PART F DEVELOPMENT SPECIFIC

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F1 SHARED RESIDENTIAL ACCOMMODATION

This Part contains guidelines for student housing, boarding houses, group homes and hostels throughout Waverley. These types of development must also conform to *Part C Residential Development* and *Part E Site Specific Development* where relevant.

The *State Environmental Planning Policy (Affordable Rental Housing) 2009* (ARHSEPP) outlines provisions for boarding houses relating to the following:

- Density;
- Height;
- Landscaping and Private Open Space;
- Solar Access and Energy efficiency;
- Car Parking; and
- Accommodation size and characteristics.

The ARHSEPP has a number of standards that cannot be used to refuse consent. The provisions in this section provide further guidance in addition to the ARHSEPP.

Note: Places of shared residential accommodation are to be registered annually with Council and be inspected at least once a year by Council.

Objectives

(a) To provide a level of amenity to ensure acceptable living standards.
(b) To ensure rooms have sufficient kitchen and bathroom appliances in order to be completely self-contained.
(c) To provide ample space for cooking and dining whilst maintaining health and safety.
(d) To ensure all types of shared residential accommodation are adequately managed and maintained.

Controls

(a) An application for shared accommodation must be accompanied by a Plan of Management as outlined in the *Waverley Development Application Guide*. Plans of Management are subject to community consultation and must be approved by the relevant consent authority.
(b) An indoor communal living area is to have a minimum area of 12.5m^2 or 1.25m^2/ resident (whichever is greater). The communal area is not to include bedrooms, bathrooms, laundries, reception area, storage, kitchens, car parking or the like.
(c) A combined communal kitchen and dining area may be provided, and should have a minimum area of 15m² with an additional 1m² for each room greater than 12 rooms.
(d) A communal storage space is to be provided that can house items for communal use.
(e) Each room should contain adequate storage facilities to provide storage space for clothes, linen, kitchenware, large bulky items and other items.
(f) Balconies are encouraged to be provided for each individual room where site and locality conditions permit.
(g) Laundry facilities are to be provided at the rate of one washing machine and laundry basin for every 12 residents.

(h) Clothes drying facilities are to be provided for occupants, including an outdoor clothes line.

(i) A room with a kitchenette should contain a stove, sink, oven, refrigerator and a bench top with a minimum area of 1m².

(j) Bathrooms should have a minimum area of 5m².

(k) Rooms should be well naturally ventilated to ensure acceptable levels of health and safety.

(l) A communal open space is to be provided for relaxation, dining, entertaining and recreation purposes.

(m) Sections of the site not built upon should be landscaped with trees, shrubs and ground cover.

(n) Boarding houses are to be designed to minimise and mitigate any impacts on the visual and acoustic privacy of neighbours by locating:

  (i) The main entry point at the front of the site, away from side boundary areas near adjoining properties;

  (ii) Communal areas away from the main living area or bedroom windows of any adjacent buildings;

  (iii) Screen fencing, plantings and acoustic barriers in appropriate locations; and

  (iv) Double glaze windows or glass blocks where noise transmission could affect neighbour properties.

(o) Council may permit front fences up to a height of 1.8m and/or of solid material provided it can be shown that the fence acts as an effective noise barrier as a result of adjoining a street with high traffic volume. Such fences are to be setback from the boundary to allow landscaping to soften the bulk or the structure is to be articulated as an alternative to a solid blank wall.

F2 TOURIST AND VISITOR ACCOMMODATION

This Part contains provisions that apply to alterations and additions, change of use to, or new visitor accommodation. Tourist and visitor accommodation includes:

- Backpackers' accommodation;
- Bed and breakfast accommodation;
- Hotel or motel accommodation; and
- Serviced apartments.

Controls

(a) Development is to be designed in accordance with this Part, and any relevant sections in *Part C Residential Development*, *Part D Commercial Development* and *Part E Site Specific Development*.

2.1 BACKPACKER ACCOMMODATION

Objectives

(a) To protect existing residents from the impacts of backpacker accommodation.
(b) To ensure the design, development and management of backpacker accommodation provides a high standard of amenity for guests.
(c) To ensure that backpacker accommodation is located within close proximity to public transport, services and facilities and away from predominantly residential uses.

Controls

(a) Backpacker accommodation is to be located within 400m of public transport and within easy access to facilities and services.
(b) The number of people in shared or dormitory style accommodation will be determined by allocating a minimum of 3.25m² of floor area per person up to a maximum of 8 guests per room.
(c) The maximum length of stay for guests is 28 consecutive days.
(d) A site manager must be on site at all times. For premises with less than 20 residents, a resident caretaker may be acceptable.
(e) A staff room/site manager's office, and a sleeping room for the site manager/resident care taker must be provided.
(f) Sleeping rooms are not to contain cooking facilities.
(g) One communal area of at least 20m² with a minimum dimension of 3 metres is to be provided.
(h) Communal recreation areas are to be provided at the rate of 0.75m² per person based on the maximum number of guests.
(i) Outdoor recreation areas are encouraged where appropriate, and adequate noise and visual privacy can be provided for neighbouring properties.
(j) A combined kitchen/living area is to be provided, with a minimum size of 1m^2 per occupant.
(k) Toilet facilities must be provided in a separate compartment from the showers/bathroom and provide adequate privacy for guests.

(l) A minimum of one bathroom for males and one bathroom for females is to be provided.

(m) Rooftop terraces are not permitted.

(n) Developments are to be designed to minimise and mitigate any impacts on the visual and acoustic privacy of neighbours by locating:

  (i) The main entry point at the front of the site, away from side boundary areas near adjoining properties;

  (ii) Communal areas away from the main living area or bedroom windows of any adjacent buildings;

  (iii) Screen fencing, plantings and acoustic barriers in appropriate locations; and

  (iv) Double glazed windows or glass blocks where noise transmission could affect neighbouring properties.

(o) Provide adequate space and secure storage facilities to allow occupants to store clothes and travel gear.

(p) Council may permit front fences up to a height of 1.8m and/or of solid material provided it can be shown that the fence acts as an effective noise barrier as a result of adjoining a street with high traffic volume. Such fences are to be setback from the boundary to allow landscaping to soften the bulk or the structure is to be articulated as an alternative to a solid blank wall.

2.2 HOTELS AND MOTELS

Objectives

(a) To ensure the design, development and management of hotel and motel accommodation provides a high standard of amenity for guests.
(b) To ensure that the amenity of the surrounding area is not unduly compromised.

Controls

(a) The maximum permitted length of stay is 3 months for motels and hotels.
(b) Sleeping rooms are to provide a minimum of 5.5m² per occupant staying more than 28 consecutive days; or 3.25m² per occupant staying 28 or less consecutive days.
(c) Where a hotel or motel is located within a building that includes residential flats, separate ground floor lobbies and access corridors are required for each use.
(d) Each bedroom is to accommodate a maximum of two persons.
(e) Provide adequate space and secure storage facilities to allow occupants to store clothes and travel gear.
(f) Buildings must be oriented and designed to minimise potential impacts on surrounding residential amenity.

2.3 SERVICED APARTMENTS

Objectives

(a) To ensure that serviced apartment developments provide a high level of amenity for guests.
(b) To ensure that serviced apartment developments provide a level of health and amenity for residents to ensure any future conversion to residential flats is not compromised by poor amenity.
(c) To ensure that the amenity of the surrounding area is not unduly compromised by the development of serviced apartments.

Controls

(a) Serviced apartments are to be designed so that the level of residential amenity within each apartment is equivalent to that required to be provided for residential apartments.
(b) Where serviced apartments are located within a building that includes residential flats, separate ground floor lobbies, lift access and circulation must be provided for each use.
(c) Washing machine and clothes drying facilities are to be provided within the premises for the use of guests.
(d) Each bedroom is to accommodate a maximum of two people.
(e) Provide adequate space and secure storage facilities to allow occupants to store clothes and travel gear.
(f) Buildings must be oriented and designed to minimise potential impacts on the surrounding residential amenity.
(g) Development for serviced apartments is to provide a mix of apartment types.
(h) Development is to provide adequate space for waste storage and collection in accordance with *Part B1 Waste*.

F3 CHILD CARE CENTRES

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017

The *State Environmental Planning Policy (Educational Establishments and Child Care Facilities)*, or Education SEPP provides provisions for the exempt and complying development of education and child care facilities. The Education SEPP also provides provisions for the development of centre-based child care facilities and schools. To support the Education SEPP, the *Child Care Planning Guideline 2017* (CCPG) provides guidance to encourage design quality in the delivery of centre-based child care in NSW.

Development Applications for centre-based child care facilities are to comply with the provisions of the CCPG.

Children and Young Persons (Care and Protection) Act 1998 and Education and Care Services Regulations 2011

Child Care Services are managed under the *Children and Young Persons (Care and Protection) Act 1998 and* the *Education and Care Services Regulations 2011.* The Regulation covers areas such as the staff who work in services and their level of qualification, the size of a service and the ratio of staff to children, physical requirements of building spaces and equipment, health and safety and administrative requirements. An application for a license cannot be made until development consent has been granted.

For more information go to: http://www.dec.nsw.gov.au/

Licensing and Management

Council has the responsibility for assessing child care centre applications and the NSW Department of Education is responsible for the regulation, licensing and monitoring of children's services in accordance with the state regulations under the *Children and Young Persons (Care & Protection) Act 1998* and *Education and Care Services Regulations 2011.*

An applicant must obtain a licence from the Department of Education to provide centre-based child care once a development application (DA) has been approved, or for a home-based child care centre. Before submitting a DA, the applicant should contact the Department of Education to address licensing issues. Contact details are available at the following link:

http://www.dec.nsw.gov.au/contact-us

F4 PLACES OF PUBLIC WORSHIP

Waverley has a rich and vibrant community that requires establishments to congregate for the purposes of worship and to gather for community events. Such establishments are an important part of our urban environment, and this part aims to ensure that these establishments are able to operate respectfully within the local environment.

Objectives

(a) To minimise and manage the impacts of places of public worship on the amenity of residential areas.
(b) To ensure that places of public worship have a scale and intensity that is suitable to the site and context.
(c) To ensure that places of public worship are able to operate respectfully within the urban context.
(d) To provide guidance for the preparation of a plan of management.
(e) To encourage the location of larger places of public worship in lands zoned for business purposes.

4.1 LOCATIONAL AND SITE REQUIREMENTS

Objectives

(a) To prevent unacceptable impacts on the amenity of residential areas by encouraging the location of larger places of public workshop within non-residential zones.
(b) To guide the appropriate location of places of public worship to ensure that amenity for surrounding residents and businesses is maintained.
(c) To ensure that places of public worship and educational establishments are appropriate with regard to the character and use of the area.
(d) To ensure that sites and streets are capable of servicing the use of the facilities.

Controls

(a) Proposals for new places of public worship, or for the intensification of an existing place of public worship, must clearly address the management of amenity, safety and traffic that will result from the intensification of the site in both the Statement of Environmental Effects and the Plan of Management.
(b) New large places of public worship (ie. with a maximum seating capacity of greater than 200) are preferred to be located within lands zoned for business purposes or special uses.
(c) Places of public worship are not supported to be located on cul-de-sacs.
(d) Places of public worship proposed in residential zones are to provide landscaping and open space to 25% of the site area.
(e) In residential areas, a minimum 900mm landscaping strip between side setbacks is required.
(f) Places of public worship are to provide front, rear and side setbacks in line with surrounding properties.

4.2 BULK, SCALE AND DESIGN

Objectives

(a) To maintain the residential character of established residential areas.

(b) To ensure that the scale of places of public worship is consistent with the scale of existing or likely future development in the area.

Controls

(a) Development must be sensitive to the streetscape character and views. A streetscape and context analysis is to be provided in accordance with *Part B12 Design Excellence*.

(b) Places of public worship are to be designed and landscaped in a manner that enhances the quality and visual amenity of the streetscape.

(c) New development for the purpose of a place of public worship within a residential zone is to have a maximum seating capacity of 200.

(d) Entries to a place of worship must be in clear view of the street.

(e) Where a place of public worship has a dual frontage, the development is to address both streets.

(f) The location of windows, doors or balconies is to minimise overlooking or loss of privacy to adjacent residential properties.

Note: Consideration may be given to minor variation of the applicable WLEP height standard to accommodate the unique architectural requirements of places of public worship establishments, provided there is no resulting loss of amenity to surrounding properties.

4.3 ACOUSTIC PRIVACY

Objectives

(a) To minimise noise levels from places of public worship that may impact upon neighbouring or nearby properties.

(b) To ensure that places of worship are able to function within appropriate hours of operation and offer services appropriate to the function of the facility.

Controls

(a) The design of the proposed place of public worship must minimise the projection of noise from any activities carried out within the site.

(b) Adjoining and nearby residents should not be exposed to unreasonable levels of noise arising from the proposed use.

(c) A noise impact assessment statement, prepared by a suitably qualified acoustic engineer, is to be submitted for development within residential zones or adjoining residential zones that proposes:

i. A new Place of Public Worship;
ii. New outdoor activities; or
iii. Intensification of existing activities.

The statement should describe hours of operation and predicted noise levels for regular outdoor activities and for special events such as festivals and religious celebrations.

(d) Activities are to be carried out within the hours of operation outlined in the plan of management.

4.4 OPEN SPACE AREAS

Objectives

(a) To provide adequate open space areas for passive and active recreational activities for places of public worship.

Controls

(a) Where open space is proposed, an Open Space Plan is to be included with the development application. The plan is to:

(i) identify the amount of open space area to be provided;

(ii) identity the types of open space area to be provided, including indoor and outdoor recreation spaces, and the proposed uses for these spaces;

(iii) identify any potential opportunities for public access to the open space when not in use by the place of worship; and

(iv) identify the likely effects of the use of open space areas on the amenity of nearby residents (including how often and the type of activities to occur) and measures to mitigate and manage the impacts of noise on adjoining properties.

4.5 TRAFFIC, PARKING AND ACCESS

Objectives

(a) To ensure that pedestrian safety is maintained and protected.

(b) To ensure that the surrounding street network and intersections continue to operate effectively and within design parameters.

(c) To minimise the impact of parking related to use of the place of public worship on the local streets.

(d) To minimise adverse impacts upon the amenity of the neighbourhood.

Controls

(a) A traffic impact statement is to be included with the development application. The statement shall:

  (i) Assess the impact upon the surrounding streets and the measures proposed to mitigate such impacts.

  (ii) Identify the number of parking spaces required on the basis of the general use of the site.

  (iii) Identify the frequency of events (e.g. carnivals, celebrations, festivals, services), the attendance numbers associated with such events, and measures to mitigate and manage their impacts associated with traffic movements.

(b) Clear distinctions should be made for vehicular traffic and pedestrian movements, both onsite and off-site. Measures should be taken to separate these and reduce potential conflict through design and management practices.

(c) Off-street car parking must be integrated within the building envelope or within the footprint of the development.

(d) Development is to comply with the provisions of *Part B8 Transport*.

(e) The provision of parking is not to preclude the provision of landscaping.

(f) New places of public worship, or places of public worship seeking to expand operations, are to provide a Green Travel Plan to demonstrate:

  (i) The proximity of the facility to public transport;

  (ii) How users of the facility will minimise the requirements for parking in the surrounding streets; and

  (iii) How users of the facility will minimise the traffic generated by the facility.

4.6 OPERATIONAL PLAN OF MANAGEMENT

Objectives

(a) To provide certainty for both the consent authority and the local community about the ongoing management practices to be employed by the proposed use to manage its impact upon the neighbourhood.

Controls

(a) A development application for the purposes of establishing a new place of public worship, or for alterations or additions to an existing place of public worship must include an Operational Plan of Management (refer to the *Waverley Development Application Guide*).The Operational Plan of Management (as may be amended) will be incorporated as a condition of development consent. This plan must include, but is not limited to the following information:
   (i) Details of the proposed hours of operation, a schedule of regular services held and recurring events and special events throughout the year. Details including the expected numbers of people are to be provided.
   (ii) A list of the types of community purposes the building may be used for outside the regular services is to be provided, including information regarding how often and how many people such activities are likely to attract. Examples include community colleges, senior citizens groups, presentations and workshops, youth groups, etc.
   (iii) A list of the type of organisations that may let or use the building and for what purposes, how often and how many people this is likely to attract.
   (iv) An explanation of the measures that will be in place to manage parking and local traffic when a special event is scheduled.
   (v) The estimated number of people to be in attendance at regular services, main events and those other times where it is described that the place of public worship will be in use.
   (vi) Contact persons who will be responsible for complaints handling. This is to be updated periodically.

(b) Where Council is aware of community complaints, it may request a revision of the Operational Plan of Management.

F5 HORTICULTURE

This Part contains provisions that apply to Development Applications involving the horticulture land use. In accordance with the WLEP, 'horticulture' is a type of intensive plant agriculture. It means the cultivation of fruits, vegetables, mushrooms, nuts, cut flowers and foliage and nursery products for commercial purposes, but does not include a plant nursery, turf farming or viticulture.

Objectives

(a) To ensure that operation does not impact on the amenity of the area or disrupt nearby residential properties.
(b) To prevent food grown on contaminated land.
(c) To prevent the contamination of land and water.

Controls

(a) The horticulture operation must be conducted in a 'Controlled Environment Agriculture' manner.
(b) Pesticide use must not create land contamination.
(c) Water pollution may not occur.
(d) Measures must be taken to ensure that no adverse odour, noise or light (from UV lights) impact is produced for neighbouring sites.
(e) Proposals must comply with Part D Commercial Development.