

## Resolution of Local Planning Panel

**24 July 2024**

### Item 6

#### Development Application: 36 Selwyn Street, Paddington - D/2024/10

The Panel:

- (A) upheld the variation requested to the minimum site area non-discretionary development standard in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan 2012; and
- (B) granted consent to Development Application Number D/2024/10 subject to the conditions set out in Attachment A to the subject report, subject to the following amendments (additions shown in ***bold italics***):

**(38) SECONDARY DWELLING – OBSCURE GLAZING**

The first floor window to the hallway of the secondary dwelling on the western elevation is to be installed with fixed obscure glazing.

***The first floor windows on the western elevation with a sill height of 1500mm can be operable.***

**Reason**

To achieve acceptable visual privacy protection while also providing ventilation.

#### Reasons for Decision

The application is approved for the following reasons:

- (A) Based upon the material available to the Panel at the time of determining this application, the Panel is satisfied that the applicant's written request has adequately addressed the matters required to be demonstrated by clause 4.6(3) of the Sydney LEP 2012, that compliance with the 'minimum site area' development standard is unreasonable or unnecessary and that there are sufficient environmental planning grounds to justify contravening section 53(2)(a) of State Environmental Planning Policy (Housing) 2021.
- (B) The development exhibits design excellence under Clause 6.21C of Sydney Local Environmental Plan 2012.

- (C) The development responds appropriately to the scale of surrounding buildings and is compatible with the character of the Selwyn Street / Iris Street locality, and the Paddington Urban heritage conservation area.
- (D) The development will not unreasonably compromise the amenity of neighbouring properties.
- (E) The development is generally consistent with the objectives of Chapter 3 Part 1 of State Environmental Planning Policy (Housing) 2021, Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012.
- (F) Condition 38 was amended to clarify the plans.

Carried unanimously.

D/2024/10