

## Modification to Clemton Park Concept Plan (MP07\_0106 MOD 5) – Response to Public Submissions

Item Raised	Proponent's Response
<ul style="list-style-type: none"> <li>The environmental assessment does not once mention Reid Ave or recognise the need for visual privacy or the sensitive adjacency to Reid Ave houses and rear yards.</li> </ul>	<ul style="list-style-type: none"> <li>The building is set back from the southern boundary allowing a wide buffer of landscaping that will provide screening of views from Reid Avenue residents. This landscaping includes large native trees, shrubs and groundcovers while more dense landscape screening occurs closer to the building. The proposed envelope also eliminates private balconies and reduces the number of south facing residencies approved in the envelope under the Concept Plan.</li> </ul>
<ul style="list-style-type: none"> <li>The proposed envelope, indicative buildings and planning application should be amended to properly respond to environmental impacts of the modification on Reid Ave properties.</li> </ul>	<ul style="list-style-type: none"> <li>It is noted that the southern boundary setback was incorrectly stated in the application and has subsequently been increased to 14.5m – 35.6m. Further to this, the proposed envelope provides twice the amount of direct sunlight required under the RFDC to the neighbouring properties to the south. No private balconies are proposed and public open space areas are appropriately setback and screened to mitigate potential privacy impacts. The modified building envelope provides a reduced number of south facing residencies and presents as three stories (including one car parking level) to the southern boundary where the approved building envelope presents as six stories (including one car parking level). As the proposed envelope is reduced in scale when compared to the approved envelope, provides appropriate amenity and privacy through design and landscaping treatments, and therefore an improved outcome for the Reid Street properties, further analysis of the impact on the Reid Street properties is not required.</li> </ul>
<ul style="list-style-type: none"> <li>The proposed modification greatly reduces the setback of the building to the southern property boundary. The distance of the building from the southern boundary is reduced from 22-40m in the approval to only 9.8m in this application.</li> <li>The change to the shape of the building envelop emphasises the impact of the reduced southern setback. The approved configuration is considered more appropriate given the sensitive adjacent single storey residential neighbourhood.</li> </ul>	<ul style="list-style-type: none"> <li>It is noted that the 9.8m setback to the southern boundary was incorrectly noted in the JBA report for S75W Modification (MP 07_0106) in Section 3.1.2, bullet point 2 due to a drafting error in the architectural drawings. The distance at the corner previously noted as 9.8m is actually <b>17.1m</b> at the most south east corner. A setback plan illustrating the DA design has been provided for Planning and Infrastructure's reference (see <b>Attachment B</b>).</li> <li>The setback range on the southern boundary is now 14.5m – 35.6m. While this is a minor variation to the approved envelope it is considered appropriate due to the reduced scale of the building on the southern façade, the minimal overshadowing impacts and the design and landscaping treatments providing privacy and screening to the residential properties to the south.</li> </ul>
<ul style="list-style-type: none"> <li>Reduced southern setback should not be approved.</li> </ul>	<ul style="list-style-type: none"> <li>The reduced southern boundary setback was incorrectly noted in the application. This has been corrected and the southern boundary setback ranges between 14.5m – 35.6m, as outlined above.</li> </ul>
<ul style="list-style-type: none"> <li>The reduction to the southern setback should be at least 20 metres as previously approved or no reduction at all should be approved for modification.</li> </ul>	<ul style="list-style-type: none"> <li>It is noted that the southern boundary setback was incorrectly stated in the application. The proposed setbacks on the southern boundary are provided below:</li> </ul>

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	<ul style="list-style-type: none"> <li>- The South East corner (Marker A) of the building is at its minimum 17.1m from the Southern boundary.</li> <li>- The South West corner (Marker B) of the building is at its minimum 14.5m from the Southern boundary.</li> <li>- The South West corner (Marker C) of the car port structure is at its minimum 11.9m from the Southern boundary.</li> <li>• While the above listed setbacks provide a minor variation to the approved concept plan they are considered appropriate as the proposed envelope provides a reduced scale of the building on the southern façade. The envelope causes minimal overshadowing impacts and the design and landscaping treatments provide privacy and screening to the residential properties to the south.</li> </ul>
<ul style="list-style-type: none"> <li>• Inconsistency in submitted documents – report indicates 9.8m setback from the building envelope to the southern boundary is sought, however drawings supporting the modification show a building that is setback approximately 14m from the southern boundary.</li> <li>• Shadowing analysis provided is based on this greater setback and no testing has been provided to indicate the overshadowing impacts, or visual bulk and scale impact, of a building 9.8m from the southern boundary. It is therefore impossible to assess the environmental impacts of the proposed modification on the adjacent Reid Ave properties.</li> <li>• The documentation should be amended to correctly demonstrate the impacts of the proposed rear setback proper to any approval being considered.</li> </ul>	<ul style="list-style-type: none"> <li>• The 9.8m setback was incorrectly dimensioned. Refer above for actual / current dimensions. An updated plan has been included at <b>Attachment B</b> for reference.</li> <li>• It is noted that there is no 9.8m setback option as this was a drafting error not a design error. All shadow diagrams have been prepared on the only scheme being put forward, incorporating the full setback.</li> <li>• See attached floor plan for amended additional setback dimensions.</li> </ul>
<ul style="list-style-type: none"> <li>• The shadow studies indicate a significant increase in overshadowing to the rear yard of many Reid Ave properties compared to the approved building envelope.</li> <li>• Planted trees are deciduous and lose their leaves. Therefore the overshadowing of the proposed development will have an impact.</li> </ul>	<ul style="list-style-type: none"> <li>• The properties on Reid Street have no shadowing until after 2pm in the Winter solstice equating to 6 hours of solar access. This is considered acceptable as it is double the minimum required Residential Flat Design Code (RFDC) amount of 3 hours and triple what is required under Canterbury Council's DCP requirement of 2 hours for 1-2 storey residential dwellings.</li> </ul>
<ul style="list-style-type: none"> <li>• No increase in overshadowing to the rear yards of Reid Ave properties should be approved.</li> </ul>	<ul style="list-style-type: none"> <li>• The proposal will result in minimal overshadowing to the residential properties to the south of the site with 6 hours of direct sunlight provided, being double the RFDC control and triple Council's control. The proposal will reduce the height of the approved building envelope from between six and four stories to a maximum of three stories. The overshadowing impacts will therefore be reduced and are considered appropriate.</li> </ul>
<ul style="list-style-type: none"> <li>• The existing approval is for two building with a separation between them, reducing the building bulk that would be visible from the adjacent low scale residential dwellings and private open space. the current application seeks to greatly increase the bulk of the proposal, combining the floor space until one very large building footprint, oriented so that its long elevation directly faces the rear of the Reid</li> </ul>	<ul style="list-style-type: none"> <li>• The approved scheme is a 6 storey building when viewed from the Reid St residences (including 1 car park level). The previous scheme presents the longest elevation running parallel to Reid and Tedbury Street. The current scheme is a 3 storey building with car parking incorporated into the lowest level. The proposed scheme is significantly lower in scale with a reduced number of resident's rooms facing south than in the previous</li> </ul>

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Ave Properties	<p>scheme.</p> <ul style="list-style-type: none"> <li>The approved scheme has the majority of its open spaces and terraces orientated to the south with 12 resident's balconies across levels 2, 3, 4 and 5 directly overlooking the Reid Street properties. The proposed scheme provides no private balconies for the resident's rooms, thus reducing the potential for privacy loss. The majority of the common open spaces are internal courtyards and are well screened from the adjacent properties, particularly those to the south. It is noted that the single deck located on the ground floor plan with one edge facing the southern boundary is setback 27m and is well screened both with planters situated on the deck edge itself as well as a proposed line of screening trees to be planted in front of it, along the southern boundary.</li> </ul>
<ul style="list-style-type: none"> <li>Inadequate detail is provided with the application to assess the overlooking Impacts of the proposed modification. The modification represents a significant change to the intensity of use of Lot 31; with many more resident rooms provided facing the southern boundary. These rooms would all directly overlook the living areas and private open space of the adjacent Reid Avenue houses. It appears that a rooftop activity area is also proposed which would directly overlook the private open space of Reid Avenue houses. Additional detail should be provided to clarify the overlooking impacts arising from the change to the building configuration and type.</li> </ul>	<ul style="list-style-type: none"> <li>The approved scheme's building that runs parallel to the Southern boundary has self-contained aged care units. The result is 44 bedrooms with 12 living spaces and 12 private balconies facing the Southern boundary overlooking Reid St residence properties.</li> <li>The proposed scheme has assisted care suites resulting in a reduced number of bedrooms facing the Southern boundary, now being 41. There are no living rooms facing the Southern boundary; however there is one dining room for a maximum of 27 people, setback at 35.6m from the boundary on level 2. Aligned with this space is a deck with its main orientation being north east. This deck is not only setback at approximately 35.6m it is also pushed beyond the schemes own level 2 roof. No sight lines from this deck are provided to the majority of the Reid St properties to the east and minimal to the Reid St properties to the west.</li> </ul>
<ul style="list-style-type: none"> <li>Any approval should be conditioned to prevent balconies and living areas overlooking the rear private open space of Reid Avenue properties. A rooftop activity area should not be approved.</li> </ul>	<ul style="list-style-type: none"> <li>No south facing private balconies are proposed, refer above the roof top deck is considered to be insignificant given the 35.6m setback and the level 2 roof, no sight lines from this deck are provided to the majority of the Reid St properties to the east and minimal to the Reid St properties to the west.</li> </ul>
<ul style="list-style-type: none"> <li>Inadequate landscaping and trees are shown along their southern boundary to screen the visual and privacy Impacts of the proposed bulky building.</li> </ul>	<ul style="list-style-type: none"> <li>As indicated in the submitted Landscape Plan (see Appendix F of the Section 75W EAR), dense planting is proposed along the site boundaries providing significant screening particularly to the southern side of the building. In addition a wide reaching up to 10m in height and a range of shrubs, grasses and groundcovers. The density of tree planting landscape buffer to the southern side of the building includes native tree species to this landscape buffer is intended to filter views from Reid Avenue residents towards the building without creating excessive additional shadowing to Reid Avenue rear yards.</li> </ul>
<ul style="list-style-type: none"> <li>The consultation took place over the holiday period, when many residents were not available to properly assess all the implications of the modification proposed.</li> </ul>	<ul style="list-style-type: none"> <li>The public exhibition period commenced on the 11/12/2013 concluded on the 31/01/2014, as such the exhibition period was extended over the Christmas holiday period to a total of 51 days, being 21 days longer than the required 30 day period. This extended period met all the statutory exhibition requirements and was more than ample time for residents to assess the modification.</li> </ul>
<ul style="list-style-type: none"> <li>The environmental assessment does not once mention Reid Avenue or recognise the need for visual</li> </ul>	<ul style="list-style-type: none"> <li>The proposal provides twice the amount of direct sunlight required under the RFDC to the neighbouring</li> </ul>

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<p>privacy or the sensitive adjacency to Reid Avenue houses and rear yards.</p>	<p>properties to the south. No private balconies are proposed and public open space areas are appropriately setback and screened to mitigate potential privacy impacts. The proposed building envelope reduces the number of south facing apartments and presents as three stories (including one car parking level) to the southern boundary where the approved building envelope presents as six stories (including one car parking level). As the proposed envelope is reduced in scale when compared to the approved envelope and provides appropriate amenity and privacy design and landscaping treatments a detailed analysis of the Reid Street properties is not required.</p>
<ul style="list-style-type: none"> <li>The proposed envelope, indicative buildings and planning application should be amended to properly respond to environmental impacts of the modification on Reid Avenue properties. There has never been any building adjacent to the rear of our properties whilst the factory was still operating; the lot was used as car park area.</li> </ul>	<ul style="list-style-type: none"> <li>A building was approved under the Concept Plan in this location and the previous use of the site is not a relevant consideration. The modified envelope does not provide any substantial adverse environmental impacts on the properties to the south of the site and will reduce the impacts on those properties.</li> </ul> <p>It is noted as landscaping treatments and planting is provided to screen any potential views to the residential properties. Direct solar access to the properties on the southern side is provided for 6 hours during the winter solstice, being twice the minimum provision required under the residential flat design code. As such, the proposal is not expected to have any adverse environmental impacts on the properties to the south of the site, particularly those on Reid Avenue.</p>
<ul style="list-style-type: none"> <li>A detailed analysis of visual bulk (in 3D) and views from Reid Avenue or Jarrett Street properties should be provided to the planners and residents before any approval is considered. Residents are not aware if there will be windows or balconies that would directly face their rear yards and reduce privacy.</li> </ul>	<ul style="list-style-type: none"> <li>A detailed 3D analysis of the building's visual bulk and impact on views from Reid Avenue or Jarrett Street properties is not considered to be required due to the anticipated minimal environmental impacts on these properties and the proposed reduced height and scale of the building on the southern façade, facing these properties.</li> </ul>
<ul style="list-style-type: none"> <li>Concern raised regarding the proposed car park entrance, with access via Alfred St. This will increase traffic noise of cars and loading trucks coming and going for the residents in Alfred St and rear of the properties on Reid Ave closest to the proposed car park area.</li> <li>Concern that cars coming from Alfred St in the northern direction will have to stop in the middle of Alfred St to turn right into the car park, therefore potentially causing traffic to stop between the two roundabouts (at Alfred St/Jarrett St and Alfred St/Harp St).</li> </ul>	<ul style="list-style-type: none"> <li>Surveys undertaken along Alfred Street over a one week period demonstrated a peak AM and PM traffic flow of approximately 400veh/hr. The proposed development will result in a peak hour generation of 15veh/hr which represents an increase of approximately 4% over and above existing on-street conditions.</li> </ul> <p>Notwithstanding the above, the proposed relocation of the access will have no major influence on the traffic distribution from that previously assessed and approved by the Department. That is, visitors that would have previously accessed the site via Alfred Street or Harp Street are unlikely to vary their travel routes as a result of the relocation of the access from the northern to the western frontage.</p> <ul style="list-style-type: none"> <li>The development, based on the known operational requirements will generate approximately two service vehicles per day. Whilst this does represent a minor increase in heavy vehicle movements along Alfred Street, the infrequent nature of deliveries will have no impact on the existing amenity of residents.</li> <li>Accordingly, the impacts on Alfred Street resulting from the relocation of the site access is considered minor and will result in no substantial change in traffic conditions from that which was previously approved.</li> </ul>

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	<ul style="list-style-type: none"><li>• The development will result in a maximum traffic generation of 15veh/hr (two-way) with a predicted 10 entry movements and 5 exit movements during the critical morning peak hour. This equates to one vehicle entry movement every 6 minutes during peak periods with reduced volumes at all other times.</li><li>• Surveys of Alfred Street demonstrated a maximum southbound traffic follow during the morning peak of 200 vehicles per hour which equates to an average gap between vehicles of 18 seconds. Accordingly, queuing within Alfred Street by vehicles accessing the site is unlikely to occur and hence the application will have no measurable impact on the northbound movement along Alfred Street or the operation of the local intersections of Alfred Street with Jarrett Street or Harp Street.</li><li>• Accordingly the proposed site access is considered supportable on traffic planning grounds.</li></ul>