

Section 75W Modification (MP07_0106) Concept Plan Modification



Clemton Park Village

Concept Plan Modification (Mod 6)

Submitted to Planning & Infrastructure
On Behalf of Australand Holdings Pty Ltd

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17/04/2014

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Executive Summary

The purpose of this report is to request the Minister for Planning and Infrastructure (or his delegate) modify the Clemtown Park Village Concept Plan (MP 07_0106) approval under Section 75W and Clause 3C of Schedule 6A of the Environmental Planning and Assessment Act, 1979 (EP&A Act).

The Clemtown Park Village project, formerly referred to as the Sunbeam Factory site, was granted Concept Plan approval on 4 February 2010 for 76,128m² of mixed uses over five development blocks. Conditions of approval imposed on the Concept Plan approval further articulate the design intent that future development applications must address, including built form controls for individual development blocks across the site.

Modification 5 of MP07_0106 was lodged with Planning and Infrastructure on 22 November 2013 to reconfigure the approved building envelopes on Lot 31 to better meet the contemporary operational and service delivery requirements of the seniors living/aged care sector. The reconfiguration reduces the building envelopes of buildings on Lot 31 to 7,833m², leaving a residual 1,715m² within the approved Concept Plan maximum GFA under Condition A3 of the Terms of Approval. Australand and Bupa Care Services Australia have entered into a commercial agreement to transfer the 1,715m² of surplus GFA no longer required by BUPA from Lot 31 to Proposed Lot 42. In addition, Australand is well progressed in preparing its DA documentation for Proposed Lot 42 and has taken the opportunity to identify a series of design refinements that necessitate adjustments to the Concept Plan approval as it applies to Proposed Lot 42. This Section 75W Modification therefore seeks to modify MP07_0106 for:

- the transfer and reallocation of 1,715m² of seniors housing gross floor area (GFA) from Lot 31 to Proposed Lot 42 for future residential purposes;
- a marginal increase in the approved floor space ratio (FSR) for Proposed Lot 42 from 2:1 to 2.13:1;
- a redistribution of the already approved mix of GFA within Proposed Lot 42;
- the deletion of the note under Condition A3 which enables up to 5% of the sum of the non-residential uses to be used for residential purposes; and
- an increase in the approved building envelope heights of Buildings 2 and 3 by one additional residential storey each.

This modification will not alter the total approved maximum GFA for the Clemtown Park Village Concept Plan site. The increase of height of two of the Proposed Lot 42 building envelopes will continue to deliver a high quality design outcome, impose no environmental impacts on the adjoining properties, and deliver a high level of residential amenity for future and existing residents.

The proposed scope of amendments is considered minor given the stage of the project, the overall terms of the Concept Plan approval, and further environmental assessment requirements, and the ability for Canterbury City Council to impose conditions of consent of future development applications. The modification to the Concept Plan approval is therefore warranted in this instance.

1.0 Introduction

This Section 75W Modification has been prepared to modify the approved Concept Plan for the former Sunbeam Factory site, now known as Clemton Park Village. It is submitted to the Minister for Planning and Infrastructure (or his delegate) pursuant to section 75W and Clause 3C of Schedule 6 of the *Environmental Planning and Assessment Act, 1979* (EP&A Act), on behalf of Australand Holdings Pty Ltd (Australand).

This Section 75W Modification seeks to modify M07_0106 for:

- the transfer and reallocation of 1,715m² of seniors housing gross floor area (GFA) from Lot 31 to Proposed Lot 42 for future residential purposes;
- a marginal increase in the approved FSR for Proposed Lot 42 from 2:1 to 2.13:1;
- a redistribution of the already approved mix of GFA within Proposed Lot 42;
- the deletion of the note under Condition A3 which enables up to 5% of the sum of the non-residential uses to be used for residential purposes; and
- an increase in the approved building envelope heights of Buildings 2 and 3 by one additional residential storey each.

This report has been prepared by JBA for Australand, and is based on plans and drawings provided by Kann Finch (**Appendix A**) and Group GSA (**Appendix B**). It describes the proposed Concept Plan modifications and includes an assessment of the proposal against the relevant considerations of the EP&A Act. It should be read in conjunction with the Concept Plan Instrument of Approval (07_0107) (as modified) (**Appendix C**).

1.1 Background

1.1.1 Approved Concept Plan

The Clemton Park Village Concept Plan (as modified) was approved by the (former) Minister for Planning on 4 February 2010 under the now repealed Part 3A of the EP&A Act. It provides for a mixed use development including:

- multiple unit residential development, seniors living including independent living units (ILUs) and a residential aged care facility (RACF);
- use for specialty retail, convenience retail, supermarket, medical centre, community facility and a child care centre;
- publicly accessible open space for a minimum 4,850m²;
- building envelopes for 3 buildings on Lot 21, with a height of 3 storeys;
- indicative building envelopes for 2 buildings on Lot 31, with heights from 4 to 6 storeys;
- building envelopes for 4 buildings on Proposed Lot 41, with heights from 6 to 7 storeys;
- building envelopes for a podium level and 5 buildings above podium on Proposed Lot 42, with total heights from 5 to 8 storeys;
- demolition of existing buildings/structures on site and remediation of site;
- subdivision, road layout, services, and landscaping;
- total floor space of 76, 128m²; and
- residential display suites.

The detailed design of each development block is subject to obtaining development consent under Part 4 of the EP&A Act, consistent with the terms of the Concept Plan approval. Condition A3 and A4 specify the maximum floor space and building heights for each development block across the site including Proposed Lot 42. Condition A6 identifies the built

form controls including height range required to be demonstrated by detailed development applications for Lots 41 and 42.

Schedule 3 of the Concept Plan identifies the Further Environmental Requirements that apply to future applications within the Clemton Park Village site. The Requirements identify the documentation and matters that may need to be addressed by future applications.

In addition to the conditions of approval and Further Assessment Requirements, the Final Statement of Commitments approved under the original Concept Plan identify a series of criteria that future development applications are required to address, including:

- heritage;
- transport and traffic;
- noise impacts;
- flooding;
- environmental sustainability;
- contamination;
- waste management;
- infrastructure;
- landscaping;
- certification matters and construction management; and
- subdivision.

The originally approved Concept Plan has been modified four times, with a fifth modification currently being assessed by Planning & Infrastructure in relation to Lot 31, and the approved plans and Final Statement of Commitments have been revised accordingly.

- Modification No. 1 was approved on 15 December 2011 and corrected a number of minor typographical errors, introduced greater flexibility related to the design of building envelopes, and revised the maximum floor space and building height permitted on Lot 11.
- On 1 June 2012, the Minister for Planning and Infrastructure's delegate approved Modification No. 2 to the Concept Plan. Modification 2 reflected Australand's intention to construct three buildings on Lot 21 rather than the six buildings initially approved under the Concept Plan.
- On 29 August 2012, Australand submitted a Section 75W Modification (i.e.: Modification No. 3) to Planning and Infrastructure in relation to Proposed Lot 41. Modification No. 3 sought approval for four (4) building envelopes, an increase in the overall maximum building height by one additional storey and amendments to the built form controls imposed under Condition A6 of the Concept Plan as they apply to Proposed Lot 41. In addition, amendments were sought to the Final Statement of Commitments.
- Modification No. 4 modified Proposed Lot 42 to provide building envelopes for Proposed Lot 42 and consequently reconcile the relevant conditions of the Concept Plan approval. Additionally, Further Assessment Requirement Nos. 10, 11 and 20 were amended to correct issues identified during the detailed design phase; and amendments were also made to provide an additional Statement of Commitments. Modification No. 4 was approved on 18 December 2013.
- Modification No. 5 relating to Stage 5 was lodged by Bupa Care Services with Planning and Infrastructure on 22 November 2013. The modification seeks to change the building envelopes and heights approved for Lot 31. The proponent has submitted its response to submissions and Planning and Infrastructure is currently finalising its assessment.

1.1.2 Project Application and Development Applications

A Stage 1 Project Application was concurrently approved with the Concept Plan. The Project Application provides for the demolition of the former Sunbeam Factory's buildings and structures, site remediation, and construction of a new residential building and a child care centre on Lot 11 (MP 08_0087). The demolition works have been completed and the site has now been remediated. Construction of the new residential building and child care centre on Lot 11 is now complete, the apartments occupied, and the childcare centre has commenced operations.

A DA for Stage 2 was approved by Canterbury City Council for Lot 21 on 16 August 2012. The DA provides consent for the construction of three residential flat buildings (Buildings A, B and C) accommodating 78 apartments, basement car parking, landscaping and ancillary infrastructure. Construction of Stage 2 is now complete and the apartments have been occupied.

A DA for Stage 4 was approved by the Joint Regional Planning Panel for Proposed Lot 41 on 6 February 2013. The DA provides consent for the construction of four residential flat buildings, a new village park, basement car parking, landscaping and ancillary infrastructure. Construction has commenced on the development and is scheduled to be completed and occupied in stages from late 2014 through to early 2015.

2.0 Description of Proposed Modifications

Bupa Care Services Australia, which purchased Lot 31 from Australand in late 2013 submitted a DA for Stage 5 on 12 February 2014 with Canterbury City Council for Lot 31. The DA seeks consent for the construction of a 7,388m² seniors living development including a residential aged care facility consistent with the Concept Plan as proposed to be modified by Modification No. 5. The DA for which consent has been sought does not utilise the total 9,548m² of GFA approved for Lot 31 under the Concept Plan approval. The DA results in a surplus/untapped GFA of 1,715m². Australand and Bupa have entered into a commercial agreement to transfer the surplus GFA from Lot 31 to Proposed Lot 42 for residential uses.

Australand and its consultant team has also finalised its DA scheme for Proposed Lot 42 and accordingly the proposed distribution and mix of land uses within Proposed Lot 42 is well resolved. Through the DA design process, Australand has identified a series of design refinements.

This results in proposed modifications to:

- transfer and reallocate of 1,715m² of seniors housing gross floor area (GFA) from Lot 31 to Proposed Lot 42 for future residential purposes;
- marginally increase the approved FSR for Proposed Lot 42 from 2:1 to 2.13:1;
- redistribute of the already approved mix of GFA within Proposed Lot 42;
- delete of the note under Condition A3 which enables up to 5% of the sum of the non-residential uses to be used for residential purposes; and
- increase the approved building envelope heights of Buildings 2 and 3 by one additional residential storey each.

The proposed modifications to the Concept Plan approval (as modified) are outlined in detail at Section 2.1 below. Section 2.2 identifies the specific amendments sought to the currently approved terms of approval and provides reasons for the proposed modifications. No changes are proposed for the Further Environmental Assessment Requirements and Final Statement of Commitment. The modifications are further detailed in the following sections.

2.1 Proposed Lot 42 Modifications

Building Envelopes

As a result of the GFA transfer, the building heights in Buildings 2 and 3 of Proposed Lot 42 (shown in **Figure 2**) will increase by one storey each. This will result in a height of:

- Building 2: 4 Storeys (above podium) at the corner of Sunbeam Street and Charlotte Street; and
- Building 3: 5 Storeys (above podium) on Charlotte Street.

The remaining Proposed Lot 42 building envelopes will not change and accordingly Proposed Lot 42 will comprise:

- A basement for car parking and building plant / services;
- A 1,350m² publicly accessible plaza facing Mackinder Street;
- A ground level podium (up to 3 storeys in height) including retail, residential, and community uses, including loading docks and associates services and amenities;
- Five (5) residential building envelopes (above the podium):
 - Building 1: 3 Storeys (above podium) at the corner of Sunbeam Street and Mackinder Street;

- Building 2: 4 Storeys (above podium) at the corner of Sunbeam Street and Charlotte Street;
- Building 3: 5 Storeys (above podium) on Charlotte Street;
- Building 4: 5 Storeys (above podium) at the corner of Harp Street and Charlotte Street; and
- Building 5: 3-5 Storeys (above podium) at the corner of Harp Street and Mackinder Street.

A 'Proposed Lot 42 Masterplan' drawing is shown at **Figure 2** for illustrative purposes. An indicative design scheme has been prepared (see **Appendix B**) for information purposes to help inform Planning and Infrastructure's assessment of the Modification Application.



Figure 1 – Indicative Proposed Lot 42 Masterplan
Source: Australand

An envelope study prepared by Group GSA, comparing the envelopes created by the Concept Plan approval (Mod 4) and the Proposed Lot 42 envelopes are shown at **Figures 3 and 4** from two different perspectives, and provided at **Appendix B**.

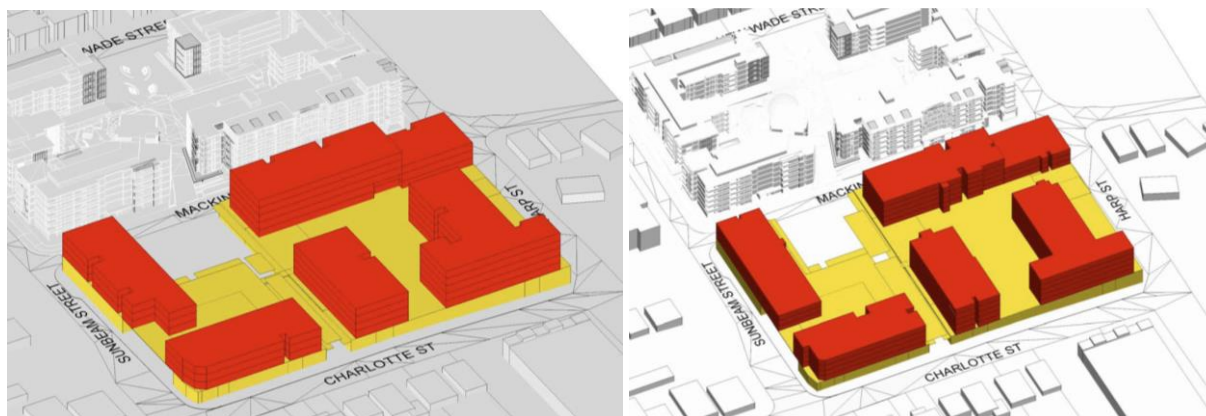


Figure 2 – Envelope Study comparing the likely approved and proposed building envelopes (looking west)

Source: Group GSA



Figure 3 – Envelope Study comparing the likely approved and proposed building envelopes (looking north)

Source: Group GSA

Gross Floor Area

The 1,715m² of GFA being transferred from Lot 31 to Proposed Lot 42 will be used for residential purposes. Accordingly the total approved residential GFA for Proposed Lot 42 will increase by 1,715m². Furthermore, Australand has confirmed that it does not need to fully utilise the retail and community uses GFA. It is therefore proposed to reallocate the unused non-residential floor space to residential GFA. A summary of the approved and proposed GFA is shown in **Table 1**. Whilst the total GFA for Proposed Lot 42 is proposed to increase by 1,715m² under this modification, the overall maximum GFA for the Clemton Park Concept Plan Site will remain at 76,128m².

Table 1 – Approved and proposed land use distribution for Proposed Lot 42

Use	Approved GFA (m ²)	Proposed GFA (m ²)
Residential - Apartments	20,210	22,722
Retail	7,655	6,905
Community	300	236
Total	28,165	29,863

Floor Space Ratio

Due to the transfer of GFA to Proposed Lot 42, the corresponding FSR will also increase. With a site area of 14,020m² and GFA of 29,863m², the proposed FSR for Proposed Lot 42 is 2.13:1. This is an overall increase of 0.03:1 (or 1.4%) from 2.1:1.

2.2 Proposed Modifications to the Approval

The following section marks up the specific modifications sought to the Concept Plan Terms of Approval. Words proposed to be deleted are shown in ~~bold strike through~~ and words to be inserted are shown in ***bold italics***.

These mark ups incorporate the proposed Modification No. 5 scope as it is understood that that Modification will be approved shortly as sought. Furthermore, the scope of Modification No. 5 has no material effect on any other aspect of the modification that is not being sought as part of this proposal.

A 1. Development in Accordance with Plans and Documentation

*(a) The approval shall, subject to A1(b) below, be generally in accordance with MP 07_0106 and with the Environmental Assessment, except where amended by the Preferred Project Report and additional information to the Preferred Project Report, the section 75W Modification by Worley Parsons, dated 1 February 2011, the section 75W Modification by Australand, dated 27 March 2012, the section 75W Modification by JBA, dated 28 August 2012, the section 75W Modification by JBA Urban planning consultants on behalf of Australand dated 23 November 2012 as amended by the submission from JBA Urban Planning Consultants Pty Ltd dated 3 October 2013, **the section 75W Modification by JBA dated 11 April 2014,** and the following drawings prepared by Kann Finch:*

Concept Plan Drawings Prepared by Kann Finch:			
Drawing No.	Revision	Name of Plan	Date
DA 1.01	F <i>H</i>	Concept Scheme Only Cover Sheet	03.10.13 <i>11.4.14</i>
DA 2.01	F <i>H</i>	Concept Plan Only Roof Level	03.10.13 <i>11.4.14</i>
DA 2.02	F <i>H</i>	Concept Plan Only Level B	03.10.13 <i>11.4.14</i>
DA 2.03	F <i>H</i>	Concept Plan Only Level 1	03.10.13 <i>11.4.14</i>
DA 2.04	F <i>H</i>	Concept Plan Only Level 2	03.10.13 <i>11.4.14</i>
DA 2.05	F <i>H</i>	Concept Plan Only Level 3	03.10.13 <i>11.4.14</i>
DA 2.06	F <i>H</i>	Concept Plan Only Level 4	03.10.13 <i>11.4.14</i>
DA 2.07	F <i>H</i>	Concept Plan Only Level 5	03.10.13 <i>11.4.14</i>
DA 2.08	F <i>H</i>	Concept Plan Only Level 6	03.10.13 <i>11.4.14</i>
DA 2.09	F <i>H</i>	Concept Plan Only Level 7	03.10.13 <i>11.4.14</i>
DA 2.10	D <i>G</i>	Concept Plan Only Level 8	03.10.13 <i>11.4.14</i>
DA 3.01	D <i>G</i>	Concept Plan Only Sections 1	03.10.13 <i>11.4.14</i>
DA 3.02	F <i>H</i>	Concept Plan Only Sections 1	03.10.13 <i>11.4.14</i>

except for as modified by the following pursuant to section 750(4) of the Act.

Reason for Modification: Concept Plan Drawings DA 1.01 to DA 3.02 inclusive are proposed to be updated to show the revised building envelopes for Proposed Lot 42. The revised Concept Plan drawings illustrate the proposed increase in height to building envelopes 2 and 3 as a result of the transfer of GFA from Lot 31 to Proposed Lot 42. A copy of the modified Concept Plan drawings prepared by Kann Finch is provided at **Appendix A**.

A3. Maximum Gross Floor Area

The redevelopment of the former Sunbeam Factory Site for a mix use development involving a maximum of 76, 128m²* of GFA comprised of:

Lot	Use	Floor Space
11	Residential - Apartments	5,974m ²
	Child Care Centre	547m ²
21	Residential - Apartments	6,514m ²
31	Residential - Seniors/Aged Care	9,548m² 7,833m ²
41 (FSR 2.1:1)	Mixed Use / Residential - Apartments/Open Space/Seniors Living	25,300m ²
42 (FSR 2.1 2.13:1)	Residential - Apartments	20,290m² 22,722m ²
	Retail Premises / Business Premises	7,655m² 6,905m ²
	Community Facility	300m² 236m ²
Total		76,128m ²

* The maximum floor space may not be achievable within the approved height envelope as identified in condition A4.

~~ Any residual floorspace not used by other uses within Proposed Lot 42 can be reallocated to the residential flat buildings above the maximum shown for that use, but only within the maximum GFA approved for Proposed Lot 42 is not exceeded and the quantum of GFA reallocated does not exceed 5% of the total GFA allocated to the non-residential uses. Any such GFA reallocation shall not comprise the activation of the retail plaza and through site link and the retail mix as illustrated in the Concept Plan for Level 2 (refer to Plan S75W 2.02 Issue H dated 31.01.13) and Statement of Commitment 14.7.~~**

Reason for Modification: The floor space proposed in Modification 5 for Lot 31 equates to 7,833m², resulting in a residual GFA of 1,715m². It is proposed that this excess GFA be reallocated as residential GFA to Proposed Lot 42 in the form of an additional storey on Buildings 2 and 3. This reallocation does not alter the overall total maximum GFA for the Clemton Park Concept Plan site.

This s75W also seeks to reduce the maximum permissible retail and community GFA by a total of 814m² (750m² retail and 64m² community facility) which is proposed to be incorporated into the residential uses. Accordingly the note (**) relating to the reallocation of residual GFA is proposed to be deleted as it is now redundant as the DA scheme is well resolved. The mechanism to enable GFA transfers within Proposed Lot 42 is therefore no longer needed.

As a result of the GFA increase on Proposed Lot 42, the FSR will increase slightly to 2.13:1 (a 1.4% increase). As the overall GFA of the Clemton Park Village site will not increase, the FSR of the overall Clemton Park Village site will remain unchanged. This modification only seeks to reconcile the FSR as a result of the GFA transfer from Lot 31.

3.0 Environmental Assessment

This section demonstrates that the proposed building envelopes for Proposed Lot 42 do not compromise the merits of the approved Concept Plan. The proposed amendments sought by this Section 75W modification are consistent with the design principles of the Concept Plan approval and continue to incorporate the intent of the urban design improvements that were imposed as built form controls under Condition A6.

3.1 Built Form and Urban Design

3.1.1 Residential Building Envelopes

As outlined in Section 2.1 and 2.2, this Section 75W Modification seeks to transfer the residual GFA from Lot 31 as a result of detailed planning on that development block being completed, to Proposed Lot 42. This is a direct transfer which results in the same maximum GFA for the Clemton Park Village Site as a whole, and takes form through an additional storey on Buildings 2 and 3 of Proposed Lot 42. The proposed envelopes have been designed and chosen to minimise their environmental impacts on adjoining properties, the public plaza and community open space, and increase the amenity of the future dwellings.

As part of the process of developing the building envelopes for Proposed Lot 42, the design team reviewed a number of options for the relocation of the GFA. Of the five (5) buildings on Proposed Lot 42, Buildings 2 and 3 were considered most appropriate to accommodate the proposed increase in height as they demonstrated:

- the least impact on the surrounding neighbourhood with regards to overshadowing, visual privacy and solar access, of all possible scenarios;
- building heights could still comply with Condition A4 of the Terms of Approval;
- minimal change to overshadowing of the central plaza or communal open space;
- imperceptible increase in the general bulk of the overall Clemton Park Village site;
- building separation could be maintained both within Proposed Lot 42 and from neighbouring buildings; and
- the existing site orientation, access and building form established under Modification 4 could be retained.

Overshadowing & Solar Access

As shown on the shadow diagrams at **Appendix B**, the additional storey atop Building 2 and 3 of Proposed Lot 42 will result in a minimal increase in the overshadowing of dwellings on the western side of Charlotte Street. Any increase is generally limited to overshadowing dwelling rooves, or the car park of the industrial premises on the western corner of Harp Street and Charlotte Street between 9am and 10am on 21st June. This outcome is considered to be the best outcome of all potential scenarios with regards to the location and design of the additional GFA.

Internally, within Proposed Lot 42 site, reduction in solar access is predominantly as a result of:

- Building 2 overshadowing the lower level north western facing units of Building 3; and
- Building 3 overshadowing the lower level north western facing units of Building 4.

As shown on the shadow diagrams at **Appendix B**, this reduction in solar access is only during the hours of 1pm – 3pm on 21st June and these units will still continue to receive more than 2 hours of solar access at the winter solstice particularly during the morning hours. Additionally, the ground floor units on the podium level which will be most affected, benefit from high quality amenity through a pleasant outlook and access to individual private courtyards, and access to the community garden and the common landscaped podium level which have an abundance solar access during all times of year.

There will be no increase in overshadowing on the central plaza,, however a minor increase in overshadowing of the podium roof landscaping between Buildings 3 and 4 is expected. This increase is considered to be acceptable as the common landscaped areas will continue to receive more than 7 hours of sunlight in winter, thereby exceeding the minimum 2 hour requirement. The minor shadowing impacts were also confirmed to be the best possible option with the least impact on solar access when considering potential options for the location of the transferred GFA.

Residential Amenity & SEPP 65 Compliance

State Environmental Planning Policy No.65 - Design Quality of Residential Flat Development (SEPP 65) and the Residential Flat Design Code (RFDC) place significant emphasis on detailed and rigorous analysis of site context, opportunities and constraints to inform the design process and ultimately improve the design quality of residential flat buildings. The proposed envelopes for Proposed Lot 42 clearly achieve the ten principles in SEPP 65 and the key 'Rules of Thumb' in the RFDC.

In preparation of this proposal Australand's design team undertook a thorough review of the proposed modification to the Concept Plans approved building envelopes, particularly with regards to the location of the transferred GFA. The appended indicative design scheme drawings illustrate that the proposal is generally consistent with the SEPP 65 design principles and is capable of complying with the RFDC.

- **Principle 1: Context** - The proposed modified building envelopes for Buildings 2 and 3 are based on what can be practically achieved under the approved Concept Plan, and that will not impact the current building layout or the development's ability to contribute to the quality and identity of the area.
- **Principle 2: Scale** - The additional storey on the two buildings sought by this modification does not compromise the scale of the future Proposed Lot 42 development. The modified heights are compliant with the maximum height of 8 storeys under the Concept Plan approval and will not impact the relationship in terms of scale with the adjoining residential properties due to the minimal increase in height.
- **Principle 3: Built Form** - The proposed new envelopes for Buildings 2 and 3 (shown in the plans **Appendix A**) are capable of satisfying the desired SEPP 65 and RFDC built form outcomes, and do not detract from the ability of the development as a whole to comply.
- **Principle 4: Density** – The proposal does not increase the maximum densities approved under the Concept Plan's maximum allowable GFA. The transfer of GFA from Lot 31 to Proposed Lot 42 is appropriately located atop the existing approved building envelopes of Building 2 and 3 and the new storeys are designed to integrate seamlessly with the existing design of the building.
- **Principle 5: Resource, energy and water efficiency** - The additional storey on Buildings 2 and 3 does not affect the development's ability of complying with the RFDC required levels of solar access, and cross ventilation.
- **Principle 6: Landscape** – The proposed modification does not affect the landscaping of the development which has been previously assessed as being satisfactory.
- **Principle 7: Amenity** - The proposed building envelopes will continue to deliver a high level of residential amenity. The indicative design scheme prepared by Group GSA at **Appendix B** tested and compared the new buildings for their cross ventilation and solar access performance, against the currently approved buildings. The results demonstrated that the indicative design scheme is capable of achieving the solar access and cross ventilation rules of thumb in the RFDC, and will not vary considerably from the currently approved building envelopes.
- **Principle 8: Safety and Security** – The additional storey atop Buildings 2 and 3 and redistribution of GFA within Proposed Lot 42 will not impact the safety of the development as a whole.

- **Principle 9: Social Dimensions** – The proposed modification does not impact the development's ability to suit the social mix and needs in the neighbourhood or provide for the desired future community.
- **Principle 10: Aesthetics** – The additional storeys on Building 2 and 3 are designed to seamlessly integrate with the existing building design and will be generally imperceptible in the context of the Clemton Park Village development site. The buildings have a composition of elements and finishes to create a visually appealing development that is considerate of the scale and context of the buildings.

It is evident from the above, that the proposed modification provides for a high quality residential environment and will not impact the built form outcomes achieved by the approved Concept Plan. The framework of the approval conditions and detailed controls already imposed help ensure that the future development of Proposed Lot 42 will provide a high quality residential design outcome.

3.2 Traffic and Parking

A Transport Management and Accessibility Plan (TMAP) was undertaken for the entire Clemton Park site by Traffix during preparation of the Concept Plan. The approved TMAP outlines a strategy for managing traffic and transportation at Clemton Park Village through the progressive implementation of local road and intersection upgrades, the approved car parking rates (as reinforced through Condition A5 of the approved Concept Plan), and pedestrian and cycling initiatives.

Traffix has provided an assessment of the traffic and car parking implications arising from the proposed 75W Modification which benchmarks the proposed modification against the approved Concept Plan, the Concept Plan TMAP, Canterbury City Council's controls, and the Roads and Maritime Services' Guidelines and standards, as relevant (**Appendix D**). The following sections summarise the findings of Traffix's assessment of the proposed Section 75W Modification.

3.2.1 Traffic Generation and Parking

The increase in residential floor space to Proposed Lot 42 and reallocation of land use mix as proposed by this Section 75W Modification will generate less vehicular movements per hour during PM peak periods than currently approved and considered acceptable.

The TMAP that supported the approved Concept Plan predicted a peak hour traffic generation of 17veh/hr on Lot 31. The RMS rates for high care living units as adopted in the approved TMAP assessment for Lot 31 applies a rate of 0.1veh/unit, which results in a future traffic generation of around 15 veh/hr based on the proposed 144 bed aged care facility and dementia dwelling units. As this is based on the number of units, and not GFA, the traffic generation of Lot 31 will remain unchanged as a result of the reduction in GFA on the site as the number of units remains unaltered.

The rate for residential traffic generation is 0.36veh/unit in accordance with the Concept Plan approval. As the residential yield compared with Modification 4 of the Concept Plan Approval increases from 269 units to 290 units, a maximum additional 8 veh/hr during peak periods is predicted. The reduction in 750m² of retail GFA however, results in a net reduction of 15veh/hr during the critical PM peak period, with a minor decrease in vehicles in the AM peak period. This is due to the fact that the retail traffic generation rate under the approved Concept Plan is based on the GFA of the retail development component.

Overall this results in a decrease in the overall traffic generation of the Proposed Lot 42 site, which Traffix states is desirable on traffic planning grounds and will slightly improve future traffic conditions in the locality.

3.2.2 Car Parking

Whilst car parking rates approved under the Concept Plan approval are not proposed to be modified, the change in GFA and land use allocation within Proposed Lot 42 will alter the final number of car parking spaces within the future development.

Retail car parking requirements for Proposed Lot 42 under the approved Concept Plan are based on GFA for the retail component of the development, whilst residential car parking is based on bedroom numbers. As both the type and ratio of residential units are proposed to change, and the retail GFA is proposed to reduce by 750m², under this modification the car parking requirements of the development will commensurately reduce from a total of 698 spaces approved under Modification 4, to 675 spaces.

The parking requirements for Lot 31 remain unchanged as parking is based on a per unit/bed rate for seniors housing developments, and the number of units/beds remains unchanged.

The rates for parking under this modification will continue to be consistent with the approved Concept Plan parking rates. As such, the modification is considered to not only be supportable, but desirable on traffic planning grounds due to the reduction of car parking and traffic generation.

4.0 Conclusion

The holistic assessment of the various built form, amenity and traffic/parking considerations demonstrate that notwithstanding an increase and adjustment to the approved GFA on Proposed Lot 42, the development will continue to deliver an enhanced design outcome, minimise environmental impacts on the adjoining properties and deliver a high level of residential amenity.

The modification seeks to amend the Conditions of Approval to reflect the proposed building envelopes for Buildings 2 and 3, and the readjustment of GFA for the land uses within the Proposed Lot 42 site. The approved Further Assessment Requirements and Final Statement of Commitments will remain unchanged.

The transfer of residual GFA from Lot 31 will allow the broader Clemtown Park Village site to continue to fully realise its intended character and nature as approved under Concept Plan Approval utilising the residual GFA from Lot 31 within Proposed Lot 42.

The proposed scope of amendments is considered minor given the stage of the project, the overall terms of the Concept Plan approval and further environmental assessment requirements, and the ability for Canterbury City Council to impose conditions of consent of future development applications. The modification to the Concept Plan approval is therefore warranted in this instance.