

Resolution of Local Planning Panel

1 November 2023

Item 7

Development Application: 58-60 and 62-64 Selwyn Street, Paddington - D/2023/700

The Panel refused consent for Development Application Number D/2023/700 for the following reasons:

- (A) The proposal is contrary to and fails to adequately address the mandatory matters for consideration set out in Section 47(2) of Part 3: *Retention of existing affordable rental housing* of the State Environmental Planning Policy (Housing) 2021 and the *Guidelines for Retention of Existing Affordable Rental Housing*;
- (B) The application is inconsistent with the Clause 1.2(2)(e) aim of the Sydney LEP as it fails to encourage the growth and diversity of the residential population of the City of Sydney by providing for a range of appropriately located housing, including affordable housing;
- (C) The application fails to satisfy the objectives of the R1 General Residential Zone of the Sydney LEP as it does not provide for the housing needs of the community and does not contribute to a variety of housing types and densities;
- (D) The application fails to demonstrate a high standard of architectural design and detailing appropriate to the building type and surrounding heritage character, pursuant to Clause 6.21C(2)(a) of the Sydney LEP;
- (E) The application fails to adequately address environmental impacts of overshadowing, solar access and visual privacy, pursuant to the provisions outlined under Clause 6.21C(2)(d)(vii) of the Sydney LEP;
- (F) The proposed development fails to exhibit Design Excellence pursuant to Clause 6.21C of the Sydney LEP;
- (G) The proposed rear additions are inconsistent with the Sydney DCP design criteria for building setbacks and rear additions, pursuant to Section 4.1.2 and Section 4.1.4 of the Sydney DCP;

- (H) The application fails to provide sufficient information to demonstrate that each of the proposed dwellings will receive the minimum 2 hours' direct sunlight to living room windows and private open space areas between 9am and 3pm on 21 June, pursuant to Section 4.1.3.1 of the Sydney DCP;
- (I) The proposed window arrangement and rear Juliet Balconies fail to safeguard visual privacy across side and rear boundaries, pursuant to Section 4.1.3.6 and Section 4.1.8 of the Sydney DCP; and
- (J) The application fails to demonstrate 15 per cent tree canopy coverage within 10 years of completion, pursuant to Section 3.5.2 of the Sydney DCP.

Carried unanimously.

D/2023/700