



Part C – Specific Land Use Controls

Chapter C3: Boarding Houses

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1 INTRODUCTION

Boarding houses are generally permitted and assessed under State Environmental Planning Policy (Housing) 2021 (SEPP) within all residential zones and B1 Neighbourhood Centre, B2 Local Centre and B4 Mixed Use.

In addition to the SEPP, the Wollongong Local Environmental Plan 2009 and the Wollongong Development Control Plan 2009, applicants should be aware of their obligations under the Boarding Houses Act 2012 and the requirements of the Boarding Houses Regulation 2013.

This chapter aims to encourage the provision of quality boarding houses and to set appropriate standards for development applications, made under the Wollongong Local Environmental Plan 2009.

This chapter of the DCP should be read in conjunction the WLEP 2009 and Part A, Part B, Part D and Part E of the Wollongong Development Control Plan 2009, which includes Chapter E6 Landscaping, E7 Waste Management, E14 Stormwater Management, E15 Water Sensitive Urban Design, E13 Floodplain Management, E19 Earthworks (Land Reshaping Works), E22 Soil and Sediment Control.

When reading this Chapter some controls have been aligned with the SEPP to allow for continuity of planning outcomes. It should be noted that, within the dictionary of the SEPP, a relevant planning instrument is defined as: environmental planning instrument, other than this Policy, or a development control plan, if any, that applies to the land on which the development will be carried out. Therefore, the controls within this Chapter and those listed herein shall apply, where necessary, to applications made under the WLEP 2009.

Note: The SEPP (Housing) 2021 applies to applications for the development of a boarding house when made by or on behalf of the Land and Housing Corporation.

2 OBJECTIVES

1. The primary objectives of this chapter are to:
 - (a) Encourage the provision of high-quality boarding houses within the city;
 - (b) Encourage the location of boarding houses within accessible walking distance to public transport;
 - (c) Encourage the location of boarding houses within areas where there is access to services and facilities for employment, entertainment, tertiary education and recreation;
 - (d) Minimise any potential adverse privacy or amenity impacts associated with boarding houses on adjoining properties and surrounding locality; and
 - (e) Provide appropriate levels of amenity (internal and external) for residents within boarding houses.

3 DEVELOPMENT CONTROLS FOR BOARDING HOUSES

3.1 Location of Boarding Houses

1. The following should be applied when locating boarding houses:
 - a) Boarding houses should generally be located within areas that have:
 - b) Access to public transport within 400 metres walking distance of a railway station or bus stop used by a regular bus service (within the meaning of the Passenger Transport Act 1990) that has at least one bus per hour servicing the bus stop between 06.00 and 21.00 each day from Monday to Friday (inclusively) and between 08.00 and 18.00 on each Saturday and Sunday.
 - c) Boarding houses should have access to employment and or services (either within walking distance or via public transport)
 - d) Access to parks or open space corridors
 - e) Access to educational institutes such as Universities.

2. Clustering of boarding houses should be avoided so as to reduce the amenity impacts on residential areas. A separation distance of 150m should be considered from existing boarding houses in areas not covered by the SEPP.

3.2 Minimum Lot Sizes

1. The minimum lot size for a boarding house is not less than;
 - (a) For land in Zone R3 Medium Density Residential - the minimum lot size requirements for multi dwelling housing applies.
 - (b) All other zones the minimum lot size requirements for residential flat buildings apply

3.3 Setbacks

1. The front side and rear setbacks for the boarding house are not less than:
 - (a) For development on land in Zone R3 Medium Density Residential - the minimum setback requirements for multi dwelling housing apply.
 - (b) For development on land in Zone R4 High Density Residential, or where permitted, the boarding house has at least 3 storeys – the minimum setback requirements for residential flat buildings under the Apartment Design Guide apply.
 - (c) For all other zones, the built form of the boarding house will determine the setback requirement. Where a proposed boarding house has the built form of a dwelling house, multi-unit dwelling or residential apartment building, the relevant setback requirements of Chapter B1 Residential Development or B3 Mixed Use Development shall apply.

Where clause 3.3 (1)(c) applies, Council recommends applicants request a pre-lodgement meeting prior to submitting a development application for a boarding house to discuss the proposed built form and to determine the required setbacks.

3.4 Landscaping

1. The landscaping is to be compliant with the requirements of the SEPP (Housing) 2021 and address controls within Chapter E6 Landscaping of this DCP.
2. In land use zones not specified in the SEPP (Housing) 2021, the built form of the boarding house will determine the minimum landscaping and deep soil requirements. Where a proposed boarding house has the built form of a dwelling house, multi-unit dwelling or residential apartment building, the relevant landscaping and deep soil zone requirements of Chapter B1 Residential Development or B3 Mixed Use Development shall apply.
3. A landscape plan will be required for new purpose-built boarding houses in accordance with Chapter E6 Landscaping.
4. Landscaped areas must be integrated with the drainage design. The location of drainage lines, pits, and detention areas should not conflict with landscaped areas including proposed and existing trees.
5. Street trees are required to be planted in accordance with Chapter E6: Landscaping of the Wollongong Development Control Plan 2009.

Where clause 3.4 (2) applies, Council recommends the applicant request a pre-lodgement meeting prior to submitting a development application for a boarding house to discuss the proposed built form and to determine the required landscaping.

4 MINIMUM FACILITIES FOR BOARDING HOUSES – BUILDING CODE OF AUSTRALIA

4.1 Class 1(b) Boarding Houses

1. The Building Code of Australia classifies buildings based on their purpose. Class 1(b) boarding houses are recommended to make provision for the following facilities within the development:
 - (a) Bedrooms;
 - (b) Laundry facilities;
 - (c) Toilet facilities;
 - (d) Communal living room area (optional for 6 persons or less); and
 - (e) Garbage storage and recycling facilities.
 - (f) Shall not to exceed a maximum of 12 live in residents.
 - (g) Shall not exceed a maximum floor space of 300 m² (measured over the enclosed wall of the whole Class 1b building).

4.2 Class 3 Boarding Houses

1. The Building Code of Australia classifies buildings based on their purpose. Class 3 boarding houses are recommended to make provision for the following facilities within the development:
 - (a) Bedrooms;
 - (b) Laundry facilities;
 - (c) Toilet facilities;
 - (d) Communal kitchen area for food preparation (in addition to any private kitchenette);
 - (e) Communal living room area;
 - (f) Individual and communal storage facilities;
 - (g) Garbage and recycling facilities; and
 - (h) Manager / operator accommodation.

5 GENERAL BOARDING HOUSE CONTROLS

The following controls apply in addition to the Class requirements under Building Code of Australia.

1. The design of the boarding house will be compatible with the desirable elements of the character of the local area or precinct.
2. The design of boarding houses must demonstrate a balance between the shared and private areas. Boarding house residents generally only occupy their own bedroom and share the remainder of the internal areas with other residents of the building, so shared areas are a particularly significant component in a boarding house.
3. Each boarding room, excluding an area, if any, used for the purposes of private kitchen or bathroom facility, shall be a minimum of 12m² for 1 person or 16m² for 2 people.
4. Each boarding room, excluding an area, if any, used for the purposes of private kitchen or bathroom facility, shall not exceed 25 m².
5. No boarding room will be occupied by more than 2 adult residents.
6. For a boarding house on land in a business zone – no part of the ground floor of the boarding house that fronts a street will be used for residential purposes.

7. Where an ensuite bathroom facility is to be provided this shall be a minimum of 3m². This is to be provided in addition to the 12m² or 16m² for the boarding room size.
8. Where shared bathroom facilities are proposed in a Class 1(b) Boarding House the bathroom must:
 - (a) Comply with the Building Code of Australia.
 - (b) Must be located so as to be accessible to all occupants.
 - (c) A minimum of one (1) bath or shower, 1 closet pan and washbasin with hot and cold running water is to be provided for each 10 occupants or part thereof.
9. Shared bathroom facilities for Class 3 Boarding houses are required to comply with the Building Code of Australia.
10. Communal kitchens in Class 1(b) boarding house are to be:
 - (a) Supplied with cupboards, kitchen sink, food preparation benches and cooking facilities plus tables and chairs in a central location accessible to all residents.
 - (b) Communal kitchens shall be a minimum area of 6.5m² for up to 6 residents or 11m² for more than 6 residents up to 12 residents.
 - (c) Where minor kitchenette facilities are provided within all bedrooms they shall be comprised of a fridge, adequate cupboards and shelves and a microwave (For fire safety reasons no other cooking appliances are permitted).
11. Class 3 communal kitchen and dining area are to be:
 - (a) A minimum of 15m² plus 1m² per additional person above 12 persons; or
 - (b) All bedrooms shall contain kitchenette facilities a fridge, adequate cupboards and shelves and a microwave. (For fire safety reasons no other cooking appliances are permitted)
12. Laundry and clothes drying facilities are to be provided at a rate of:
 - (a) One (1) washing machine and washing tub is required for every 10 rooms; and
 - (b) One (1) clothes dryer or a Min. 30 metres of clothesline for every 10 rooms is required.
13. Kitchen sink or washbasin must not be counted as a laundry washtub.
14. Boarding houses with 6 boarding rooms must provide at least one communal living room of at least 30 m² to accommodate the proposed number of residents.
15. Boarding houses with more than 6 boarding rooms must provide at least a total of 30 m² of communal living room plus at least a further 2 m² for each boarding room in excess of 6 rooms
16. Each communal living room is to have a minimum dimension of 3 metres
17. At least one communal living room should receive a minimum of 3 hours direct sunlight between 9am and 3pm on 22 June.
18. Communal living rooms should be appropriately located to minimise impacts on adjoining properties.
19. Communal open space is to be provided with an area of at least 20% of the site area, with a minimum dimension of 3 metres.
20. Communal open space is to be located as per the controls in Chapter B1 Residential Development or B3 Mixed Use Development and Chapter E6 Landscaping.
21. Communal open space is to be provided in a location that will not impact upon neighbouring properties.
22. A minimum 1.5 m vegetated landscaping bed is to be used to separate communal open space from any boundary.

23. If accommodation is provided on site for a boarding house manager, then one area of at least 8 metres square with a minimum dimension of 2.5 metres is to be provided adjacent to the accommodation for the purpose of private open space.
24. Parking spaces for vehicles, motorcycles, and bicycles shall be provided, as per the rates given within Chapter E3 Car Parking.
25. All new boarding houses or major alterations and additions to existing boarding houses will be required to provide suitable disabled access arrangements into and within the boarding house in accordance with Chapter E1 Access for People with Disability, the Disability (Access to Premises – Buildings) Standards 2010 (Premises Standards), the National Construction Code and applicable Australian Standards.
26. Subdivision or community title subdivision of boarding houses is prohibited.
27. Applications for boarding houses are to be supported by a statement of justification, demonstrating the proposed development is compatible with the existing character of the suburb. The statement of justification is to address the following points:
 - (a) What are the key objectives of the boarding house? (i.e. Is it consistent with localised housing needs and demands? Does it increase housing stock? Will it provide affordable options? Who will it accommodate? Is it for a special needs group, providing housing for groups otherwise disadvantaged or providing wider social benefit?)
 - (b) What are the local area characteristics? (i.e. streetscape character, visual catchments, dominant style of surrounding built form)
 - (c) What are the likely physical and social characteristics of the proposed boarding house? (i.e. what is the development physical form (eg. Number of bedrooms, type etc) change the size and characteristics of the population?)
 - (d) What are the key social impacts associated with the proposed development? (i.e. will the development impact on certain groups of the community?)

6 MANAGEMENT PLAN

Boarding houses require a management plan to be submitted with a development application in order to ensure that the boarding house operates in a way that maintains the existing amenity of the surrounding locality. The management plan is to set out the various requirements and responsibilities of management and lodgers. A template Management Plan to ensure the submission of all essential information is provided in **Schedule 1** of this DCP chapter. The Management plan must be provided to the relevant managing agent. Council shall be advised of any changes to boarding house management details by means of an updated management plan.

1. The management plan shall provide the following information:
 - (a) Proposed staffing arrangements during the daytime and at night-time;
 - (b) Proposed measures to ameliorate any potential noise or amenity impacts within the building and upon the surrounding locality;
 - (c) Proposed safety and security measures to be employed within the boarding house including prominent display boards within the building of emergency telephone numbers including ambulance, fire and police, relevant utilities suppliers such as gas, electricity and water and emergency repair persons for each utility and other essential telephone numbers;
 - (d) 'House Rules' to be clearly displayed within each bedroom and within the communal living area of the boarding house. This is to include proposed management practices to prevent the use of outdoor common open space areas between 10.00 pm and 7.00 am, cleaning and waste standards and practices to maintain health and safety of residents for all communal areas, house management details, house layout;

- (e) An Emergency Evacuation Plan is to be prepared, identifying evacuation route and assembly points with details of how residents will be made aware of procedures within the plan. A copy of the plan is to be provided to the relevant managing agent and all residents.
- (f) A parking statement to address how the boarding house will manage any additional overflow parking demand created;
- (g) The 24 hour contact details of the manager / caretaker (including phone number and mobile phone number) to be displayed externally at the front entrance of the boarding house and internally within the communal living area (the details can be provided at the Occupation Certificate stage).

7 FIRE SAFETY

1. A copy of the annual fire safety statement and current fire safety schedule for the building must be prominently displayed in the front entrance (lobby area) of the building.
2. A floor layout plan of the building must also be affixed to the inside of the door for each bedroom within the boarding house to indicate the emergency evacuation routes and safe assembly point from the respective sleeping room.
3. Any approved boarding house will require appropriate annual certification for essential fire safety measures.

8 SWIMMING POOLS

1. If the boarding house has a swimming pool, it needs to be registered with the NSW Government's Swimming Pool Register and comply with pool safety laws.

SCHEDULE 1 - BOARDING HOUSE MANAGEMENT PLAN TEMPLATE

1 INTRODUCTION

This boarding house management plan sets out the various requirements and responsibilities of management and lodgers. The management plan must be provided to the relevant managing agent and residents of the boarding house.

1.1 General Details

Address: [insert boarding house address]

Plan prepared: [insert date]

The boarding house was approved: [date of consent]

1.2 Management Arrangements

- (a) The boarding house is to be managed by [details of on site manager / off site agent etc] who will be familiar with the content of this management plan and enforce the requirements outlined within.
[insert name, address and contact details of manager]
- (b) the manager will ensure their contact details are made available and displayed externally at the front entrance of the boarding house and internally within the communal living area.
- (c) The manager will conduct inspections/visitations on [insert visitation/inspection frequency] and keep record of these in a log book.
- (d) The boarding house will be staffed [insert details around any staff associated with the boarding house].
- (e) The manger will maintain an incident register and make it available if requesting during inspection.
- (f) The manager is responsible for organising any maintenance required, waste collection and other facility needs.
- (g) The manager must notify Council in writing if there is any change to management arrangements or contact details within 1 month of the change.

1.3 Lease Agreements

- (a) This section will provide details on the process for selecting residents. [outline process]
- (b) [outline the lease agreement for residents]
- (c) [minimum and maximum stay details]
- (d) Policy for dealing with difficult residents [provide details]

2 FIRE SAFETY

- (a) All fire safety features within the building are to be regularly inspected and maintained [insert frequency].
- (b) A floor plan will be provided and displayed inside of the door in each bedroom indicating emergency exit routes.

- (c) [details of actions to reduce fire risk. e.g. prevent smoking indoors, prevent use of open flames, cooking and kitchen equipment to be used, restrictions to type of heating devices in individual rooms, individual fire ratings for bedrooms etc].

3 HOUSE RULES

House rules are to be clearly displayed throughout the boarding house. The rules are to address the following:

- (a) visitor/guests policy
- (b) activities and noise control
- (c) operating hours for communal areas and outdoor spaces
- (d) use of communal areas
- (e) maximum room occupation
- (f) resident and guest behaviour standards
- (g) accessing rooms for inspection
- (h) cooking and dining
- (i) waste disposal
- (j) damage/breakages/loss of keys/emergency contacts
- (k) fire safety
- (l) smoking, alcohol and zero tolerance policy on illegal drugs
- (m) keeping of pets

4 FURNITURE AND FACILITIES

The boarding house is equipped with the following furniture in each bed room:

[Provide documentation of all furniture and fittings to be provided within the boarding house].

5 CLEANING AND MAINTENANCE

For the health and safety of residents and any staff, all communal areas of the boarding house are to be cleaned to a professional standard at least once a week.

[in this section outline the cleaning arrangements which could cover the following:

- (a) Name and contact details of cleaner and maintenance person, gardeners etc (if possible)
- (b) Outline of responsibilities, to whom – eg. Cleaner will clean communal area once a week, resident will be responsible for cleaning bedroom etc
- (c) Frequency of cleaning to be conducted and standards for individual rooms, bathrooms, indoor and outdoor areas)
- (d) Cleaning/maintenance programme of individual rooms and furniture
- (e) Frequency of maintenance and repairs
- (f) Pest control arrangements, frequency and areas affected etc
- (g) Frequency and type of gardening (lawns, hedge trimming, watering etc)
- (h) Frequency of linen changes
- (i) Record and management of breakages and repairs

6 WASTE AND RECYCLING

Residents of the facility are to be encouraged to participate in recycling with the provision of general waste, recycling waste and green waste bins from Wollongong City Council.

[Outline who is responsible for internal waste disposal and external disposal for individual areas and communal areas. Include days external waste services collect waste and who is responsible for ensuring waste is removed from premises. Detail if a sharps bin will be provided, collected and by whom].

7 PARKING STATEMENT

Beyond parking provided in accordance with the DCP, this statement proposes how the boarding house will manage any over flow parking demand generated that cannot be accommodated on site.

[Provide details around how this will be managed, a map with alternative parking or detailed instructions would suffice]

8 EMERGENCY EVACUATION PLAN

The evacuation procedures for the boarding house in case of emergency include: [outline the evacuation procedure for the boarding house by including the following information]

- (a) Emergency evacuation routes for each room and common area
- (b) Resident assembly point
- (c) How resident presence will be checked/recorded in the event of an emergency (eg.log book)
- (d) Emergency contact details
- (e) Training and preparation for emergency evacuations

9 COMPLAINTS HANDLING

The boarding house manager is responsible for establishing a forum for adjoining neighbours to discuss any concerns. Residents and adjoining residents will be provided with access to the management plan and relevant contact details.

[Provide further details around how the boarding house will record, and action and respond to any complaints made]