided in the TIA prepared by ptc. Based on a predicted increase of 221 vehicles along Anson Street, the road noise level increase is not expected to be in excess of 2 dB (during the PM peak period) and therefore complies with the RNP. • In summary, the Acoustic Report concludes the development can comply with all applicable noise regulations and should be granted consent. • The recommended conditions of consent require all construction works to be carried out in accordance with the Interim Construction Noise Guideline (EPA, 2009). • During operation, the recommended conditions of consent require emitted noise levels to not exceed 5dB(A) above the background noise level measured at the nearest affected residence. • The recommended conditions of consent also require an assessment (report) of noise emissions from the development, to be provided to Council within three months following occupation of the building. The report is required to indicate the noise levels obtained during monitoring of noise emanating from the normal peak use of the premises and to determine whether additional noise mitigation measures are necessary. Any identified mitigation works will be required to be carried out within one month of the commissioning of the report.
Stormwater management	<ul style="list-style-type: none"> • The proposed development includes a 150 m² onsite stormwater detention (OSD) tank that would collect stormwater flows from a surface area of 8,513 m² across the site prior to discharging (via an outlet pipe) to Council's stormwater system at Anson Street. • A surface area of 1,531 m² is proposed to bypass the OSD tank drain directly to Council's existing stormwater system. • The recommended conditions of consent require Council or an accredited certifier to approve the engineering plans of the stormwater system.
Active transport	<ul style="list-style-type: none"> • The site is within walking distance to the Orange Town Centre approximately 800 metres south of the site. • Pedestrian facilities around the site are well developed including footpaths along Prince Street, Anson Street and Dalton Street. • A signalised pedestrian crossing is located at the intersection of Anson Street and Prince Street. An uncontrolled crossing is provided on all arms of the Anson Street and Dalton Street roundabout. • There is a designated on-road cycleway along Anson Street which provides connection to the broader Orange cycle network and Orange Town Centre. • The site is considered to be well connected to active transport networks. Further, the proposed development includes adequate end-of-trip facilities for staff.

Issue	Consideration and recommendation
Development contributions	<ul style="list-style-type: none"> • The Orange Development Contributions Plan 2017 does not apply to the development. • However, the recommended conditions of consent require the Applicant to provide contributions to water supply headworks and sewerage headworks, prior to the issue of a construction certificate.

Table 11: Consideration of other issues

7 Conclusion

The application proposes the construction of a four-storey commercial premises and public administration building on the former Orange Base Hospital site at Prince Street, Orange. The new building is proposed to be tenanted by the DPI.

The site is considered suitable for the proposed development as it complies with the land use planning directions outlined in the Central West and Orana Regional Plan 2036 and is consistent with the aims and objectives of the OLEP 2011, including in relation to the site's zoning and built form controls.

The SEE and accompanying technical reports confirms there would be no major impacts as a result of the proposed development. Further, the proposal is in the public interest as it would create employment opportunities during construction and operation and provide an ongoing contribution to the regional economy of Orange.

It is therefore recommended that the Western RPP grant consent to DA 318/2018(1) for *Commercial Premises and Public Administration Building* at Lots 1 and 2 (Section 4) in DP 758817 – Prince Street in Orange, subject to the recommended conditions of consent.

Appendix 1

Recommended conditions of consent

Appendix 2

Public authority submissions

Appendix 3

Public submissions