

REFERRAL RESPONSE

URBAN DESIGN

FILE NO: **Development Application: 557/2024/1**

ADDRESS: 04 Manning Road Double Bay

PROPOSAL: Demolition of the existing three commercial terraces and construction of a new four storey mixed use building comprising retail on ground floor and a medical centre on levels one to three and two basement car parking levels.

ASSESSMENT TYPE: Complex

FROM: Stephen McMahon, Director Inspire Planning

TO: Ms A. White

Information

Architectural drawings: Shellshear Young Architects Project No. 942, DA 0000 – 5000 Rev 1, November 2024.

Landscape Plan: Wyer & Co. Project No. 23068, DA 00-04, 11.12.24.

Statement of Environmental Effects: Paro Consulting, 20 December 2024.

Survey: Beverage Williams, Project 2100651, 31 March 2021.

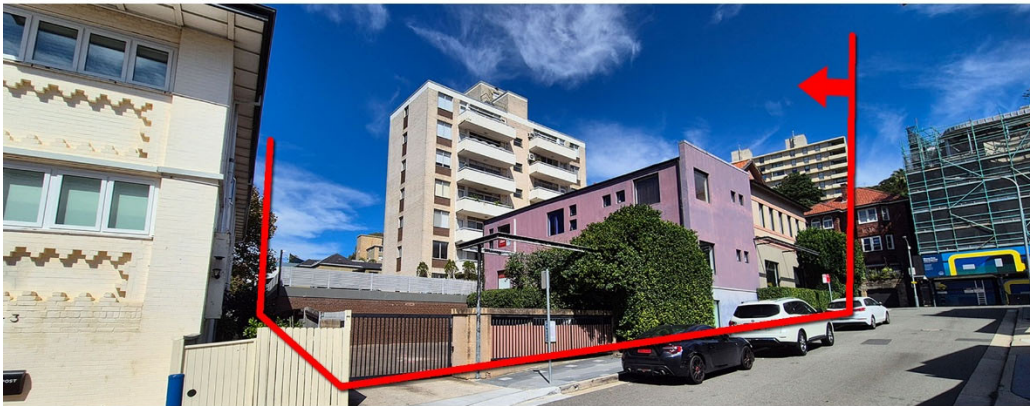
Part 1: Site and Context

1.1 The Site and Existing Development

The site comprises three co-joined buildings on three lots: legally known as SP43881 (4 Manning Road) and Lots 2 & 3 DP 829784 (6-8 Manning Road). The combined site is essentially rectangular in shape with a total area of 587.2 sqm. It has dual frontage to two roads: Kiaora Lane to the north; and Manning Road to the west. The existing developments adopt their Manning Road frontage as their primary address and focus. The combined site boundaries are:

- northern (secondary) frontage to Kiaora Lane of 26.46 metres;
- southern (side) boundary length of 36.48 metres;
- eastern (side) boundary length of 14.796 metres; and
- western (primary) frontage to Manning Road of 16.22 metres.

Numerical setback detail and level observations discussed below have been estimated from the information provided. An aerial photograph and views are presented below.



Aerial Photograph of site and neighbours (source www.SIX.nsw.gov.au) South East from Manning Road (top), South West from Kiaora Lane (middle), and southern boundary (bottom) illustrating site analysis elements discussed in this part.

The site accommodates a two to three storey mixed use building comprising three former terraces accommodating retail and commercial tenancies addressing Manning Road and residential use in the rear part of the building.

The building is built to all boundaries, with the exception of the rear, where the minimum setback is approximately 13 metres to No. 11 Patterson Street. The setback area accommodates a car park and the rear wall contains windows to apartments overlooking the car park and No.11.

No windows are located along the southern side boundary (to No. 10-12 Manning Street).

The existing building exhibits extensively modified characteristics of the Federation style. The development application deems it to have no heritage significance (Urbis, 17 December 2024, "Demolition Report").

The land exhibits a moderate change in level, falling approximately 2.5 metres from a front (western) boundary spot height of 6.5 metres to rear (eastern boundary) spot height of 4 metres over a distance of approximately 36 metres. The north to south cross fall of the site is minor and relatively uniform across the site.

There is no tree canopy within the site. However, a tall (greater than 2 metres in height) hedge addresses the corner of Manning Road and Kiaora Lane that extends along the Kiaora Lane frontage as a low height well maintained hedge.

There are no trees in the verge of Manning Road adjoining the site or within close proximity to the site. This, together with the lack of green verges, narrow footpaths and use of concrete paving material for both the road and footpath surfaces establish a somewhat stark, exposed and harsh streetscape character in this part of the Road.

1.2 The Locality

The site is located in a part of Double Bay originally established as a residential area developed in the 1900s. The locality within which the is located site comprised a number of detached villa lots. Many of the surrounding properties underwent periodic redevelopment, particularly in the interwar and post World War II periods, and then more recently such that this part of Double Bay is, today, distinguished by a mix of building forms, heights, densities and architectural styles.

That said, many of the buildings in the surrounding locality that were developed pre–World War II have remained generally intact.

Commercial and mixed-use developments prevail to the north on sites with exposure to New South Head Road. Most recently the area has experienced a second era of transformation; most notably in properties immediately to the east of the site in a block focussed in Kiaora Lane that has resulted in the development of the Kiaora Place Shopping Centre. The car park to the shopping centre has an entrance from Patterson Street.

1.3 Adjoining Road

The site is located at the intersection of Kiaora Lane and Manning Road. Manning Road is a busy local road that, while the nature of the traffic does not generate significant noise or localised air quality impacts, does create significant activity. Manning Road provides convenient access to Edgecliff via New South Road approximately 560 metres to the west. There is convenient bus access to the Edgecliff Railway Station and Shopping Centre via seven bus routes on New South Head Road, one of which (No. 327) passes the site. Bus stops are within walking distance of the site to the north.

The tree canopy character of Manning Road is mixed beyond the site. A disparate mix of established trees in front property setbacks provide a distinctive, but 'disjointed,' green character. Trees in the verge of Manning Road are not common.

1.4 Adjoining Development

To the east:

No. 11 Patterson Street adjoins the eastern rear boundary. It comprises a three storey shop top building with retail /commercial ground tenancies addressing Kiaora Lane on the ground floor and residential apartments above. The building appears to be of interwar style and incorporates ground level driveways and crossovers at ground level that dominate the Lane. It incorporates windows at Levels 1 and 2 that overlook the site.

To the south:

To the south, is No. 10-12 Manning Road. It is a prominent seven storey residential flat building called "The President" addressing the street. The modernist architectural style of construction suggests it was constructed circa 1960s. It has a prominent projection on the roof accommodating a lift overrun and possibly other building plant. It presents poorly to the site at its rear with a car park adjoining the common boundary.

There are a number of windows and balconies at all levels overlooking the site.

To the west:

Opposite the site, on the western side of Manning Road, is a prominent elevated red brick apartment building of inter war era construction and style (No. 3 Manning Road). It is located above a three car garage that directly addresses Manning Road. Upper level windows overlook the site, but are separated from the site by the roadway. Adjoining No. 3 is No 357-359 New South Head Road. It is being redeveloped and will accommodate a five storey building when completed.

To the north:

To the north of the site, on the opposite side of Kiaora Lane, are a series of two storey commercial buildings. The buildings generally address New South Head Road. However, upper level windows overlook the site across the Laneway.

Part 2: Proposal

The proposed development comprises the demolition of the existing buildings on the site and construction of a new four storey mixed use building and two basement car parking levels. Of relevance to this assessment:

Building Envelope and Setbacks

1. The configuration of the proposed building footprint essentially follows that of the existing buildings but extends fully to the rear boundary. Setbacks are as follows:
 - (i) At the ground floor at the corner of the Kiaora Lane frontage the setback is a maximum of approximately 2.4 metres and includes low height planter boxes. The setback does not continue along the lane where the proposed lifts, lift lobby entry, fire stair and car park entry are located directly at the frontage.
 - (ii) The ground floor to Manning Road is generally setback 1.05 metres from the front boundary with the exception of the fire booster cabinet, that has no setback.
 - (iii) The next three storeys (levels 1 to 3) maintain a zero setback to Manning Road, Kiaora Lane and rear (east) and are estimated to be setback from the side (southern) boundary to No. 8-10 Manning Road as follows:
 - Generally 2.3 metres (approx.) at levels 1 and 2; and
 - Generally 5.4 metres (approx.) at level 3.

Proposed Uses

2. The building includes a mix of uses comprising:

Ground Floor:

- (i) The ground floor frontage includes one retail tenancy at the corner setback from the street, two building lobbies, bicycle parking addressing the street and two separate fire stairs addressing the street. At the rear an internal service driveway extends into the building from the Lane that provides access to an accessible parking space, a service parking space and the basement car park via a car lift;
- (ii) The ground floor level is recessed below existing ground level at the corner by a maximum of approximately 1.2 metres. It is accessed from an entry off Kiaora Lane. There is no detail in the ground floor plan as to how this transition is achieved between the tenancy space and Manning Road / Kiarora Lane.

Upper Levels:

- (iii) Levels 1 to 3 comprise a medical centre that comprises a hospital use on levels 1 and 2 incorporating operating theatres and wards; and consulting rooms on level 3. Windows are south facing and overlook the balconies of No. 10 Manning Road to the south. No windows take advantage of the northerly aspect.
- (iv) At level 3 there is an accessible trafficable terrace along the southern boundary.

Roof top:

- (v) The roof is not accessible or trafficable and is proposed to accommodate solar panels and AC plant.

Communal Space and Deep Soil

- 3. A communal open space (terrace) area is located on Level 3. No deep soil areas are proposed.

Building Height

- 4. The maximum proposed height of the building is nominated in the Statement of Environmental Effects as 17.4 metres from existing ground level to the top of the lift overrun/rooftop plant. Thus, the proposed building is located above the maximum LEP height limit of 14.7 metres.
- 5. Floor to floor heights shown in the architectural plans comprise 3.8 metres for levels ground, 1 and 2. Level 3 has a height of 3.7 metres. The ground floor level is recessed below existing ground level by approximately 1.2 metres.

Gross Floor Area and FSR

- 6. The proposed GFA is nominated as 1,467 sqm in the development application. With a site area of 587sqm, the development has a proposed FSR of 2.5:1. This matches the maximum FSR standard of 2.5:1.

Architectural Design and Presentation

- 7. The architectural design displays a modern aesthetic to all site frontages with the dominant visual element comprising extensive use of white coloured face brickwork interspersed with areas of 'hit and miss' brickwork (the intention of this approach is stated as minimising solar radiation and heat gain). The photomontages suggest that the approach results in a visually dominant and somewhat confronting, unwelcoming and inactive façade addressing all site boundaries.
- 8. Blank walls at ground level comprises bronze metallic cladding recessed behind the building line.
- 9. Illuminated signage is proposed to the building wall addressing Manning Road.

Landscaping

- 10. Landscaping is minimal given the build form and façade character described above. Small planter boxes are proposed at the terrace and balcony edges of the development above ground floor.

Part 3: Controls and Compliance

- Woollahra Local Environment Plan 2014 (Woollahra LEP 2014)
- Woollahra Development Control Plan 2015 (Woollahra DCP 2015)

The following is an assessment of the proposal against the relevant controls above.

3.1 Woollahra Local Environment Plan 2014 (WLEP2014)

The proposed development is assessed against the relevant provisions of WLEP 2014 in

the table below.

Clause	Objective / Control	Assessment	Complies
Zoning	<p>E1 Local Centre</p> <p><i>Objectives</i></p> <ul style="list-style-type: none"> <i>To provide a range of retail, business and community uses that serve the needs of people who live in, work in or visit the area.</i> <i>To encourage investment in local commercial development that generates employment opportunities and economic growth.</i> <i>To enable residential development that contributes to a vibrant and active local centre and is consistent with the Council's strategic planning for residential development in the area.</i> <i>To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.</i> <i>To provide for development of a scale and type that is compatible with the amenity of the surrounding residential area.</i> <i>To ensure development is of a height and scale that achieves the desired future character of the local centre.</i> <i>To encourage development that is compatible with the local centre's position in the centres hierarchy.</i> <i>To ensure development provides diverse and active ground floor uses to contribute to vibrant and functional streets and public spaces.</i> <i>To maximise public transport patronage and encourage walking and cycling.</i> 	<p>The proposal can meet the objectives of the zone with the exception of the following:</p> <ul style="list-style-type: none"> To provide for development of a scale and type that is compatible with the amenity of the surrounding residential area. To ensure development is of a height and scale that achieves the desired future character of the local centre. To ensure development provides diverse and active ground floor uses to contribute to vibrant and functional streets and public spaces. <p>I have concerns that the proposed exceedance of the height limit will result in a scale of development that cannot be accommodated on the site in a manner that is consistent with the objectives of the zone and the development controls, impacting on the desired future character of the area.</p> <p>I discuss this further below.</p>	No.
4.3 Height of Buildings	<p>Maximum height limit is 14.7 metres.</p> <p><i>Objectives:</i></p> <ul style="list-style-type: none"> (a) <i>to establish building heights that are consistent with the desired future character of the neighbourhood,</i> (b) <i>to establish a transition in scale between zones to protect local amenity,</i> (c) <i>to minimise the loss of solar access to existing buildings and open space,</i> (d) <i>to minimise the impacts of new development on adjoining or nearby properties from disruption of views, loss of privacy, overshadowing or visual intrusion,</i> (e) <i>to protect the amenity of the public domain by providing public views of the harbour and surrounding areas.</i> 	<p>The maximum height nominated in the development application is 17.4 metres. The variation is 2.7 metres (15%).</p> <p>The exceedance occurs across all of rooftop and the eastern end of level 3 of the building.</p> <p>The application includes a Clause 4.6 written request to vary the standard. I discuss the request below.</p> <p>I do not support the request and do not consider it to be well founded. However I propose amendments that may assist in reducing the extent of non-compliance resulting in a variation with an acceptable height.</p>	No.

Clause	Objective / Control	Assessment	Complies
4.4 Floor Space Ratio	<p><i>Maximum FSR is 2.5:1</i></p> <p><i>Objectives:</i></p> <p><i>for buildings in ..., Zone E1 Local Centre, ...— to ensure that buildings are compatible with the desired future character of the area in terms of bulk and scale.</i></p>	The application notes that the proposed gross floor and resulting FSR are compliant.	Yes.
5.10 Heritage		The property is not heritage listed, is not in a heritage conservation area and is not identified as a contributory item.	Yes.

The proposal includes a request for a variation to the height standard in WLEP 2014. I will discuss it below.

3.3.1 Height Variation

The application nominates 'Test 1' established in *Wehbe v Pittwater Council* as the basis upon which the request is founded.

Wehbe's Test 1 seeks to establish that compliance with the development standard is unreasonable or unnecessary because the objectives of the development standard are achieved notwithstanding non-compliance with the standard.

I have reviewed the key aspects of the request and note that:

- The proposed development comprises four storeys and the height in storeys is consistent with the heights in storeys of existing buildings within the immediate vicinity of the site;
- The proposed height variation of 2.7 metres is primarily incurred in the part of the building envelope that accommodates Level 3 and the rooftop, predominantly at the rear of the site due to landform;
- The height variation incurs some additional loss of solar access to the windows and balconies to living rooms to No. 10 Manning Road to the south compared to a complaint proposal;
- It also incurs additional solar loss and visual intrusion to windows in No. 11 Patterson Street to the east compared to a compliant proposal;
- The proposed variation does not, in itself, incur any additional privacy to neighbours. (However I have concerns with privacy loss due to the proposed terrace on Level 3 that I discuss below);
- While no visual impact or view loss assessment has been provided, I have reviewed the site on Council's online 3D model and would not expect the proposed variation to cause any unreasonable view loss on neighbouring properties;
- The floor to floor heights are consistent with the commercial nature of the proposed development; and

- While I do not support the request based on the plans of proposed development I note that the floor space and floor plans could be reconfigured at Level 3 that may minimise environmental impacts to No. 10 Manning Road and No. 11 Patterson Street.

Therefore I do not consider that the written request could satisfactorily demonstrated that:

- compliance with the development standard is unreasonable and unnecessary; and
- there are sufficient environmental planning grounds to support the request

but could do, subject to the setting back of Levels 2 and 3 from the southern and eastern boundaries.

3.4 Woollahra Development Control Plan 2015 (WDCP2015)

The proposed development is assessed against the relevant provisions of WDCP 2015 in the table below.

Control	Objective / Control Summary	Assessment	Complies
D5.4.13 Kiaora Lane Desired Future Character	The DCP does not have one overarching Desired Future Character (DFC) for the Centre. Rather, it has individual street specific DFCs. The site is located in the Kiaora Lane precinct and the relevant parts of the DFC statements seek to: <i>Provide an active retail edge to the lane.</i>	The proposed height does not achieve the desired future character and the ground floor offers no active retail edge to the Lane due to its recessed nature below ground level and behind the building line, the non-functional setback area (as it cannot be used for alfresco or other activation) and the obstructions resulting from the presence of the planter boxes.	No.
D5.5 Built Form Envelopes: Control Drawings			
D.5.5.5 Control Drawing 7	<ul style="list-style-type: none"> i) A four storey height limit applies to the front of the site addressing Manning Road; while a two storey height limit applies to the rear of the site addressing 11 Patterson Street. ii) An articulation zone at the site frontages 1.2 metres deep upon which only 50% may be built on. iii) Ground floor: A 2.4 metre setback applies to the Lane frontage. iv) 8 Manning Road must include 90m² of landscaped area. 	<p>The setbacks, building heights and built upon area sought by the Control Drawing are not achieved by the proposed development as:</p> <ul style="list-style-type: none"> • A two storey building height and landscaped area at the rear of the site is not provided; and • No façade articulation is provided to the site frontages. 	No.
D5.6 Development Controls			
D5.6.2 Use	<p>C1 Design for a mix of uses within buildings.</p> <p>C2 Design durable and adaptable buildings, spaces and places.</p> <p>C3 Design for retail, commercial and community uses at ground and first floor levels.</p>	Building uses are supported given the strategic location of the site to the rear of New South Head Road and adjoining Kiaora Lane.	Yes.

Control	Objective / Control Summary	Assessment	Complies
D5.6.3 Urban Character	<p>i) Development must comply with the building envelope and setback controls in the DCP.</p> <p>ii) Habitable rooms should generally achieve a minimum floor to ceiling height of 2.7m</p> <p>iii) Level 3-5 building depth is limited to 15.6m including the articulation zones</p> <p>iv) To achieve a variety of roof forms the floor level of the uppermost habitable storey must be at least 3.5 m below the maximum permissible building height.</p> <p>v) The minimum floor to floor height for ground floor retail is 4 metres and commercial office is 3.4 metres.</p> <p>vi) New South Head Road on levels 2-5 up to 80% the street façade articulation zone may be internal space with the balance of the area used for external space.</p> <p>vii) All other areas on levels 2-5 up to 40% the street façade articulation zone can be occupied with internal space.</p> <p>viii) Front setbacks must comply with the control drawings,</p> <p>ix) Side setbacks must protect privacy to adjoining buildings; and protect access to natural light and ventilation to adjoining buildings and residential areas.</p> <p>x) Rear setbacks must where required, accommodate vehicle access to the rear of lots, provide consolidated deep soil landscaped areas where blocks adjoin residential areas; and protect privacy and facilitate solar access to adjoining buildings and gardens.</p> <p>xi) Encourage building massing and articulation that creates strong corner buildings.</p> <p>xii) Architectural Resolution that promotes high quality design, and materials and colours that are not visually dominant within the street.</p> <p>xiii) Blank party walls are to be avoided.</p> <p>xiv) Design commercial space to permit maximum flexibility for future uses.</p> <p>xv) Roof design must form a coherent part of the whole building and be articulated, and Buildings along New South Head Road should provide a parapet.</p> <p>xvi) Air conditioning plant and equipment must be concealed from</p>	<p>The building envelope controls are not achieved as noted above.</p> <p>Floor to floor heights are acceptable.</p> <p>Building depth is not achieved. However it is acceptable as a result of the dual frontage.</p> <p>A varied roof form is achieved.</p> <p>Floor to floor heights are acceptable.</p> <p>N/A.</p> <p>No articulation zone is provided.</p> <p>Complies but objectives not achieved.</p> <p>No side setbacks are required.</p> <p>Achieved, but façade resolution poor.</p> <p>The architectural resolution is poorly resolved.</p> <p>Not achieved.</p> <p>Achieved.</p> <p>Can be achieved.</p> <p>Provided.</p>	<p>No.</p> <p>Yes.</p> <p>Yes.</p> <p>Yes.</p> <p>Yes</p> <p>N/A.</p> <p>No.</p> <p>No.</p> <p>No.</p> <p>Yes</p> <p>Yes.</p> <p>Yes</p>

Control	Objective / Control Summary	Assessment	Complies
	<i>the exterior and be within the building.</i>		
D5.6.4 Relationship to Public Domain	<p>i) <i>Encourage consistent awning design throughout the centre. Awning cover should be within 5° of horizontal, with a minimum soffit height of 3.2m</i></p> <p>ii) <i>Existing arcades must be retained and arcades must have a minimum width of 3m; and ceiling height of 3.6m</i></p> <p>iii) <i>Arcades must, to the extent possible, provide a clear sightline from one end to the other for surveillance and accessibility.</i></p> <p>iv) <i>A minimum of 75% active frontage to lanes, measured as a linear ratio across the width of a lot, is generally required.</i></p> <p>v) <i>Vehicle access points and building entrances must be separate and clearly defined to avoid pedestrian and vehicular conflicts.</i></p> <p>vi) <i>Ensure service areas are unobtrusive and have minimal lane presence. Preferably orientate service areas within the building envelope, perpendicular to lane frontage.</i></p> <p>vii) <i>Services, such as garbage areas and electrical substations, should not dominate the laneway frontage or otherwise unreasonably reduce the opportunity to establish an active frontage to the laneway.</i></p> <p>viii) <i>Retail, restaurant, cafe shopfronts should be glazed and able to be opened and/or provide through shop/lot visibility.</i></p>	<p>No awning is proposed but recessed ground floor achieves the same objective.</p> <p>N/A</p> <p>N/A</p> <p>The proposed development does not activate the ground floor of the Kiaora Lane frontage.</p> <p>Achieved.</p> <p>Achieved.</p> <p>This is achieved.</p> <p>This is not achieved.</p>	<p>Yes.</p> <p>N/A</p> <p>N/A</p> <p>No.</p> <p>Yes.</p> <p>Yes.</p> <p>Yes.</p> <p>No.</p>
D5.6.5 Amenity	<p><i>Visual privacy is an important consideration for residential development within the centre, and neighbours adjacent to the centre, as it is a major determinant of amenity.</i></p> <p><i>Acoustic privacy is an important consideration in relation to the residential component of the centre, and neighbours adjacent to the centre, because it is a major determinant of amenity.</i></p>	<p>The existing apartments in No. 10 Manning Road experience visual privacy impacts.</p> <p>Potential sources of noise are the Level 3 terrace and the ground floor retail uses. The Level 3 terrace may generate noise impacts.</p>	<p>No.</p> <p>No.</p>
D5.6.6 Solar Access and Natural Ventilation	<p><i>Preserve solar access to ... the footpath on the south side of Knox Street, Cross Street and New South Head Road between 12 noon and 2pm on 21 June.</i></p> <p><i>The maximum building depth of development for levels 3-5 is 15.6m to achieve buildings that are substantially naturally lit and ventilated.</i></p>	<p>N/A</p> <p>This is achieved by virtue of the dual frontage.</p>	<p>N/A</p> <p>Yes.</p>

I note that the design of the proposed development has sought to remain within the FSR controls of WLEP 2014 and this is commendable.

The proposed height of the development exceeds the height standard in the WLEP. In principle I support this, given the tall building to the south (No. 10 Manning Road) and the taller buildings to the north addressing New South Head Road.

However the configuration of the top floor (Level 3) and the rear of the building envelope introduces additional shadow impacts on No. 10 Manning Road and potentially No. 11 Patterson Street (insufficient detail is provided) that are unnecessary and shadow impact could be reduced if the floor is setback further from the side (southern) and rear boundaries consistent with the design guidance in Control Drawing No. 7 in the WDCP.

Furthermore, building siting and floor plan design compromise the privacy and amenity of the existing apartments in No. 10 Manning Road due to the minimal separation between windows and balconies and the presence of the proposed trafficable and habitable outdoor terrace on Level 3.

I have similar concerns regarding visual intrusion and shadow impact on No. 11 Patterson Street (but lack the detail to confirm shadow).

Thus, the proposal fails to achieve the Desired Future Character for the site presented in the height standard in WLEP 2014 and supported by the detailed design guidance in the controls in WDCP 2015.

Fundamentally, the design of the building appears to ignore the opportunities offered by the northerly aspect of the site and the presence of the Laneway. The building disregards these opportunities and addresses, instead, the southern boundary. However, this location is the most sensitive to environmental impacts due to the presence of the residential use in No. 10 Manning Road extending to No. 11 Patterson Street. Thus the proposal fails to appreciate and accommodate the context within which the site is located.

While this may be intentional in order to limit solar impacts to the medical activities in the building, there are other approaches such as screens, window hoods and articulation / recessed windows that can achieve the same objective.

The presentation of the building could be vastly improved by simply reversing the activities and windows in each floor so that they address and overlook Kiaora Lane and Manning Road.

This lack of design appreciation extends to the proposed ground floor, the recessed nature of which and the presence of the fire stairs and planter boxes prevent activation of the ground floor space. These are key objectives for Kiaora Lane.

It also extends to the architectural design which is distinguished by the presence of blank walls to all boundaries except the southern side of the site.

The site is a visually prominent location within Double Bay and the design approach presents confronting, unwelcoming and inactive façades to the streets. There is no articulation, variation, upper level landscaping or green space of any significance to add to the streetscape character.

As a result, the proposed development does not achieve a contextual fit in terms of minimising the impact of the new building envelope on environmental considerations including visual impact, visual privacy and solar / shadow impact.

Given these observations I do not support the proposed development in its current form and suggest changes that may address the concerns noted above.

4.2 Recommendation

Amendments to the design are suggested that may assist in achieving a more acceptable outcome. The redesign should consider the following observations (in no particular order and not purporting to be complete):

1. Reduction in area of part of the second and third levels of the building by setting them back further from the southern side and rear site boundaries so that the height of the building results in minimal increase in visual intrusion and shadow cast on No. 10 Manning Road and No. 11 Patterson Street compared to a compliant development;
2. Locate the ground floor level as close to the existing ground level in Kiaora Lane and Manning Road (noting the challenges incurred by the site's landform). At a minimum the depth of the recessed floor level should be minimised and include internal transition by way of steps/ ramps that permit the activation of the windows and setback area and enable the setback area to possibly function as an alfresco area;
3. As part of the above strategy:
 - delete the planter boxes. If security is a concern propose instead narrow, unobtrusive bollards that provide the same obstruction function; and
 - reconfigure / relocate the fire stairs to minimise their use of the building's ground floor frontages.
4. Relocate the level 3 accessible terrace to the rear of Level 3 to minimise the height exceedance and remove privacy impacts. This recommendation would reduce the height assisting in support for the requested variation;
5. Reconfigure the floor level plans to enable internal uses to address the building frontages and activate the building walls. Sun protection can be achieved by the use of conventional, proven methods; and
6. Activate the building walls generally by the provision of windows, façade articulation, voids and greater variety of materials and colours.

The following additional information is required to complete the urban design assessment:

- Shadow diagrams that indicate the extent of additional shadow impact caused by the variation to the height on No. 11 Patterson Street.

Stephen McMahon
Director, Inspire Urban Design and Planning Pty Ltd