
Part 17

Boarding Houses

17.1 Application

17.1 Application

This Part of the Plan sets out development controls relating to boarding houses including newly proposed boarding houses or the conversion or adaptation of an existing building to a boarding house within the Campbelltown LGA.

Note:

All boarding houses shall be subject to annual fire safety and compliance inspections by Council.

The Boarding House Act 2012 (BH Act) sets out registration requirements and occupancy principles for ‘registrable boarding houses’ (as defined under the BH Act) to ensure delivery of quality accommodation services and protection of the wellbeing and living amenity of residents.

The BH Act is available for view the NSW legislation website at:

www.legislation.nsw.gov.au

Note:

This Part shall be read in conjunction with the provisions of the State Environmental Planning Policy (Affordable Rental Housing) 2009 (ARH SEPP).

Building Code of Australia

Boarding houses may be classified as Class 1b or Class 3 under the BCA, depending on the number of residents. Class 3 buildings are subject to more stringent fire safety requirements. For further information refer to the BCA.

Note:

Under the CLEP, and the ARH SEPP boarding houses are permissible within the following zones:

- R2 Low Density Residential;
- R3 Medium Density Residential;
- R4 High Density Residential;
- B1 Neighbourhood Centre
- B2 Local Centre; and
- B4 Mixed Use;



Fig 17.1 A boarding house in Campbelltown

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General Requirements for Boarding Houses

17.2 General Requirements for Boarding Houses

Objectives:

- Ensure that boarding houses are of high quality design and consistent with the desired future character of the locality;
- Ensure that boarding houses do not adversely impact on the residential amenity of adjoining residents.
- Provide appropriate levels of amenity (internal and external) for residents within boarding houses.
- Ensure that boarding houses are designed to provide sufficient communal facilities for the occupants in terms of communal indoor and outdoor areas, kitchen and laundry facilities.

17.2.1 Site and Size Requirements

- a) Boarding houses located within low density residential areas shall only be located on sites with a minimum area of 700sqm and a road frontage of 15 metres.
- b) Boarding houses located within land zoned R2 Low Density Residential zone under the CELP or land zoned Zone 2(b) Residential B Zone under LEP 2002 shall have a maximum of 12 boarding rooms.
- c) Boarding houses shall not be erected on battle-axe allotment.
- d) Boarding houses shall only be permitted on a site where no part of the allotment is within 50 metres of the commencement of the head of a cul-de-sac to which vehicular access to the site is obtained.
- e) Boarding houses shall only be allowed on streets that provide for on street parking.
- f) Boarding houses within local, neighbourhood centres and mixed use areas are not permitted to be located at the ground floor level.

Note

For the purpose of this Part:

Low and medium density residential areas shall be taken to mean any land zoned R2 Low Density Residential, R3 Medium Density Residential, under the CLEP, or where relevant, any land zoned Zone 2(b) Residential B Zone under LEP 2002.

High density residential areas shall be taken to mean any land zoned R4 High Density Residential under the CLEP, or where relevant any land where residential apartment buildings are permissible under LEP 2002.

Local and neighbourhood centres shall be taken to mean any land zoned B1 Neighbourhood Centre or B2 Local Centre under the CLEP or where relevant areas zoned Zone 3(c) Neighbourhood Business Zone under LEP 2002.

Mixed use areas shall be taken to mean any land zoned B4 Mixed Use under the CLEP, or where relevant areas zoned Zone 10 (a) Regional Comprehensive Centre Zone under LEP 2002.

17.2.2 Streetscape

Design Requirements

- a) The design of new purpose built buildings (including facade treatments, building massing, roof design and entrance features, setbacks and landscaping) shall complement the scale of the surrounding development, and the desired character of the locality.
- b) New buildings on corner sites shall incorporate facade treatments that address both street frontages and achieve positive articulation in building design.
- c) Clothes lines and air conditioning units shall be screened and not visible by the public when viewed from a public area.

17.2.3 Setbacks - Low and medium density Residential Areas

- a) A boarding house development shall be set back a minimum of:
 - i) 5.5 metres from the primary street boundary;
 - ii) 3 metres from the secondary street boundary;
 - iii) 0.9 metres from any side boundary at the ground level;
 - iv) 1.5 metres from any side boundary for all levels above the ground level;
 - v) 5 metres from the rear boundary at the ground level; and
 - vi) 10 metres from the rear boundary for all levels above ground level within land zoned Zone 2(b) Residential B Zone under LEP 2002 or land zoned R2 under the CLEP.
 - vii) 6.5 metres from the rear boundary for all levels above ground level within land zoned R3 under the

Boarding Houses (as defined under the CLEP) means a building that:

- i) is wholly or partly let in lodgings, and
- ii) provides lodgers with a principal place of residence for 3 months or more, and
- iii) may have shared facilities, such as a communal living room, bathroom, kitchen or laundry, and
- iv) has rooms, some or all of which may have private kitchen and bathroom facilities, that accommodate one or more lodgers,

but does not include backpackers' accommodation, a group home, hotel or motel accommodation, seniors housing or a serviced apartment.

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General Requirements for Boarding Houses

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CLEP.

- b) Notwithstanding 17.2.3 a) i) and ii), any garage shall be setback a minimum of 6 metres from any street boundary.

17.2.4 Setbacks - (High density residential areas)

- a) A boarding house development within high density residential areas shall be setback a minimum of:
 - i) 5.5 metres from any street boundary; and
 - ii) 6 metres from any other boundary.

17.2.5 Setbacks - (Local and neighbourhood centres)

- a) Boarding houses located on land within neighbourhood and local centres shall be setback a minimum of:
 - i) 3 metres from the primary street boundary;
 - ii) 3 metres from the secondary street boundary;
 - iii) 3 metres from any side boundary where it adjoins residential properties or public open space;
 - iv) 0.9 metres from the side boundary in any other case;
 - v) 6 metres from the rear boundary where it adjoins residential properties or public open space;
 - vi) 3 metres from the rear boundary in any other case.
- b) Despite clause 17.2.5 a) iv) above, boarding houses shall be permitted to be built on the side boundary where in Council's opinion the proposed development is considered as a continuation of an adjacent development within the same section of the streetscape.
- c) Despite clause 17.2.5 a) vi), reduced rear setbacks shall be considered on merits.

17.2.6 Setbacks - (Mixed Use areas)

- a) Boarding houses within mixed use areas shall

be setback a minimum of:

- i) zero metres from any street boundary; and
- ii) 6 metres from any other boundary.

17.2.7 Shared facilities

- a) Where shared bathroom facilities are proposed, they shall be provided at the following rates:
 - i) A minimum of 1 bath or shower for each 10 occupants or part thereof;and
 - ii) in addition, one accessible toilet and one accessible shower where the number of residents exceeds 5 or more;and
 - iii) a closet pan and a washbasin with hot and cold running water for each toilet provided; and
- b) Where the number of residents is 5 or less, the common toilet/shower shall also be accessible for people with disabilities.
- c) Toilets shall be able to be accessed separately from the shower, so that toilet and the shower may be used by two separate people at the same time.
- d) Where communal kitchen facilities are proposed, they shall be provided at the following rates:
 - i) a minimum area of 8sqm for up to 10 occupants and 1sqm additional area for every 2 occupants thereof.
- e) Laundry and clothes drying facilities are to be provided at a rate of:
 - i) 1 washing machine and washing tub for every 10 occupants or part thereof; plus
 - ii) 1 clothes dryer for every 10 occupants or part thereof and;
 - iii) 1 fixed clothesline of at least 30 metres for every 10 occupants or part thereof.

17.2.8 Indoor Communal living areas

- a) Indoor communal living areas shall be provided with a minimum dimension of 3 metres and a

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General Requirements for Boarding Houses

minimum total area of 20 square metres or 1.2 square metres/resident, whichever is greater.

17.2.9 Solar Access

- a) Dwellings on adjoining properties are to receive a minimum of 3 hours sunlight in habitable rooms and in at least 50% of the private open space between 9:00am and 3:00pm on 21 June.
- b) Where existing adjoining development currently receives less sunlight than this requirement, this should not be unreasonably reduced. In order to demonstrate what can be achieved, shadow diagrams may be required with the development application.

17.2.10 Site Services Boarding Houses

- a) The location, design and construction of utility services shall satisfy requirements of the relevant servicing authority and Council.
- b) Adequate provision shall be made available for all essential services (i.e water, sewerage, electricity, gas, telephone, internet and stormwater drainage).
- c) All site services shall be placed underground.
- d) All communication dishes, antennae and the like shall be located to minimise visual prominence.

17.2.11 Visual Privacy

- a) No window of a habitable room or balcony shall directly face a window of another habitable room, balcony or private open space of another dwelling located within 6 metres of the proposed window or balcony unless appropriately screened.
- b) Notwithstanding Clause 3.4.3.2 a) any window of a living room located on an upper level shall:
 - i) be offset by 2 metres to limit views between windows and balconies; or
 - ii) have a sill height 1.7 metres above the floor level; or

- iii) be splayed to avoid direct views between windows; or
 - iv) have fixed translucent glazing in any part of the window within 1.7 metres of the floor level.
- c) Notwithstanding 17.2.11 a), a balcony will only be considered where the private open space area of any adjacent dwelling is screened from view.

17.2.12 Signage

- a) Signage shall be limited to a maximum of 1 sign per building, detailing only the name and address of the premises and contact details of the managing agent.
- b) Signage must be affixed to the front elevation and not to the fence.
- c) The sign shall have a maximum area of 0.25sqm and a maximum height of 0.5 metres.
- d) Signage shall be non-illuminated.

17.2.12 Private Open Space

- a) A minimum of one communal private open space area of 20 m² with a minimum dimension in each direction of 3 m shall to be provided for use by lodgers.
- b) Where the boarding house is not within walking distance (400 m) to a public park the communal private open space shall have a minimum area of 30 m² with a minimum dimension in each direction of 3 m².
- c) The area of the communal private open space shall be directly adjacent to, and accessible from, the main indoor communal living area.

17.3

Car Parking and Access

17.3 Car Parking and Access

Objectives:

- Ensure that the location and design of driveways and parking areas, waste access and collection areas are practical, easily maintained, convenient, safe and suitably landscaped.
- Ensure that the surrounding street network and intersections continue to operate safely and effectively.
- Minimise parking arising from boarding houses on local streets.

17.3.1 Car Parking

Design Requirements

- a) Car parking areas shall be setback a minimum of 3 metres from the front boundary and any secondary boundary.
- b) Off street parking and loading shall be designed in accordance with *Australian Standards 2890 (as amended)*, except as otherwise provided by this Plan.
- c) No required car parking space shall be designed in a stacked configuration.
- d) A boarding house shall have a maximum of one ingress and one egress driveway.
- e) The minimum width of a driveway serving a boarding house shall be 3 metres.
- f) Driveways shall :
 - i) be located a minimum distance of 6 metres from the tangent point of any unsignalled intersection; and
 - ii) be sealed.

Note: In circumstances where an intersection is controlled by lights, a roundabout or the like, applicants are requested to contact Council for specific requirements, as the location of the driveway may vary.

Note:

Clause 29 (2) of the ARH SEPP states:

(2) A consent authority must not refuse consent to development to which this Division applies on any of the following grounds:

‘(e) parking

if:

(i) in the case of development in an accessible area—at least 0.2 parking spaces are provided for each boarding room, and

(ii) in the case of development not in an accessible area—at least 0.4 parking spaces are provided for each boarding room, and

(iii) in the case of any development—not more than 1 parking space is provided for each person employed in connection with the development and who is resident on site,’.

Additionally, clause 30 (h) of the ARH SEPP states:

‘(h) at least one parking space will be provided for a bicycle, and one will be provided for a motorcycle, for every 5 boarding rooms’.

Please note: Car parking requirements for boarding houses except where provided by a social housing provider is 0.5 spaces per bedroom in all locations.

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Car Parking and Access

- g) Sufficient space shall be provided on site so that no vehicle shall be required to make more than a three-point turn to exit the site in a forward direction.
- h) All car parking spaces shall be line marked and delineated with appropriate signage and pavement marking.
- i) Car parking areas shall be designed and sized so that only one three-point turn is required for exiting/entering the site in a forward direction.

17.3.2 Access for People with Disabilities

Design Requirements

- a) Boarding houses shall comply with the minimum access requirements contained within the BCA and *Australian Standard 1428 - Design for Access and Mobility* (as amended).

17.4

Landscaping

17.4 Landscaping

Objectives:

- To encourage the planting of native and low water consumption plants and trees.
- To enhance the existing streetscape and promote a scale and density of planting that softens the visual impact of buildings, while maintaining opportunities for passive surveillance.

Design Requirements

- a) Landscaping shall be provided to a minimum of a:
 - i) 3 metre wide strip along the primary and secondary street frontage (other than vehicle driveways); and
 - ii) 1.5 metre wide strip along the full width of the rear setbacks.
- b) Native mature trees on site shall be retained.
- c) Car parking areas located in the front building setbacks must be screened by appropriate hedging plant species at suitable spacing.
- d) Development applications for boarding houses shall include a Landscape Plan and report, prepared by a suitably qualified person addressing the following:
 - i) species, location and mature height of proposed planting;
 - ii) driveway areas;and
 - iii) fencing height and materials.

17.5 Waste Management

17.5

Waste Management

Objectives:

- Ensure that appropriate facilities are provided for the storage and collection of waste generated by boarding houses.

17.5.1 Boarding Housing and Waste Management

- a) Boarding houses shall make provision for waste storage, allocated behind the primary and secondary setbacks and out of public view. Provision shall be made for the following rates of waste generation:
- Garbage: 1 x 240-litre bin for every 3 boarding rooms per week if bins are to be used on a shared basis, or 1 x 140-litre bin for every boarding room per week if bins are to be allocated to individual boarding rooms
 - Recyclables: 1 x 240-litre bin for every 3 boarding rooms per fortnight if bins are to be used on a shared basis, or 1 x 240-litre bin for every boarding room per fortnight if bins are to be allocated to individual boarding rooms.
- b) All boarding house developments shall make provision for an appropriately sized waste/recycling bin storage facility that is centrally located and provides convenient access for occupants and collection contractors. Such storage shall:
- provide for storage of a sufficient number of bins, as outlined under Section 17.5.1 a) above;
 - be no more than 30 metres from the collection point;
 - be covered;
 - contain a hose connection;
 - have an impervious floor that is

Note:

Refer to Section 2.15 of Part 2 of Volume 1 for additional requirements on Waste Management.

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Waste Management

- connected to the sewer;and
- vi) incorporate design and construction (including colours, materials and finishes) that complement the development.
- c) The bin storage facility shall have sufficient capacity to allow for:
- i) Access, manoeuvring, cleaning and maintaining all bins by providing an extra 30% of the footprint of each waste container to the overall size of the storage area;
 - ii) Spacing of at least 50cm between all bins allocated for the development;
 - iii) All bins to be arranged side by side within the bin storage room (no stacking);
 - iv) A minimum 1.5m aisle between rows of bins to minimise potential obstructions; and
 - v) Future modifications of services, bin sizes and/or configurations by minimising the installation of fixed structures within bin storage areas.
- d) The communal waste/recycling bin storage facility shall not be located in such a place that requires any bins to be transported through any habitable part of the boarding house to reach the collection point.
- e) All bins located within waste/recycling bin storage facility shall be presented to the kerbside for collection by a site manager, no earlier than the evening prior to scheduled collection and returned directly to the communal bin storage area within four hours of collection.
- f) Any development containing 20 or more bedrooms , and/or when the number of bins proposed cannot be accommodated within 50% of the development's frontage width on collection day, the development shall

be designed to accommodate forward-in, forward-out, drive-on vehicular collection for on-site servicing by a heavy rigid vehicle. For the purpose of calculating the minimum area behind the kerb and gutter required for bin placement, each bin shall be provided a clear width of 1.0 metre which allows for a 300mm separation distance either side of each bin.

- g) Developments must make provision for the storage of bulky waste (kerbside clean-up) materials, ensuring that:
 - i) a minimum area of ten (10) square metres per building is provided;
 - ii) the area is secure and caged for visibility into the enclosure;
 - iii) the area is accessible to all residents and has a minimum doorway width of 1.5m; and
 - iv) the area is not more than ten (10) metres from the waste collection point.

17.6

17.6 Management Plan

Objectives:

- Ensure that boarding houses maintain the residential amenity of adjoining neighbours.
- Ensure that the residents of boarding houses are provided with a satisfactory level of residential amenity.

Design Requirements

- a) A management plan shall be prepared and lodged with the Development Application for any proposed boarding house.
- b) The management plan shall provide the following information:
 - i) 24 hour contact details of the manager / caretaker (including phone number and mobile phone number);
 - ii) proposed staffing arrangements during the daytime and at night-time;
 - iii) proposed measures to control any potential noise or amenity impacts within the building and upon the surrounding locality;
 - iv) proposed safety and security measures to be employed within the boarding house including prominent display boards within the building containing emergency telephone numbers and other essential telephone numbers;
 - v) proposed management practices to prevent the use of outdoor common open space areas between 10.00pm and 7.00am.; and
 - vi) professional cleaning and vermin control arrangements for at a minimum, the shared facilities, such as kitchens, bathrooms, laundries and indoor and outdoor common areas.

Note:

All boarding houses shall be subject to annual fire safety and compliance inspections by Council.

The Boarding House Act 2012 (BH Act) sets out registration requirements and occupancy principles for 'registrable boarding houses' (as defined under the Act) to ensure delivery of quality accommodation services and protection of the wellbeing and living amenity of residents.

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