

Liverpool Development Control Plan 2008

Part 3.9

Boarding House Development

Part 3.9 must be read in conjunction with Part 1

Parts 2, 3, 4 and 6 also apply to boarding house development

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1. Preliminary

Applies to

1. Part 3.9 applies to Boarding Houses in the R1 General Residential, R2 Low Density Residential, R3 Medium Density Residential, R4 High Density Residential, E1 and MU1 zones , except as provided below.
2. Part 1 of the DCP also applies to the land.
3. The following Parts of the DCP shall also be applied to boarding house development:
 - i. Part 2 of the DCP must be applied in specific localities.
 - ii. Part 3.2 of the DCP must be applied in the R2 zone.
 - iii. Part 3.6 of the DCP must be applied in the R3 zone.
 - iv. Part 3.7 of the DCP must be applied in the R4 zone (outside of the Liverpool City Centre).
 - v. Part 4 of the DCP must be applied in the Liverpool City Centre.
 - vi. Part 6 of the DCP must be applied in E1, E2, E3 and MU1 zones.

Note: Part 3.9 of the DCP prevails to the extent of any inconsistency with Parts 2, 3, 4 and 6 of the DCP.

Background

The State Environmental Planning Policy (Affordable Rental Housing) 2009 [SEPP ARH] was introduced on 31 July 2009 to increase the supply of affordable rental housing in NSW and as a result, the Liverpool LGA has seen a significant increase in demand for such housing. Particularly, controls are required to regulate the development of boarding houses, and this part of the DCP ensures that boarding houses are sympathetic to the desired character of their surroundings.

Link to SEPP ARH

This part of the DCP must be read in conjunction with the SEPP ARH. Where there is an inconsistency between the SEPP ARH and this DCP, the SEPP ARH prevails. The controls listed in the following subsections of this part of the DCP are to be used when addressing Clause 30A of the SEPP ARH.

Link to Liverpool LEP 2008

Liverpool LEP 2008 provides overall requirements and objectives for development in the residential and E1, E2, E3 and MU1 zones of Liverpool. Each zone provides objectives, which provide direction for the controls in the DCP. There are also general provisions for development in the residential and E1, E2, E3 and MU1 zones as well as provisions for specific forms of development in certain areas or for development on specific sites.

Objectives

- a) To ensure boarding houses achieve a high standard of urban design, which are compatible with the desired amenity and character of the area.
- b) To provide controls additional to those contained within State Environmental Planning Policy (Affordable Rental Housing) 2009 (SEPP ARH).
- c) To ensure that the amenity of neighbours is maintained.

2. General Requirements

Registration

All boarding houses are to be registered in accordance with the provisions of the Boarding Houses Act 2012, and are to be utilised in accordance with the Boarding Houses Regulation 2013.

Building Code of Australia (BCA)

Boarding Houses may be classified as either Class 1b or Class 3 under the BCA.

A BCA report is required for all Class 3 boarding houses and any boarding house involving alterations and additions to an existing building.

Subdivision

The subdivision (including strata or community title subdivision) of boarding houses is not permitted.

3. Building Character

Objectives

- a) To achieve the desired future character for the locality and minimise amenity impacts on adjoining properties.
- b) To reduce adverse impacts on heritage items.

Controls

1. A Character Statement is to be submitted with all applications for boarding house development. At a minimum the statement is to address the criteria listed under Appendix 1 of this DCP.

Note: Character statements are to be prepared by a suitably qualified person and must include 3D perspective drawings showing how the building appears when situated amongst other buildings within a 100m radius.

2. Boarding houses located in the vicinity of a Heritage Item or within a Heritage Conservation Area must be designed sympathetically to the significance of the Heritage Conservation Area/Item.

4. Site Planning

Objectives

- a) To ensure that boarding houses are only provided on lots that are capable of supporting such development.
- b) To ensure that boarding houses are located in areas that encourage patronage of public transport.

Controls

1. All boarding houses must be located in an accessible area as defined in the SEPP ARH.

Note: Boarding houses in the R2 zone are subject to additional locational criteria as required under the SEPP ARH.

2. Boarding houses must not be located on cul-de-sacs streets and battle-axe allotments.
3. Boarding houses must have a separate pedestrian access to a street.
4. Boarding houses must be located to minimise the extent of cut and fill.

5. External Building Design

Objectives

- a) To encourage designs that are sympathetic to the amenity of adjoining neighbours.
- b) To ensure buildings address all street frontages appropriately.

Controls

- 1. All boarding rooms must only be accessed from within the building.
- 2. Main entrances shall not be located along rear and side boundaries where they face adjoining properties.

6. Internal Building Design

Objectives

- a) To 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.
- b) To limit the potential overdevelopment of various sites in Liverpool.
- c) To ensure that lodgers are provided with a reasonable level of amenity.

Controls

1. Boarding houses shall be limited to a maximum number of bedrooms using the formula below (rounded to the nearest whole number). Any floor space ratio (FSR) over 1:1 shall be rounded down to 1:1:

$\text{No. of rooms} = \frac{\text{Site Area (sqm)}}{45} \times \text{FSR (no more than 1:1)}$ <p><i>Example 1: 400sqm site with 0.5:1 FSR</i></p> $\frac{400\text{sqm}}{45} \times 0.5 = 4.4 \text{ (or 4 rooms)}$ <p><i>Example 2: 2,500sqm site with 2:1 FSR</i></p> $\frac{2500\text{sqm}}{45} \times 1 = 55.5 \text{ (or 56 rooms)}$

Figure 1: Bedroom ratio formula

2. Communal living rooms and kitchens shall be the focal point of the building (e.g. near lobby, laundry, mail area etc.) and be provided with access to the communal open space area.
3. An indoor communal living room must be provided at a rate of 15sqm for the first 5 lodgers (or part thereof) and 1sqm for each additional lodger.

Note: Required floor area for the communal living room may be split across multiple parts of the building if it is seen as beneficial for the internal layout of the building.

4. No boarding rooms shall open directly on to communal living, dining and kitchen areas.
5. At least 10% of the rooms shall be adaptable in accordance with the relevant Australian Standards (AS) for Adaptable Housing (AS 4299 - 1995) as amended.
6. Boarding houses shall be designed to comply with the minimum access requirements contained within the BCA and Australian Standard 1428 – Design for Access and Mobility (as amended).

7. At least 70% of the rooms shall receive a minimum of 3 hours direct sunlight between 9am and 3pm on 21 June.
8. Where self-contained boarding rooms are proposed they shall be provided with the following facilities (at a minimum) in accordance with Table 1:

Table 1 Self-contained facilities

Facility	Area
Bathroom	2.1sqm
Shower in bathroom	0.8sqm
Laundry	1.1sqm
Kitchenette	2sqm

9. Where shared facilities are proposed, they must be provided at a rate of 1 per 10 occupants (or part thereof) in accordance with Table 2:

Table 2 Communal facilities

Facilities
1 washing machine and 1 washing sink
1 electric clothes dryer or 30m of external clothes line
1 bathroom
1 toilet and wash basin (separate from bathroom)

10. A communal kitchen is to be provided on each floor (if more than 2 storeys) with a minimum area of 8sqm or 1.2sqm for each resident without a kitchenette (whichever is the greater).

Note: The kitchen is to comply with food safety standards adopted under the NSW Food Act 2003 and the National Code for the Construction and Fitout of Food Premises.

11. If management or reception offices (apart from a manager's room) are to be provided, they are to be located at a central, visible point which is convenient to occupants and visitors of the boarding house.
12. Boarding houses in the B1, B2 or B4 zones shall not be provided with any rooms on the ground floor.

7. Communal Open Space

Objectives

- a) To ensure that access to communal open space areas are designed to meet the needs of lodgers.
- b) To ensure that privacy is provided to communal open space areas from adjoining developments.

Controls

1. The communal open space must receive 3hrs of sunlight to 50% of its area between 9am and 5pm on 21 June, and must:
 - i. be provided at ground level in a courtyard or terrace area, wherever possible;
 - ii. provide partial cover from weather;
 - iii. incorporate soft/porous surfaces for 50% of the area;
 - iv. be connected to communal indoor spaces, such as kitchens or living areas;
 - v. contain communal facilities such as barbecues, seating and pergolas where appropriate; and
 - vi. be screened from adjoining properties and the public domain with plantings or similar

8. Parking and Access

Objectives

- a) To provide car parking facilities on site that are convenient, safe and have sufficient space for vehicular manoeuvrability.
- b) To ensure that increased traffic movements do not have adverse impacts on the road network.
- c) To minimise the need for on street car parking.
- d) To provide convenient pedestrian access.

Controls

1. A traffic and parking impact statement is required for all boarding house developments demonstrating that the use of the premises will not result in adverse traffic, parking and road safety impacts. The assessment is to include the following (but not being limited to):
 - i. Identification of prevailing traffic conditions;
 - ii. the likely impact of the proposed development the road network;
 - iii. pedestrian and traffic safety measures; and
 - iv. justification for any variations of on-site parking requirements
2. The path to any building entrance(s) shall be designed in a manner which provides direct and convenient access from the nearest public footpath.

9. Amenity

Objectives

- a) To ensure that boarding houses operate without impeding upon the amenity of adjoining residents.
- b) To ensure appropriate noise and vibration attention measures are incorporated into boarding houses where applicable.

Controls

1. An acoustic report prepared by a suitably qualified person shall be submitted and is to include:
 - i. Identification of sensitive noise receivers potentially impacted by the proposal;
 - ii. Measure (in decibels) and describe the existing acoustic environment;
 - iii. Details of the acoustic mitigation measures to be implemented in the proposal;
 - iv. Identification of noise likely to be generated by the proposal based on full occupation; and
 - v. Certification that the proposal is capable of operating without causing nuisance, including a statement of mitigation measures required to ensure this
2. A 'Plan of Management' is to be submitted with each development application for a boarding house, including criteria as outlined in Appendix 2.

10. Side and Rear Setbacks in the R2 zone

Objectives

- a) To provide visual and acoustic privacy to adjoining development.
- b) To minimise the impacts of intensified development in low density areas.

Controls

1. Buildings in the R2 zone shall be setback from the side and rear boundaries in accordance with Table 3:

Table 3 Setbacks

Item	Side Setback	Rear Setback
Ground Floor	3m	6m
First Floor	3m	8m

Note: Boarding house encroachments may only occur if it is seen as beneficial for open space, solar access and the internal layout of the building.

Appendix 1 – Character Statement

At a minimum all local character statements must analyse the desired urban form and scale with regard to the following elements:

Building Type

- Identify the predominant building typology in the locality (e.g. single storey detached dwellings) and ensure that (and describe how) the proposed boarding house is sympathetic to both the existing and desired future building type.

Streetscape

- Identify and describe the streetscape character and provide for a development which is consistent with, or improves upon, this character by means of public domain improvements (e.g. planting street trees and minimising driveway cross-overs).

Setbacks/Building lines

- Determine if there is a desired subdivision pattern and spacing of buildings including, consistency in size of lots, frontage width, and regular spacing between buildings.
- Explain how the proposed boarding house will be consistent with the desired future building separation in the locality.

Building Style

- Identify the dominant age/style of buildings in the locality (e.g. federation, 'interwar', post WWII style).
- Describe how the design of the boarding house will respond to the style of surrounding buildings in the locality.

Materials and Finishes

- Identify and describe the predominant building finishes and materials in the locality.
- Explain how the selected materials and finishes for the boarding house are appropriate when juxtaposed against that of other buildings in the locality.

Views, vistas and skylines

- Identify any views or vistas within the locality (e.g. views towards heritage buildings or bodies of water)
- Describe how the design of the boarding house will respond to the views and vistas.
- Determine if the boarding house will open up or block views that are enjoyed by occupants of existing developments in the vicinity.

The character statement is to be prepared by a suitably qualified person and must also include 3D perspective drawings showing how the built form appears when situated amongst other buildings within a 100m radius.

Appendix 2 – Plan of Management

At a minimum all plans of management must contain the following elements:

- Manager duties & staffing arrangements including the location and 24/7 contact details of any on-site manager or resident caretaker, who has overall responsibility for the operation, administration, cleanliness, maintenance and fire safety of the premises.
- Council consent compliance details (attached as an addendum upon commencement of operations)
- Procedures for maintaining an Incidents Register, and keeping Council informed of any change in management
- Occupancy rates for each bedroom.
- House rules and how they will be displayed including (but not limited to) guest behaviour, activities and noise, parking arrangements, operating hours of outdoor common areas, visitor policy, and the use of alcohol and/or drugs, and location of smoking area.
- Measures to minimise impacts on adjoining residents including the management of communal open spaces, visiting hours and limitations on noise generating activities between 10pm and 7am.
- Waste management, cleaning and property maintenance measures including schedule of regular professional cleaning, landscaping and pest control services, and details of waste management procedures (including disposal of 'sharps' and/or sanitary napkin receptacles).
- Furniture and facilities including a list of items to be provided in each room (inclusive of communal areas) of the premises.
- Safety and security including an emergency evacuation plan with emergency contact details, staff training, fire mitigation measures, display of annual fire safety statement, perimeter lighting, landline telephone and floor plans showing emergency egress routes.

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