



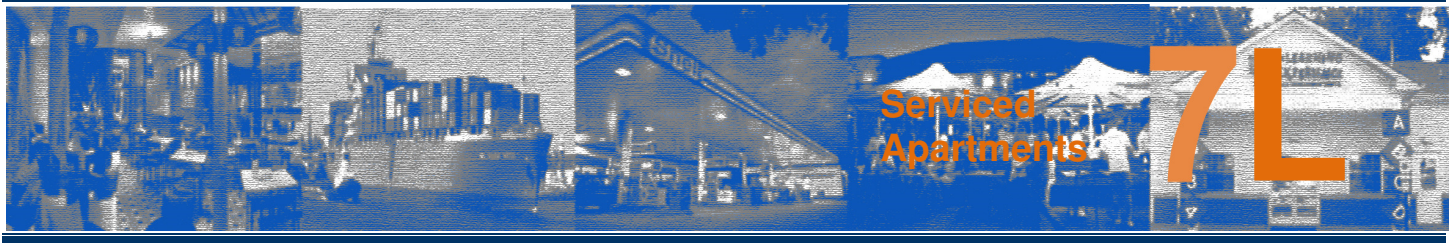
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7L.1 Introduction

7L. 1.1 Land to which this Part Applies

The controls in this Part of the DCP apply to land in the City of Botany Bay where serviced apartments are permissible.

Serviced apartments are permitted with the consent of Council in the following zones under the Botany Bay LEP 2013:

- B2 - Local Centre
- B3 - Commercial Core
- B4 - Mixed Use
- B5 - Business Development.

Serviced apartment means a building (or part of a building) providing self-contained accommodation to tourists or visitors on a commercial basis and that is regularly serviced or cleaned by the owner or manager of the building or part of the building or the owner's or manager's agents.

Note. Serviced apartments are a type of *tourist and visitor accommodation*.

This Part needs to be read in conjunction with:

Part 1 - Introduction
Part 2 - Notification and Advertising
Part 3 - General Provisions
Part 4 - Residential Development
Part 5 - Business Centres
Part 6 - Employment Zones
Part 8 - Character Precincts
Part 9 - Key Sites
Part 10 – Technical Guidelines

Note: Serviced apartments must comply with the all other applicable Parts of the DCP. If there is a discrepancy between **Part 7L - Serviced Apartments** and other Parts, the Objectives and Controls of **Part 7L** will always prevail.



7L. 1.2 General Objectives

- O1** To ensure that the amenity of surrounding residential land uses are not compromised; and
- O2** To provide this type of accommodation in close proximity to Sydney (Kingsford Smith) Airport to service the needs of national and international guests.



7L.2 General Requirements

Objectives

- O1** To ensure that the design and management of accommodation presents a high standard of amenity to guests and protects the amenity of surrounding uses.

Controls

General

- C1** The maximum period for occupation of a serviced apartment is 3 months.
- C2** Occupants cannot use a serviced apartment as a permanent residential address.
- C3** Each bedroom shall not accommodate more than two persons.
- C4** If an application proposes to convert a serviced apartment development or a building that has been used as serviced apartments to a residential building then compliance with **Clause 6.10** of the Botany Bay Local Environmental Plan 2013 *and Part 4C of this DCP* is required.

Design

- C5** Sleeping rooms are to provide a minimum 5.5m² per occupant where habitation is for more than 28 consecutive days.
- C6** Sleeping rooms are to provide a minimum 3.25m² per occupant where habitation is for less than 28 consecutive days.
- C7** Where a development proposes serviced apartments in conjunction with a residential flat building the entire development must address the requirements of State Environmental Planning Policy No 65—Design Quality of Residential Flat Development.
- C8** Where a development proposes serviced apartments in conjunction with residential apartments, the units to be provided as serviced apartments must not be located on the same floor as permanent residential apartments. *Communal open spaces are not to be accessible from serviced apartments. Separate ground floor lobbies and lifts for access to the different uses within the building must be provided.*
- C9** Developments are to be designed to minimise visual and acoustic privacy impacts to residential land uses within the immediate vicinity. (The immediate vicinity includes residential buildings directly adjoining the boundary of the site and buildings on the opposite side of a road way or pedestrian/cycle link.)



C10 The main access point is to be located at the main street frontage of the property.

Note: Access points apart from emergency exits should be avoided at the boundaries of the property where an amenity impact could be created to adjoining developments.

Facilities

- C11** A wash tub, washing machine and clothes drying facilities are to be provided within each serviced apartment.
- C12** Communal washing facilities, bathrooms and kitchen areas shall not be provided within a serviced apartment building.
- C13** A refrigerator to maintain food below 5 degrees Celsius must be provided in each apartment.
- C14** If cooking facilities and food preparation areas are provided within individual apartments they must not be located in sleeping rooms.
- C15** Tiered sleeping facilities (e.g. bunk beds) are not permitted within serviced apartments.
- C16** A garbage room including recycling facilities is to be provided within the building or basement level/s.
- C17** Storage facilities are to be provided within each serviced apartment to cater for clothing and travel luggage.
- C18** Toilet and shower facilities within each serviced apartment shall comply with the provisions of the BCA.

Plan of Management

- C19** A Plan of Management (POM) is required to be submitted with a development application. A POM is a written report which describes how the ongoing operation of serviced apartment development will be managed to reduce its impact upon the amenity of surrounding properties.

The POM allows Council to exercise control over the ongoing operation of a premises by requiring, as a condition of consent, that the premises operate in accordance with the POM. A condition of consent may require that a POM be regularly revised and submitted to Council.

The POM must provide all details relevant to the operation of the premises. As a minimum the following must be included:



- (i) Title;
- (ii) Objectives;
- (iii) Operational details;
- (iv) Hours of operation;
- (v) Shuttle bus details;
- (vi) Staffing details;
- (vii) Details on maximum period of stay for guests;
- (viii) Details on maximum occupancy rates;
- (ix) Guidelines for staff for using the site facilities and equipment;
- (x) Deliveries and loading/unloading;
- (xi) Managing customers or patrons;
- (xii) Security details;
- (xiii) Noise and Vibration Impact Assessment;
- (xiv) Shadow Analysis;
- (xv) Complaint recording and handling process; and
- (xvi) The review process to continuously improve the POM.

The traffic movements, hours of deliveries/service , use of parking areas and garbage collection must be managed through the POM. Where significant amounts of traffic are likely to be generated which could affect residential areas or residential zoned land, schedules of vehicle movements and their routes must be provided and may be regulated in conditions of consent.

C20 An Emergency Management and Evacuation Plan must be prepared.

C21 Evacuation procedures for the building must be displayed within each apartment, lobby and public circulation space.

Fire Safety

Note: Serviced apartments are defined as a Class 3 building under the Building Code of Australia.

C22 The building is to comply with Parts C, D and E of the Building Code of Australia.

C23 Each serviced apartment is to comply with Parts C, D, E and F5 of the BCA so as to ensure there is adequate fire safety in the building and adequate sound insulation between apartments.