

Local Planning Panel

1 November 2023

Application details

58-60 and 62-64 Selwyn Street, Paddington

D/2023/700

Applicant: The Trustee for The LFD Homes Unit Trust

Owner: LFD Homes Ltd

Architect: Richards Stanisich

Heritage: POC+P Architects

Planning: The Planning Hub

Proposal

Alterations and additions to boarding house (co-living) to:

- convert to four attached dwellings
- associated subdivision of the site from two lots into four lots

Recommendation

The application is recommended for refusal

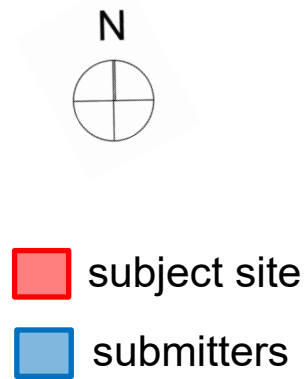
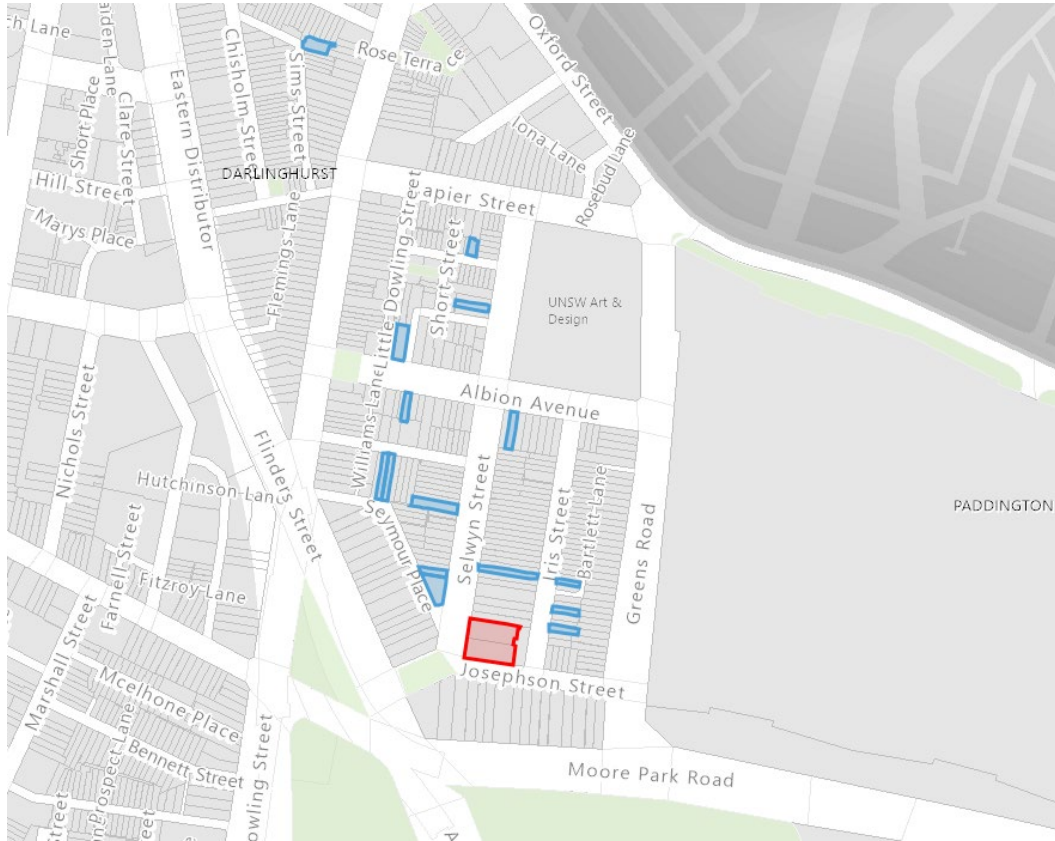
Notification

- exhibition period 23 August 2023 to 21 September 2023
- 197 owners and occupiers notified
- 27 submissions received

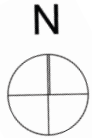
Submissions

- loss of affordable rental accommodation
- inadequate information and failure to address retention of affordable rental accommodation provisions of the Housing SEPP 2021
- heritage impacts
- visual privacy
- objections to proposed car stacker

Submissions



Site





viewed from Selwyn Street



58 and 60 Selwyn Street



62 Selwyn
Street

64 Selwyn
Street

62 and 64 Selwyn Street



side and rear of 64 Selwyn Street - viewed from Josephson Street





shared access between common open spaces within rear setback of
58-60 and 62-64 Selwyn Street



rear elevation of 62-64 Selwyn Street

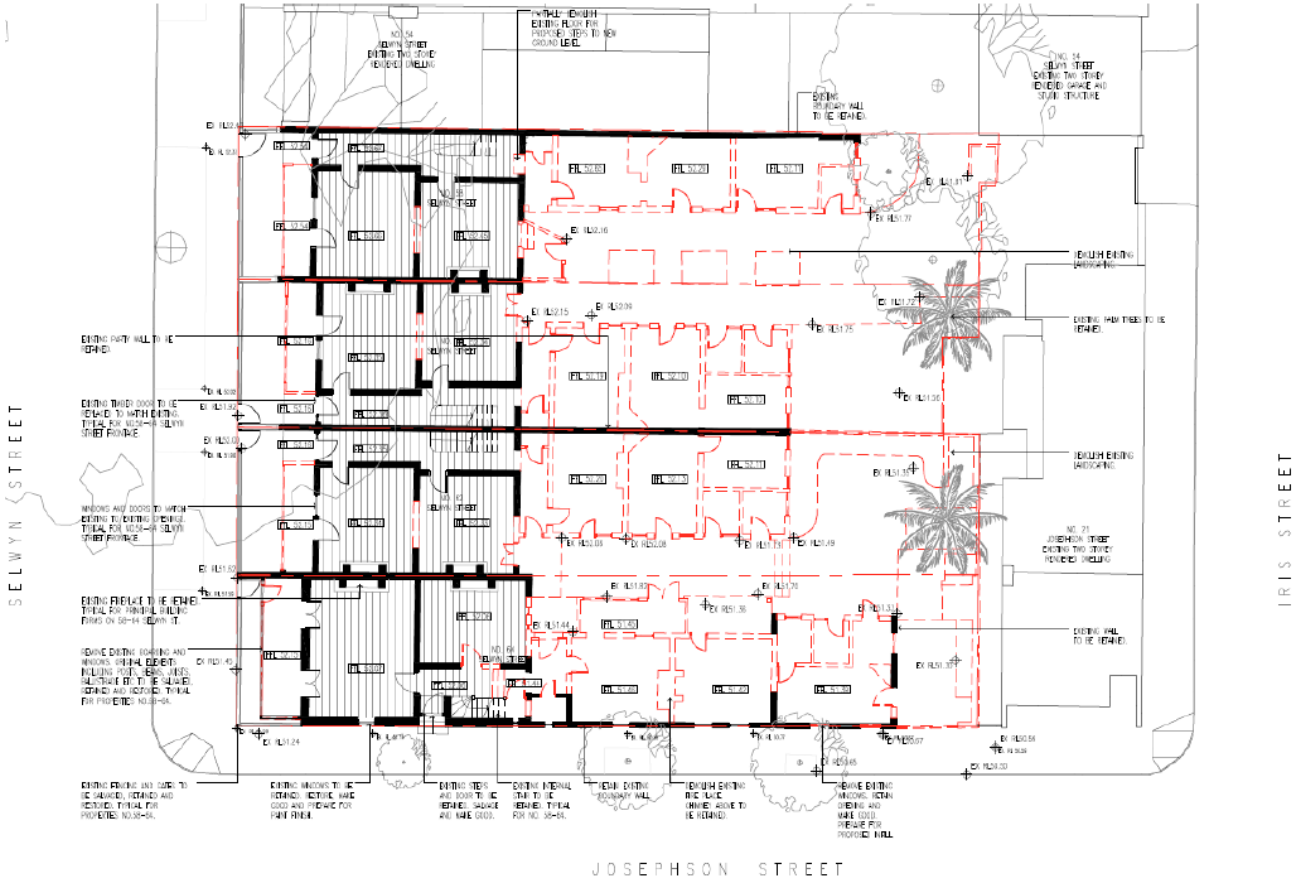


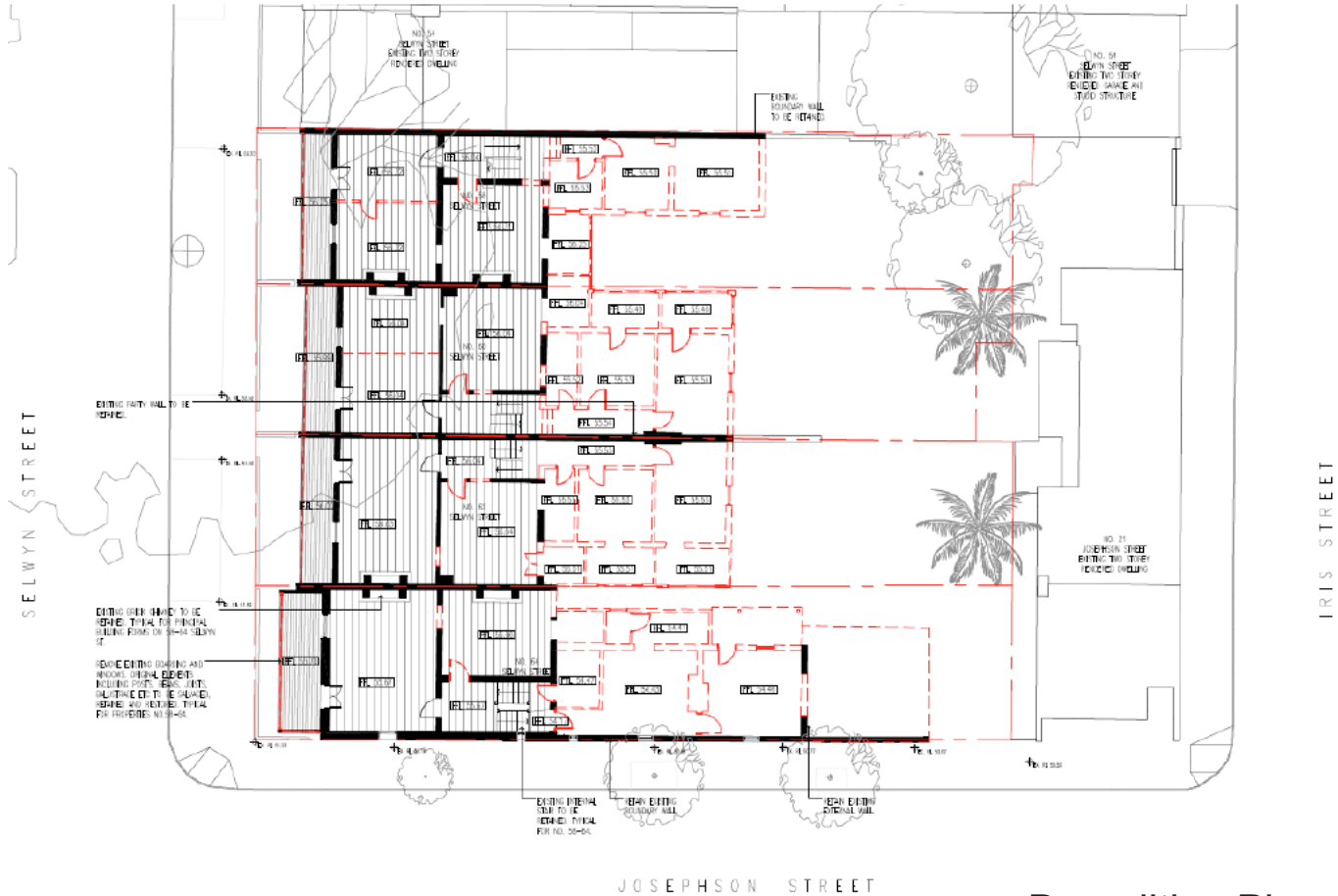
common open space within rear setback of 62-64 Selwyn Street

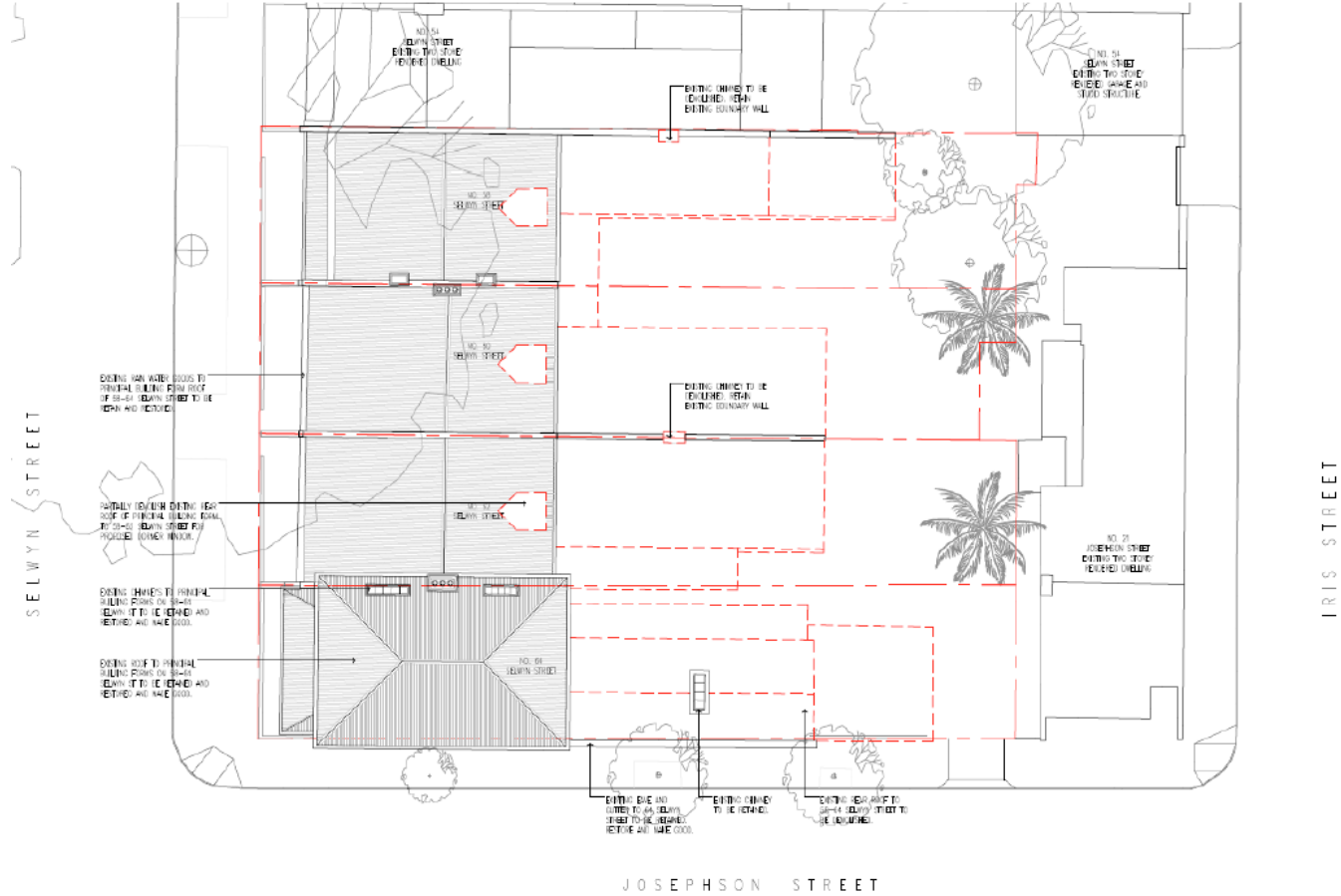


undercover waste storage area within rear setback of 62-64 Selwyn Street with side access to Josephson Street

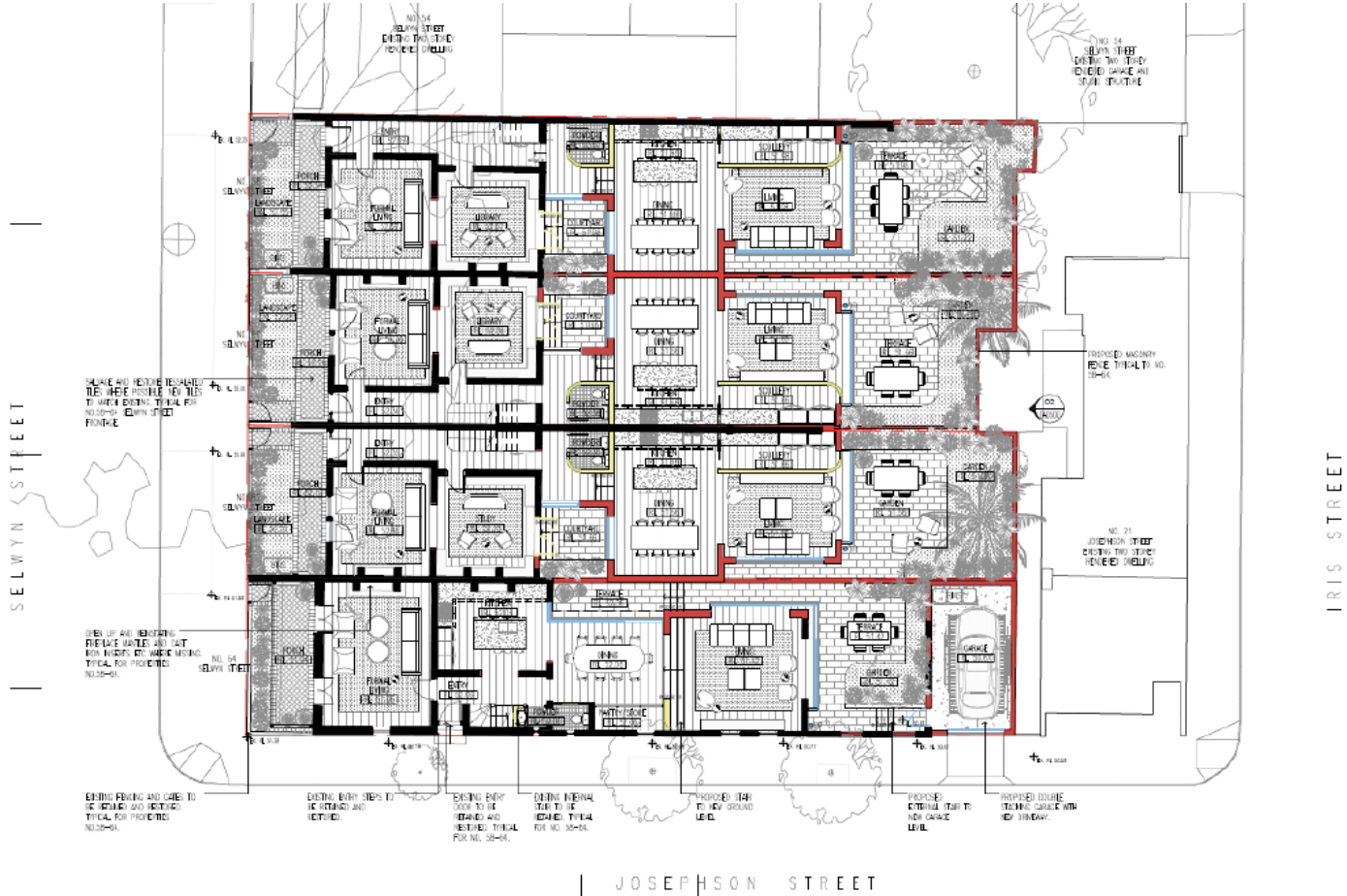
Proposal



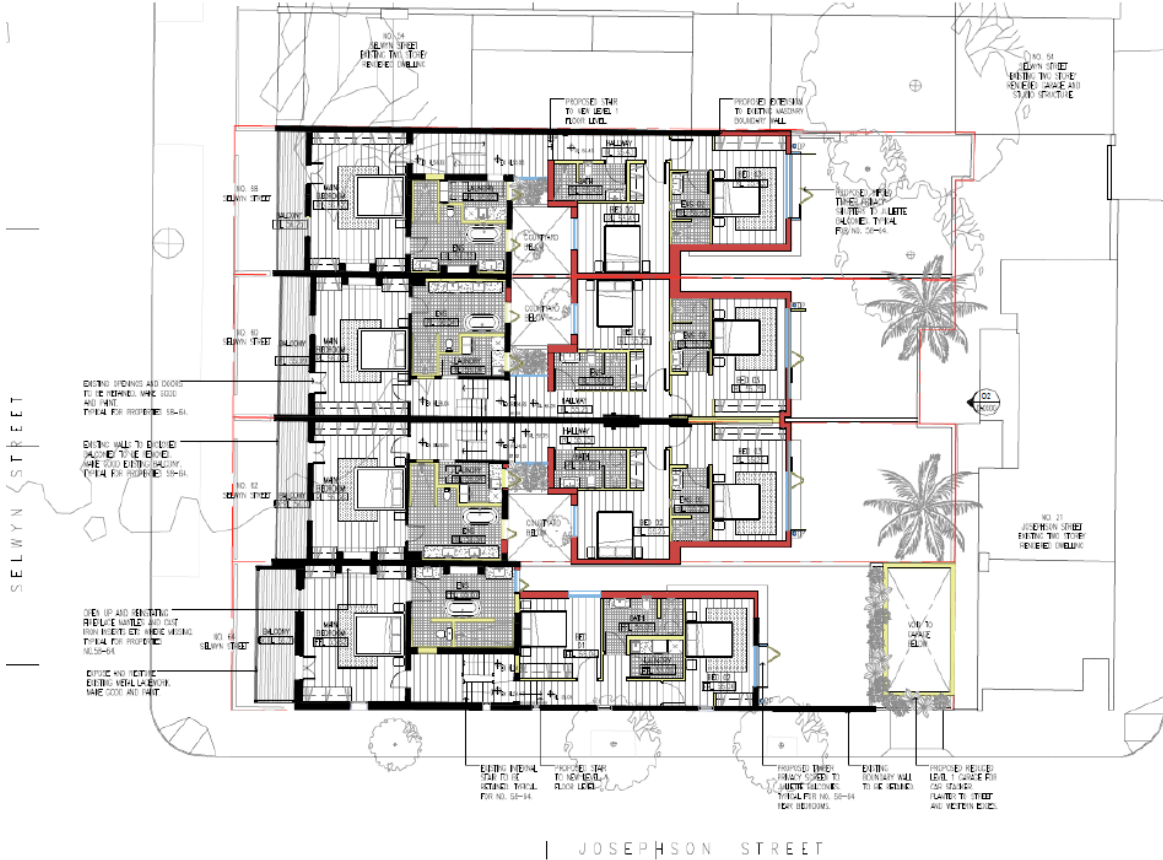




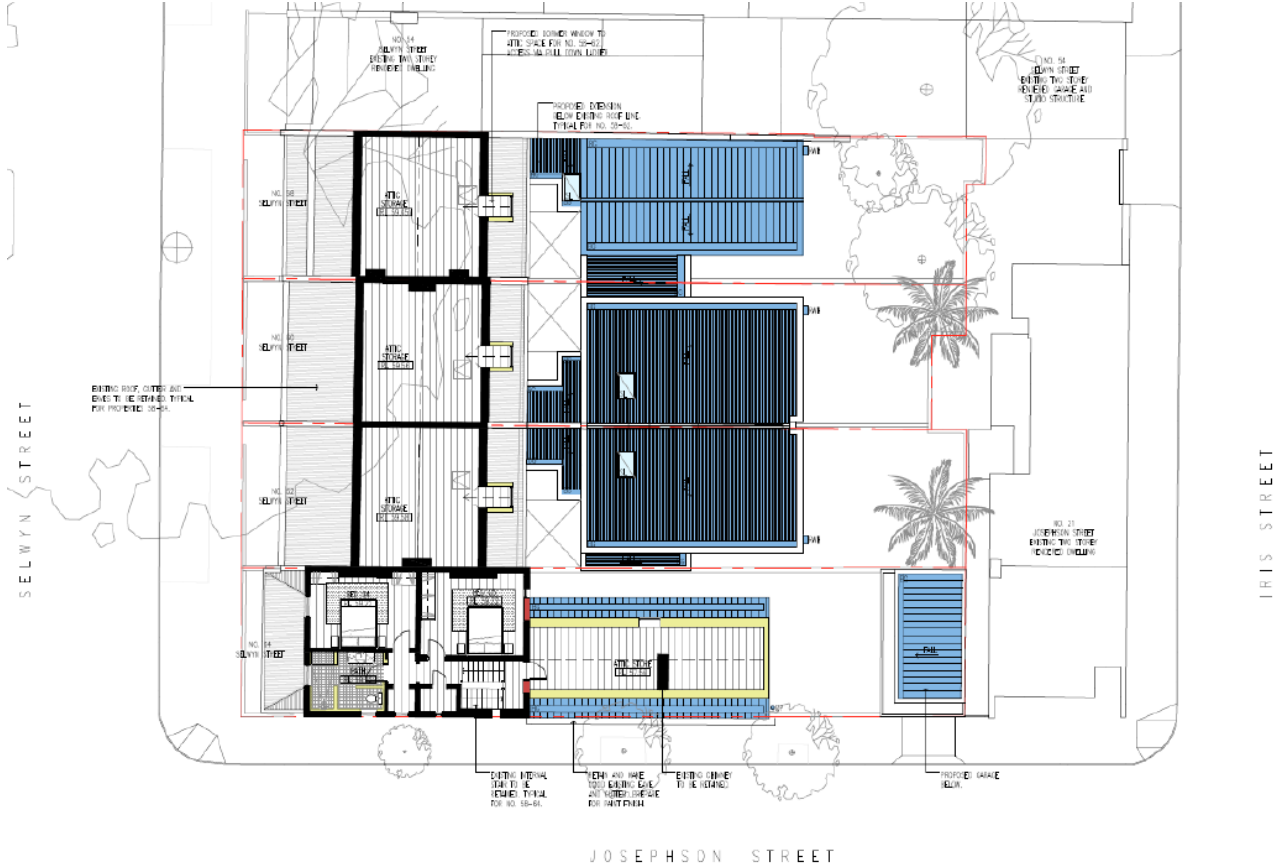
Demolition Roof Plan



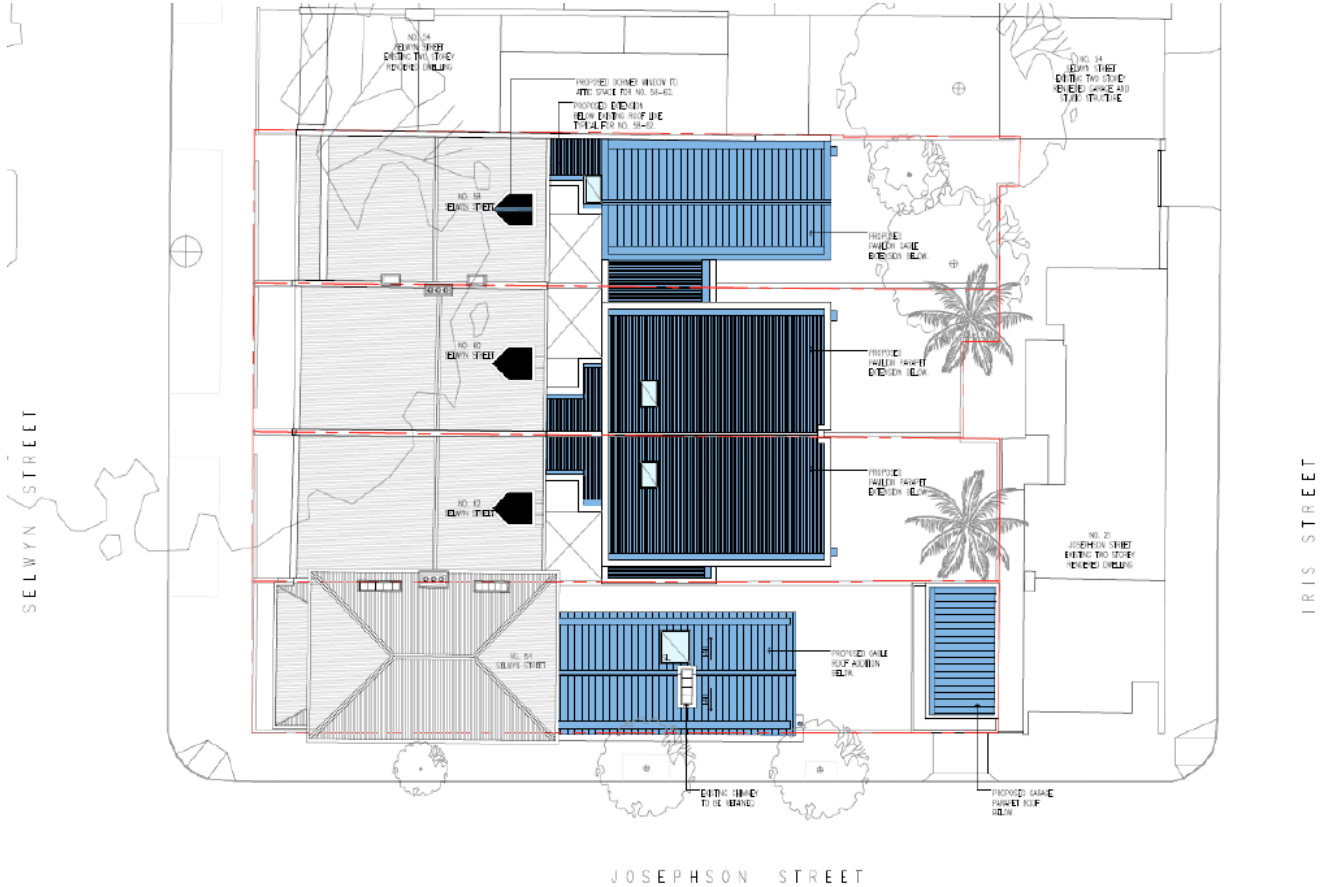
Proposed Ground Floor Plan



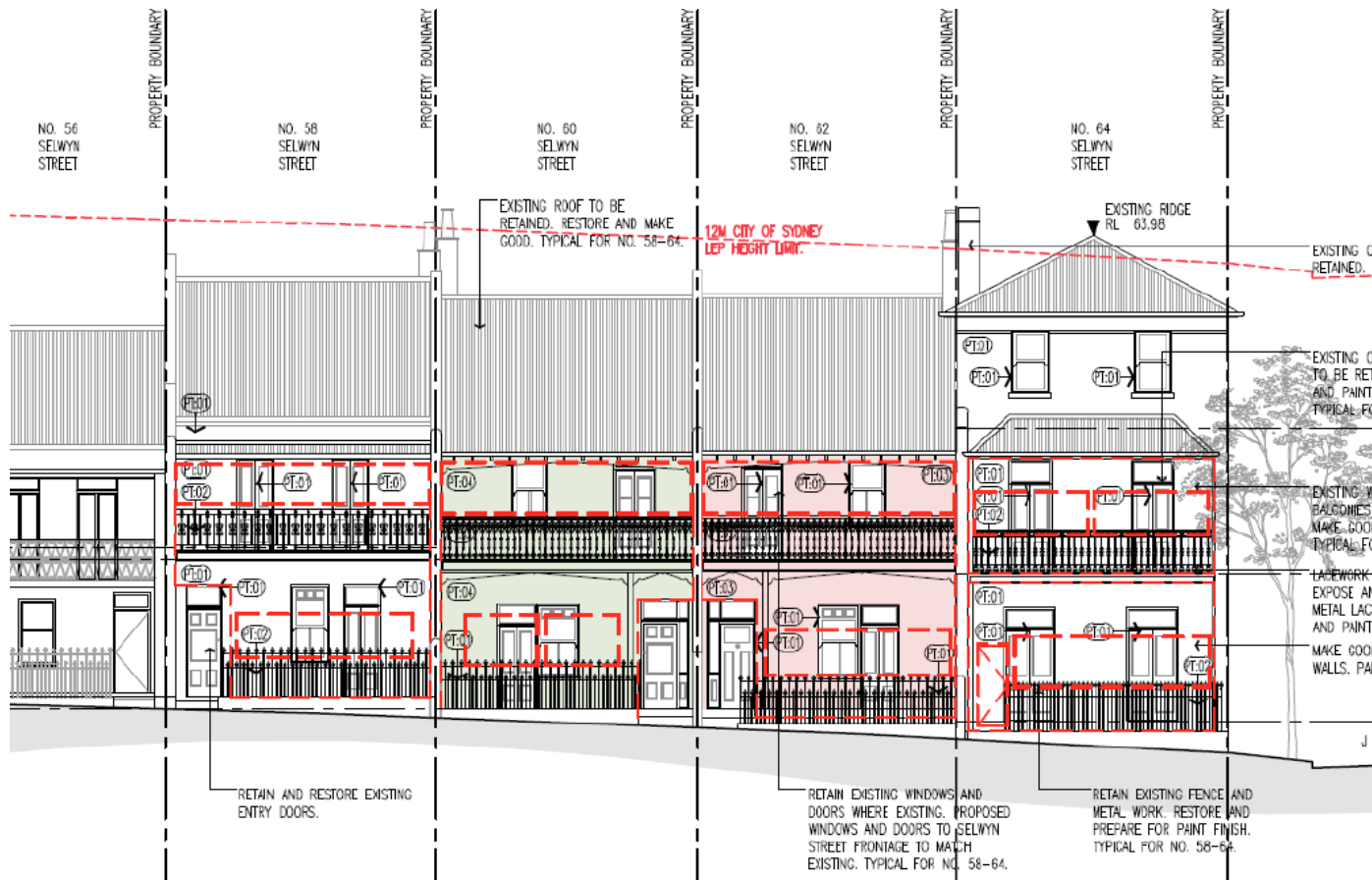
Proposed First Floor Plan



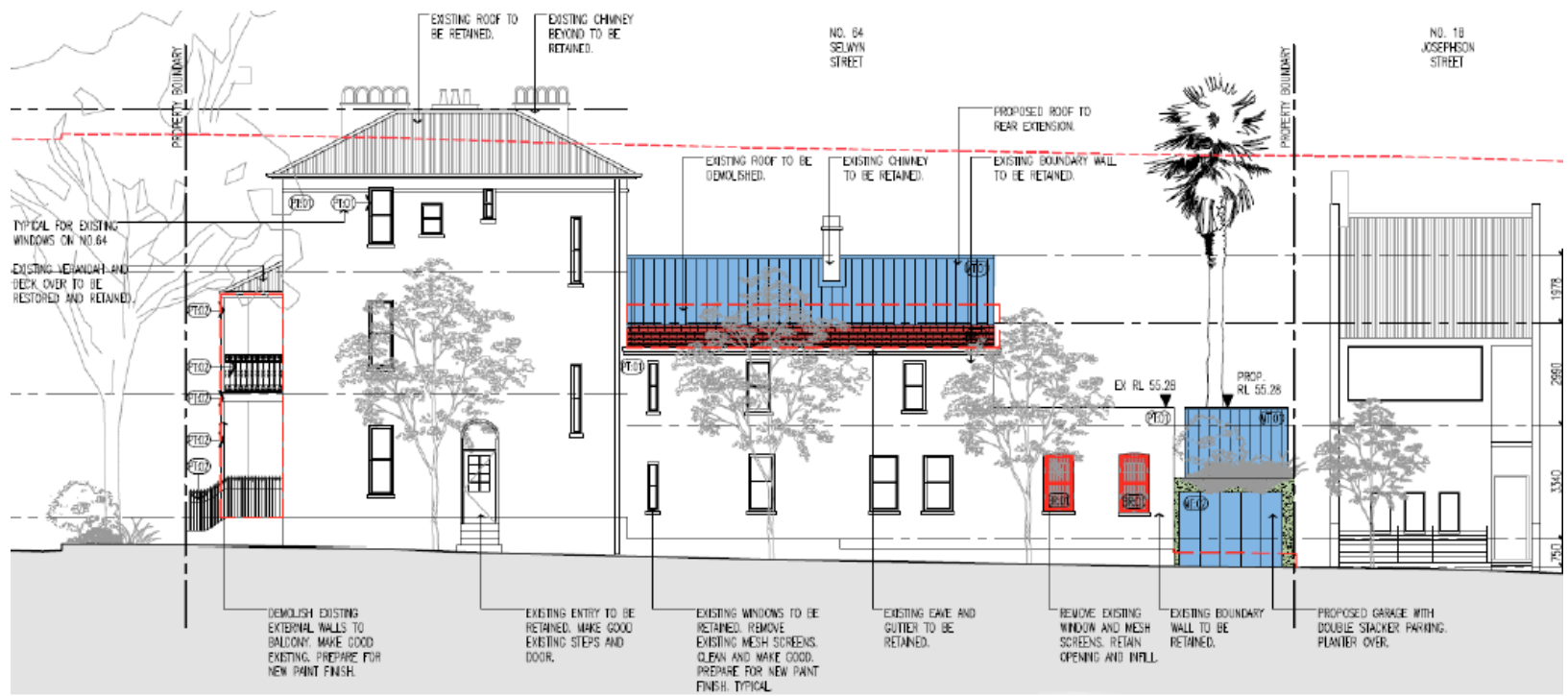
Proposed Second Floor Plan



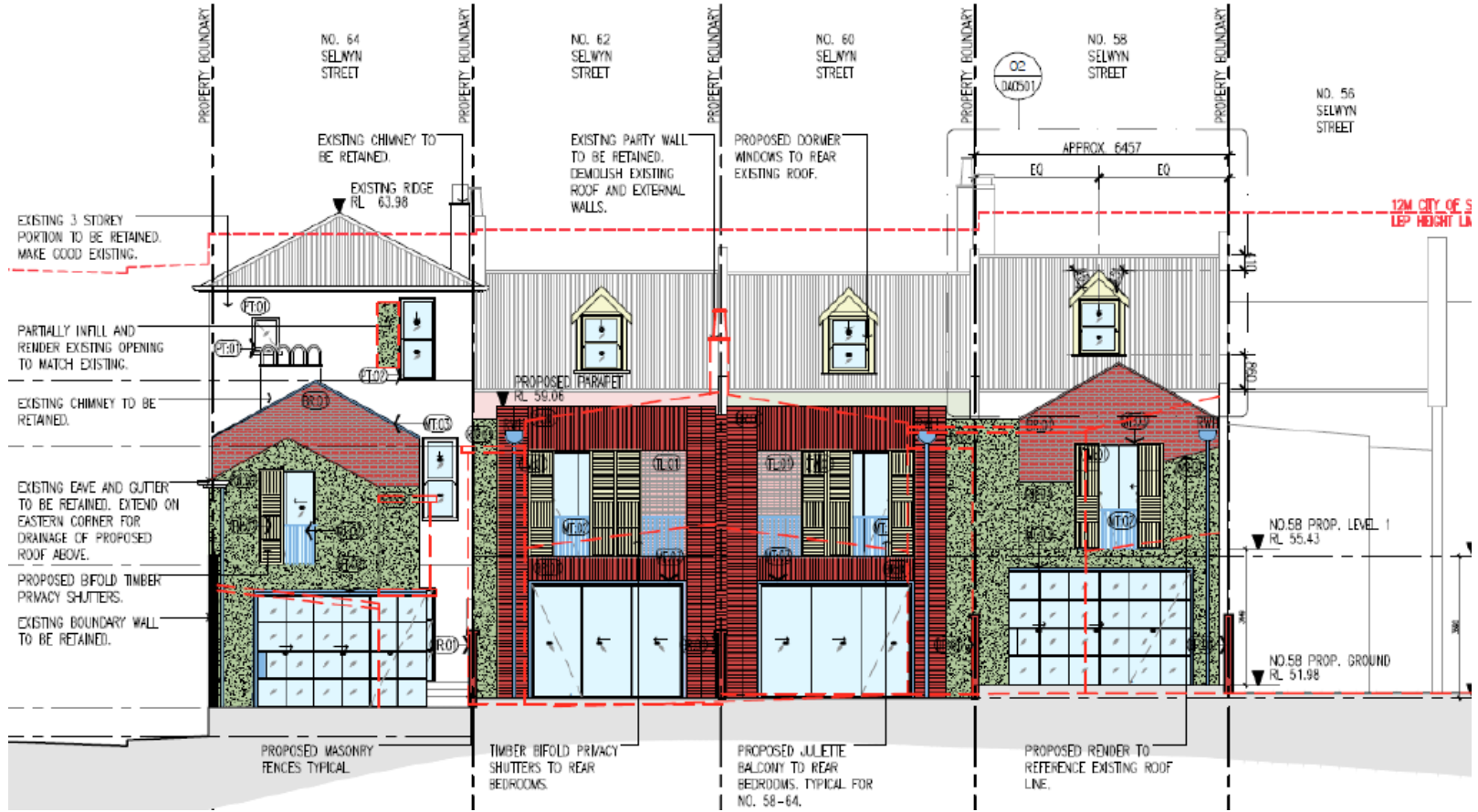
Proposed Roof Plan



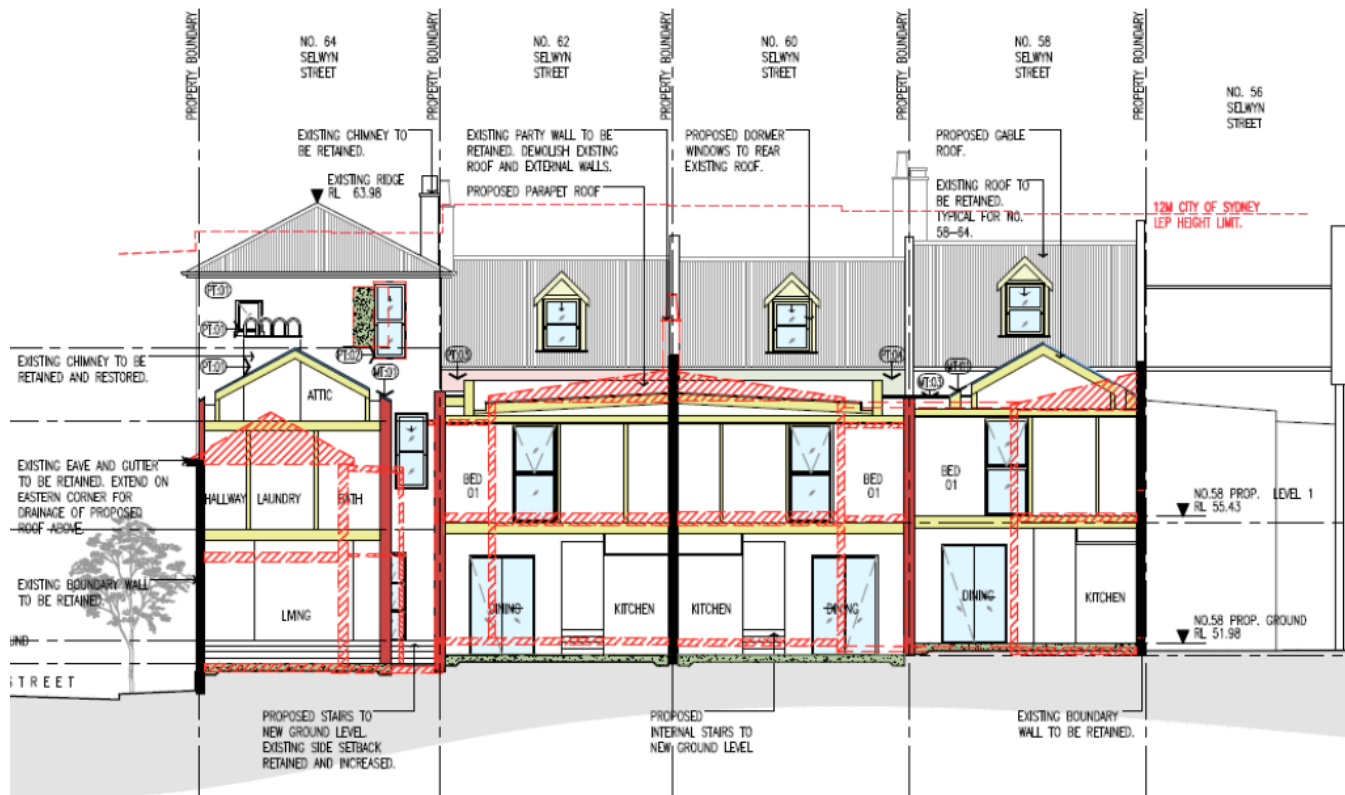
Proposed Front Elevation (Selwyn Street)



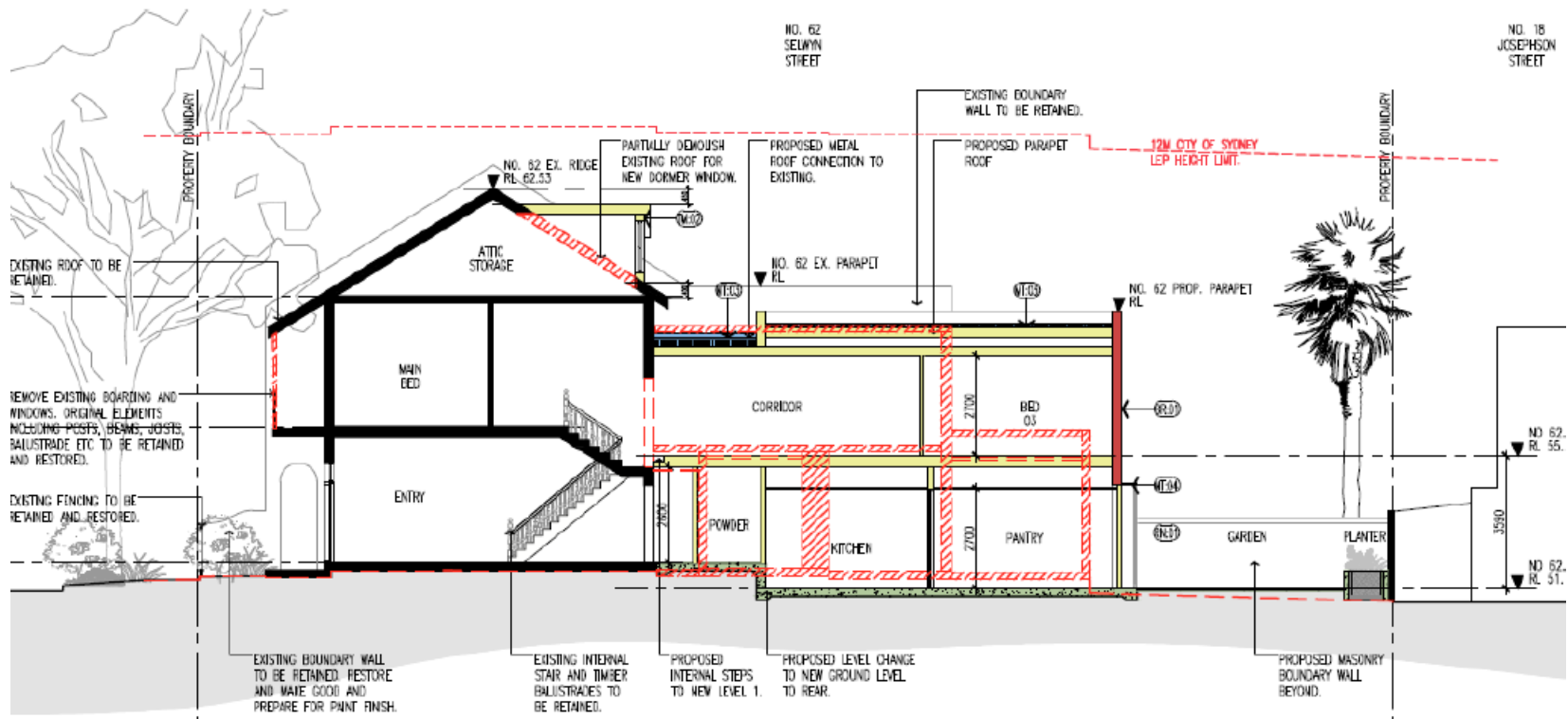
Proposed Side Elevation (Josephson Street)



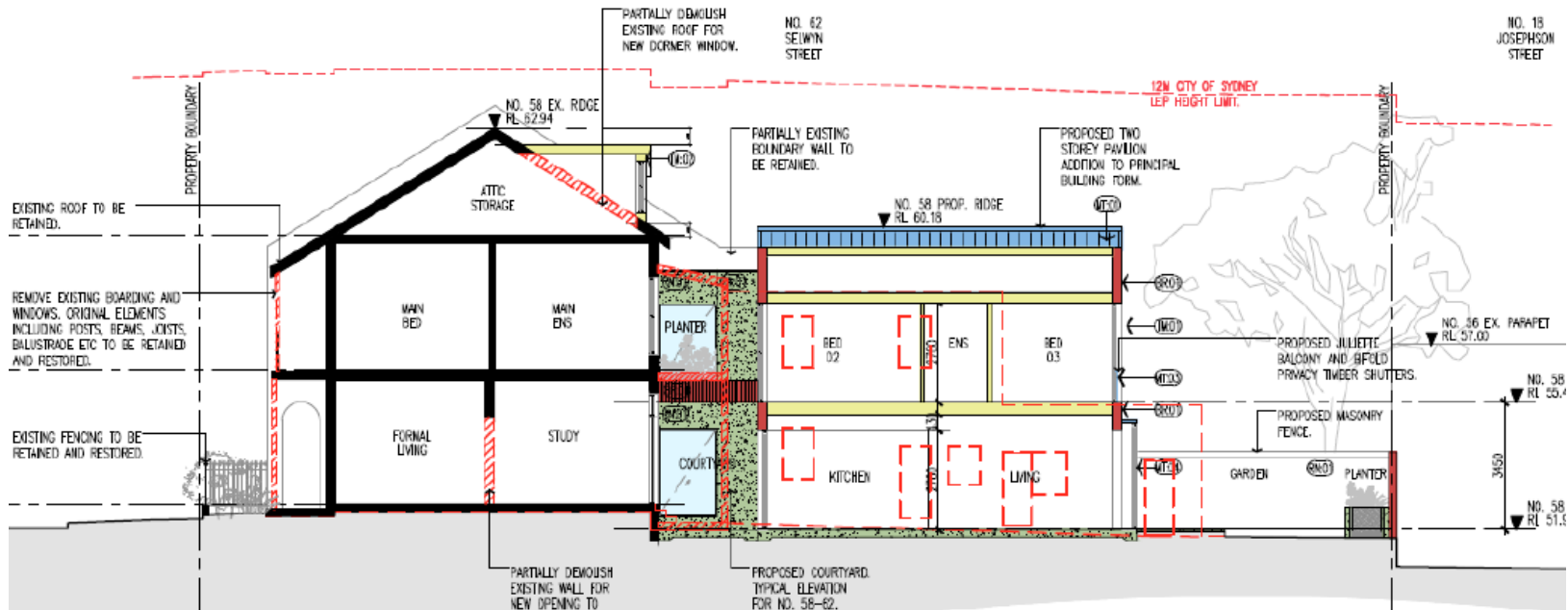
Proposed Rear Elevation



Proposed East/Rear Section



Proposed South Section through 62 Selwyn Street



Proposed South Section through 58 Selwyn Street



PT-01
WHITE PAINT FINISH



BR-01
LIGHT COLOURED BRICK



RN-01
LIGHT COLOURED TEXTURED RENDER



TL-01
LIGHT COLOURED CERAMIC TILE



PT-03
PALE PINK PAINT FINISH



PT-02
BLACK PAINT FINISH



PT-04
PALE GREEN PAINT FINISH



PV-01
LIGHT COLOURED PAVING



TM-01
LIGHT COLOURED TIMBER SHUTTERS



TM-02
LIGHT COLOURED TIMBER CLADDING



MT-01
LIGHT COLOURED STANDING SEAM ROOF



MT-03
LIGHT COLOURED CORRUGATED METAL ROOF



MT-02
LIGHT COLOURED BALUSTRADE

materials and finishes

Compliance with key LEP standards

	control	proposed	compliance
height	12m	10.3m	yes
floor space ratio	<i>58 Selwyn - 1.25:1</i>	<i>58 Selwyn - 1.07:1</i>	yes
	<i>60 Selwyn - 1.25:1</i>	<i>60 Selwyn - 1.14:1</i>	
	<i>62 Selwyn - 1.75:1</i>	<i>62 Selwyn - 1.12:1</i>	
	<i>64 Selwyn - 1.75:1</i>	<i>64 Selwyn - 1.27:1</i>	

Compliance with DCP controls

	control	proposed	compliance
height in storeys	<i>58 Selwyn</i> - 2 storeys	<i>58 Selwyn</i> - 2 storeys	yes
	<i>60 Selwyn</i> - 2 storeys	<i>60 Selwyn</i> - 2 storeys	
	<i>62 Selwyn</i> - 3 storeys	<i>62 Selwyn</i> - 2 storeys	
	<i>64 Selwyn</i> - 3 storeys	<i>64 Selwyn</i> - 3 storeys	

Compliance with DCP Controls

	control	proposed	compliance
private open space	16sqm	complies	yes
solar	2 hours to living room windows and POS areas	unclear	unclear
deep soil	15%	14.2% on 64 Selwyn Street	slight non-compliance

Housing SEPP 2021

Retention of existing affordable rental housing – Part 3 of Housing SEPP 2021

Clause 47 of SEPP identifies considerations to be taken into account, including:

- will development reduce affordable housing
- is sufficient comparable affordable housing available
- will development result in adverse social impacts
- have adequate arrangements been made to assist displaced residents

Housing SEPP 2021

Clause 47:

- (2) In determining whether to grant development consent, the consent authority must take into account the guidelines and the following—
 - (a) whether the development will reduce the amount of affordable housing in the area,
 - (b) whether there is available sufficient comparable accommodation to satisfy the demand for the accommodation,
 - (c) whether the development is likely to result in adverse social and economic effects on the general community,
 - (d) whether adequate arrangements have been made to assist the residents who are likely to be displaced to find comparable accommodation,
 - (e) the extent to which the development will contribute to a cumulative loss of affordable housing in the local government area,
 - (f) whether the building is structurally sound, including—
 - (i) the extent to which the building complies with relevant fire safety requirements, and
 - (ii) the estimated cost of carrying out work necessary to ensure the building is structurally sound and complies with relevant fire safety requirements,
 - (g) whether the imposition of an affordable housing condition requiring the payment of a monetary contribution would adequately mitigate the reduction of affordable housing resulting from the development,
 - (h) for a boarding house—the financial viability of the continued use of the boarding house.
- (3) Sufficient comparable accommodation is conclusively taken not to be available if, for the 3 months occurring immediately before the development application is lodged, the average vacancy rate in private rental accommodation for Sydney, as published monthly by the Real Estate Institute of New South Wales, is less than 3%.
- (4) The continued use of a boarding house is financially viable if the rental yield of the boarding house, as determined under section 48(4), is at least 6%.

Issues – Loss of Affordable Housing

- development will result in loss of affordable rental housing
- application inadequately addresses 8 matters for consideration
– Cl.47 of Housing SEPP
- there is existing demand and shortfall in alternative comparable accommodation
- adequate arrangements to assist displaced residents find alternative comparable accommodation unlikely

Other Issues*

- shadow diagrams inadequate
- heritage impact
- visual privacy
- deep soil
- canopy cover
- car stacker and garage not supported

**listed issues may be resolved by way of design amendments/additional information were it not for the threshold issue regarding the loss of affordable rental housing*

Recommendation

The application is recommended for refusal due to loss of low rental housing.