
Bayside Planning Panel

8/05/2018

Item No	6.2
Application Type	Development Application
Application Number	DA-2018/32
Lodgement Date	17 February 2018
Property	41 O'Neill Street Brighton le Sands
Owner	Australian Festivals Pty Ltd
Applicant	Ms Jacqueline Saad
Proposal	Conversion of existing dwelling to a five (5) bedroom Boarding House
No. of Submissions	11 submissions
Cost of Development	\$18,000.00
Report by	Alexandra Hafner – Senior Development Assessment Planner

Officer Recommendation

- 1 That the Development Application No.DA-2018/32 for the proposed conversion of the existing dwelling to a five (5) room boarding house development at No. 41 O'Neill Street, Brighton le Sands, be APPROVED pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979 and subject to the conditions of consent attached to this report.
 - 2 That the objectors be advised of the Bayside Planning Panel's decision.
-

Background

Council received Development Application No. DA-2018/32 on 17 February 2018 seeking consent for the conversion of the existing dwelling house to a six (6) room boarding house development. At grade parking is to be maintained from both O'Neill Street (one parking space) and Cybil Lane (two spaces via a detached double car garage).

The application was placed on public exhibition for a period of 28 days from 22 February to 21 March 2018 and a total of eleven (11) submissions were received.

Revised architectural plans were received by Council on 21 March with revisions resulting in the removal of the non-compliant Bedroom 6 and conversion to an Office resulting in the proposal seeking consent for a five (5) room boarding house development.

The DA has been assessed in accordance with the relevant requirements of the *Environmental Planning and Assessment Act 1979* (the Act); including the State Environmental Planning Policy (Affordable Rental Housing) 2009 (ARHSEPP) and State Environmental Planning Policy (Building Sustainability Index) BASIX 2004. The site is zoned R2 - Low Density Residential and the proposed change of use of the existing dwelling house to a boarding house development is permitted with Council consent.

Clause 29(2) of the ARHSEPP sets standards that cannot be used as grounds to refuse a development. Key issues identified under Clause 29(2) were minor and related only to minimum accommodation size requirements, discussed in the body of this Report. Clause 30A of the ARHSEPP requires that '*a consent authority must not consent to a boarding house unless the design of the development is compatible with the character of the local area*'. The proposed development does not result in any changes to the built form and site layout, retaining the bulk, scale and rhythm of the existing streetscape. The proposal is found to respect the character of the local area in this regard.

The proposal is recommended for approval, subject to the recommended conditions.

Attachments

- 1 Planning Assessment Report
- 2 Site/Roof Plan
- 3 Elevations – 2
- 4 Sections and Schedules
- 5 Plan of Management, Revision 3, 23 March 2018
- 6 Clause 27 – Accessible Area (ARHSEPP) Bus timetable

Location Plan



Fig 1 – Location Plan

BAYSIDE COUNCIL

Planning Assessment Report

Application Details

Application Number:	DA-2018/32
Date of Receipt:	17 February 2018
Property:	41 O'Neill Street, BRIGHTON LE SANDS (Lot 131 DP 4393)
Owner:	Australian Festivals Pty Ltd
Applicant:	Ms Jacqueline Saad
Proposal:	Conversion of existing dwelling to a five (5) room boarding house
Recommendation:	Approved
No. of submissions:	Eleven (11)
Author:	Alexandra Hafner
Date of Report:	4 April 2018

Key Issues

Council received Development Application No. DA-2018/32 on 17 February 2018 seeking consent for the conversion of the existing dwelling house to a six (6) room boarding house development. At grade parking is to be maintained from both O'Neill Street (one parking space) and Cybil Lane (two spaces via a detached double car garage).

The application was placed on public exhibition for a period of 28 days from 22 February to 21 March 2018 and a total of eleven (11) submissions were received. Revised architectural plans were received by Council on 21 March with revisions resulting in the conversion of the non-compliant Bedroom 6 to an Office, resulting in a five (5) room boarding house development.

The DA has been assessed in accordance with the relevant requirements of the *Environmental Planning and Assessment Act 1979* (the Act); including the State Environmental Planning Policy (Affordable Rental Housing) 2009 (ARHSEPP) and State Environmental Planning Policy (Building Sustainability Index) BASIX 2004. The site is zoned R2 - Low Density Residential and the proposed change of use of the existing dwelling house to a boarding house development is permitted with Council consent.

Clause 29(2) of the ARHSEPP sets standards that cannot be used as grounds to refuse a development. Key issues identified under Clause 29(2) were minor and related only to minimum accommodation size requirements, discussed in the body of this Report. Clause 30A of the ARHSEPP requires that '*a consent authority must not consent to a boarding house unless the design of the development is compatible with the character of the local area*'. The proposed development does not result in any changes to the built form and site layout, retaining the bulk, scale and rhythm of the existing streetscape. The proposal is found to respect the character of the local area in this regard.

The proposal is recommended for approval, subject to the recommended conditions of consent.

Recommendation

1. That the Development Application No.DA-2018/32 for the proposed conversion of the existing dwelling to a five (5) room boarding house development at No. 41 O'Neill Street, Brighton le Sands, be APPROVED pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979 and subject to the conditions of consent attached to this report.
2. That the objectors be advised of the Bayside Planning Panel's decision.

Background

History

There are no historical applications which relate to the subject property.

Proposal

Council is in receipt of DA-2018/32 for the conversion of the existing dwelling to a five (5) room boarding house. The original application sought consideration of a six (6) room boarding house development, however revised architectural plans received by Council on 21 March, have reduced the overall room number to five (5) with two (2) kitchens; one communal lounge room to the rear and direct access to the existing private open space..

Specifically, the proposal comprises of the following:

- The construction of a light weight internal wall to enclose the existing lounge room and convert to Bedroom 3;
- Demolish and remove an existing nib wall to achieve a wider access to Bathroom 1 so as to satisfy the BCA provisions relating to accessibility;
- Removal of the existing hallway door;
- Minor external alterations including construction of an access ramp fronting O'Neill Street; and
- Change of use of existing dwelling house to boarding house development.

Stormwater discharge is to remain unaltered with all runoff discharged to O'Neill Street via a gravity system. The application is also accompanied by a revised Plan of Management dated 23 March 2018.

Site location and context

The subject site, legally identified as Lot 131 DP 4393, is a regular shaped allotment with a primary frontage of 9.55 metres to O'Neill Street; depth of 47.4 metres and total site area of 453.059sqm. The site has a dual frontage and is currently occupied by a single storey brick dwelling house and vehicular crossing addressing O'Neill Street and rear lane access with a double car garage addressing Cybil Lane as shown in the images below.



The site is adjoined by a single storey fibro dwelling house to the east; a two storey brick dwelling house to the west; and the Brighton Le Sands Memorial Fields directly north. O'Neill Street is characterised predominantly of single and two storey dwellings with dual occupancy developments interspersed throughout and the Brighton Le Sands Public School exists approximately 600 metres north east of the site.

Statutory Considerations

Environmental Planning and Assessment Act, 1979

An assessment of the application has been undertaken pursuant to the provisions of the *Environmental Planning and Assessment Act, 1979*.

S4.15 (1) - Matters for Consideration - General

S4.15 (1)(a)(i) - Provisions of Environmental Planning Instruments

The following Environmental Planning Instruments are relevant to this application:

State Environmental Planning Policy (Affordable Rental Housing) 2009

Part 2 – New Affordable Rental Housing			
Division 3 – Boarding Houses			
Clause	Requirement	Proposed	Complies
26 - Land to which this division applies	SEPP applies to R2 land	The subject site is located within an R2 - Low Density Residential zone.	Yes
27 – Accessible Area	Site to be located within an “accessible area” i.e. 400m walking distance of bus stop with regular service	The subject site is located within 216m; 300m and 400m of three (3) separate bus stops, all of which exceed the minimum 1 bus service per hour rate as required. Refer to the figure below.	Yes
29 -Standards that cannot be used to refuse consent	Clause 29(1)(a) - permits a maximum FSR of 0.55:1 in accordance with Clause 4.4(2A) of the RLEP 2011	The proposed development seeks an overall FSR of 0.38:1, which satisfies the numerical provisions of this Clause.	Yes
	Clause 29(2)(a) - permits a maximum building height of 8.5 metres in accordance with Clause 4.3(2) of the RLEP 2011	There are no changes to the existing building height which remains at 4.95 metres in accordance with the provisions of this Clause.	Yes

Clause 29(2)(b) requires the landscape front setback to be compatible with streetscape	There are no changes to the existing primary setback which would alter the streetscape. The existing conditions are deemed satisfactory insofar it is not dominated by any parking facilities and remains vegetated and landscaped.	Yes
Clause 29(2)(c) requires solar access to achieve no less than 3hrs in the midwinter to communal living room	The site benefits from a north/south orientation with the proposed communal lounge room provided with direct and uninterrupted northern solar access achieving no less than 3 hours midwinter.	Yes
Clause 29(2)(d)(i) requires Private Open Space – 1 x 20sq/m with min dimension 3m for lodgers	The proposed development retains 57.984sqm at grade private open space area with a minimum dimension of 4.410 metres throughout.	Yes
Clause 29(2)(e) requires 0.2 parking spaces per room <i>6 rooms = 1.2 spaces</i>	3 parking spaces are provided on site.	Yes
Clause 29(2)(f) requires accommodation size – 12sq/m per single room excl kitchen / bathroom OR 16sq for multiple	Revised architectural plans, Issue No. 2, propose the following accommodation sizes: Bed 1 = 16sqm Bed 2 = 17.95sqm Bed 3 = 14.12sqm Bed 4 = 9.59sqm Bed 5 = 11.48sqm	No - refer below

	Facilities – Can be shared or independent e.g. kitchen / bathroom	Proposed change of use maintains shared facilities including two (2) communal kitchen areas and separate bathrooms. Revised architectural plans, Issue No. 2, also provide a separate Office area.	Yes
30 - Development Standards	5+ rooms / min one communal living room	One (1) x 27sqm communal living room provided.	Yes
	Boarding room max size 25sq/m	No boarding room has a GFA of more than 25sqm.	Yes
	Boarding room max 2 adult person occupancy	Appropriate conditions will be imposed on any consent granted by Council limiting occupancy rates.	Yes
	Provision of kitchen / bathroom facilities for each lodger	Adequate shared bathroom and kitchen facilities are provided.	Yes
	Boarding House Manager required on site if boarding house has capacity to accommodate 20 or more lodgers. Boarding room or dwelling to be provided for manager.	Not applicable in this instance.	N/A
	1 bicycle & 1 motorcycle spaces required	Sufficient bicycle parking space is provided within the rear, detached garage. A condition is imposed on the draft Notice of Determination which requires the provision of one (1) motorcycle space.	Yes
30A - Character of local area	Development to be compatible with local area	The proposed change of use of the existing dwelling house does not alter the character of the area.	Yes - refer below.

52 - Subdivision	No subdivision of boarding houses	No subdivision is proposed as part of the subject application.	Yes
------------------	-----------------------------------	--	-----

Clause 29(2)(f) - Accommodation Size

Clause 29(2)(f) requires each boarding room to satisfy minimum accommodation sizes. Bedrooms 4 and 5 do not strictly comply with the numerical provisions of this Clause due to the nature of the application being a change of use, with minor internal alterations to satisfy BCA access requirements only. Whilst technically non-compliant, Bedrooms 4 and 5 are still considered to be of an appropriate size to achieve both reasonable occupancy amenity and functionality for single occupancy rates only.

Clause 30A - Character of the Area

The design of the development relates to minor internal and external alterations (an access ramp) which do not alter the existing residential character of O'Neill Street. The applicant has provided the following comments with respect to maintaining the character of the local area:

- *The character of the area remains unaltered by the proposed development due to the fact there is no physical external alterations to the existing building or streetscape;*
- *The subject site is well serviced to accommodate the proposed development with ease;*
- *The site is located well within an accessible location and close to the Airport; Universities; TAFE and Hospitals, all of which are land uses which may require the services of a boarding home within its vicinity be it for students, travellers; doctors;*
- *The proposed development is considered to be of the least intrusive character and provides minimal impacts upon the built and natural environment alike as it is not considered to intensify the use of the site more than what otherwise a family of 5 or 6 occupying the existing single storey dwelling house.*

The proposed change of use results in negligible changes to the built form along O'Neill Street, which is largely comprised of single and two storey dwelling houses and considered to be consistent with the character of the area.

The proposal is generally consistent with the ARHSEPP with relevant conditions imposed on the draft Notice of Determination to ensure compliance with this Policy.

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

The application is accompanied by a revised BASIX Certificate No. S285805_02 and dated Wednesday 21 March 2018. The Certificate confirms the proposed development satisfies the relevant requirements for sustainability. Accordingly, a standard condition is imposed on the draft Notice of Determination to ensure development is undertaken in accordance with the commitments contained therein.

Rockdale Local Environmental Plan 2011

Relevant clauses	Compliance with objectives	Compliance with standard/provision
2.3 Zone R2 Low Density Residential	Yes	Yes - see discussion
4.3 Height of buildings	Yes	Yes - see discussion

Relevant clauses	Compliance with objectives	Compliance with standard/provision
4.4 Floor space ratio - Residential zones	Yes	Yes - see discussion
6.7 Stormwater	Yes	Yes - see discussion
6.12 Essential services	Yes	Yes - see discussion

2.3 Zone R2 Low Density Residential

The subject site is zoned R2 - Low Density Residential under the provisions of Rockdale Local Environmental Plan 2011 (RLEP 2011) and the proposed conversion of the existing dwelling house to a boarding house development is permitted with Council consent. The objectives of the zone are:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To ensure that land uses are carried out in a context and setting that minimises any impact on the character and amenity of the area.*

The proposed development is consistent with the zone objectives as it will provide for the housing needs of the community in a manner which minimises potential impacts on the character and amenity of the area.

4.3 Height of buildings

Clause 4.3 permits a maximum building height of 8.5 metres as measured from NGL (existing).

The proposed development seeks no change to the existing building height which sits at 4.4 metres which demonstrates compliance with the provisions of this Clause. In this regard, the development maintains a high quality urban form; maintains satisfactory sky exposure and daylight to buildings; key areas and public domain and ensures an appropriate transition in built form and land use intensity. Accordingly, the objectives of this Clause are also satisfied.

4.4 Floor space ratio - Residential zones

Clause 4.4(2A) permits a maximum FSR of 0.55:1 for the subject site as the site area less than 460sqm.

The proposed conversion results no changes to the existing GFA of 173.943sqm or FSR of 0.38:1, satisfying the numerical provisions of this Clause. In this regard, the development density remains consistent with the desired future character of Brighton Le Sands; has minimal adverse environmental effects on the use or enjoyment of adjoining properties; and maintains an appropriate visual relationship between new and existing development. The proposed development therefore satisfies the objectives of this Clause also.

6.7 Stormwater

There are no changes to the existing stormwater system which discharges all stormwater runoff to O'Neill Street and the proposed minor works do not result in increased hardstand area. Accordingly, the provisions of this Clause are satisfied.

6.12 Essential services

Services will generally be available on the site. Additional conditions have been incorporated in the draft Notice of Determination requiring consultation with relevant utility providers in regards to any specific requirements for the provision of services on the site.

S4.15 (1)(a)(iii) - Provisions of any Development Control Plan

The following Development Control Plan is relevant to this application:

Rockdale Development Control Plan 2011

The application is subject to Rockdale DCP 2011. A compliance table for the proposed development is provided below:

Relevant clauses	Compliance with objectives	Compliance with standard/provision
4.1.3 Water Management	Yes	Yes - see discussion
4.2 Streetscape and Site Context - General	Yes	Yes - see discussion
4.4.1 Energy Efficiency - Residential	Yes	Yes - see discussion
4.4.2 Solar Access - General Controls	Yes	Yes - see discussion
4.4.3 Natural Lighting and Ventilation - Residential	Yes	Yes
4.4.5 Visual privacy	Yes	Yes - see discussion
4.4.5 Acoustic privacy	Yes	Yes - see discussion
4.5.2 Social Equity - Equitable Access	Yes	Yes - see discussion
4.6 Car Parking, Access and Movement		
4.6 Car Park Location and Design	Yes	Yes - see discussion
4.7 Air Conditioning and Communication Structures	Yes	Yes - see discussion
4.7 Laundry Facilities and Drying Areas	Yes	Yes - see discussion

4.1.3 Water Management

As discussed in Clause 6.7 of the RLEP 2011 in the above body of this Report, the proposed development does not seek to undertake changes to the existing stormwater system which discharges to an outlet at O'Neill Street. The provisions of this Clause are satisfied.

4.2 Streetscape and Site Context - General

The proposed conversion of the existing dwelling house seeks no modifications to the existing architectural style, maintaining the existing streetscape and low density residential site context along O'Neill Street. In this regard, the development remains sympathetic in its overall siting, massing, height, bulk and scale to adjoining dwelling houses, ensuring continuity and character the surrounds the site.

4.4.1 Energy Efficiency - Residential

As discussed in the above body of this Report, the application is accompanied by a revised BASIX Certificate No. S285805_02 and dated Wednesday 21 March 2018. The Certificate confirms the proposed development satisfies the relevant requirements for sustainability. Accordingly, a standard condition is imposed on the recommended conditions of consent. to ensure development is undertaken in accordance with the commitments contained therein.

4.4.2 Solar Access - General Controls

The site benefits from a north/south orientation with the location of the communal lounge room and rear, private open space provided with a direct and uninterrupted northern perspective. In this regard, the development receives no less than three (3) hours solar access in midwinter. As the proposal does not include any external modifications, there are no additional impacts to adjoining residential properties in relation to overshadowing or solar access.

The provisions of this Clause are satisfied.

4.4.5 Visual privacy

The proposed development does not seek to materially alter the existing dwelling house, other than the provision of an access ramp. In this regard, the development does not create or result in any visual privacy impacts to adjoining developments and remains acceptable with regards to this Clause.

4.4.5 Acoustic privacy

The application is accompanied by a Plan of Management, Revision 3, which contains operational details relating to maximum occupancy rates; visitors; use of communal open spaces and a set of rules for the use and occupation of the development. Subject to the recommended conditions, including compliance with the submitted PoM, potential noise impacts to adjoining residential dwellings are expected to be suitably minimised.

The provisions of this Clause are therefore satisfied.

4.5.2 Social Equity - Equitable Access

The proposal may be used for people with a disability and includes modifications to convert the existing floor to accessible areas, including bathrooms and ramp access to and from the dwelling. Compliance will be required with the access provisions of the BCA by way of conditions. Subject to these, the provisions of this Clause are satisfied.

4.6 Car Park Location and Design

Parking provisions and considerations of the RDCP 2011 are superseded by those contained in Clause 29(2)(e) of the SEPP (ARH) 2009. No further consideration is required in this regard.

4.7 Air Conditioning and Communication Structures

A standard condition is imposed on the draft Notice of Determination which ensures the location and operation of air conditioning units, TV antennae and the like are in accordance with the provisions of the POEO Act, 1997. Subject to conditions, the provisions of this Clause are satisfied.

4.7 Laundry Facilities and Drying Areas

An internal laundry facility is provided within the proposed boarding house development. Additionally, sufficient area is provided within the rear, private open space to accommodate external drying area that is screened from public view. The provisions of this Clause are therefore satisfied.

S4.15(1)(a)(iv) - Provisions of regulations

The proposed development is not inconsistent with the relevant provisions of the *Environmental Planning and Assessment Regulation, 2000*.

4.15(1)(b) - Likely Impacts of Development

Social Impact

Boarding house developments serve an important role in providing low cost accommodation for people who value affordability and location over space, and who prefer simple and flexible tenure arrangements. For cost and other reasons, boarding houses are a preferable option for many people within the community and provide for a positive social impact. Further, a PoM accompanies the application which ensures the management of the facility and behaviour of residents is in accordance with social expectations.

Accessibility

The application is accompanied by an Accessibility Report, prepared by Gary Finn of Sydney Access Consultants and dated 11 October 2017. The application was also referred to Council's Building Surveyor for review and comment. The proposal is considered to be satisfactory with regards to accessibility in this regard, subject to the recommended conditions of consent.

Construction

Standard conditions are imposed regarding construction works and compliance with required standards. Additional conditions, including restrictions on the hours of construction are also imposed on the draft Notice of Determination. There are no particular issues relating to the BCA in the proposal and the potential impacts associated with the proposal are considered to be minimised.

Public Domain

The proposal will not impede pedestrian access along O'Neill Street and does not impinge upon any public areas.

Utilities

All utilities remain available to the site. Potential impacts are deemed negligible.

Built Environment

The proposed development requires minor internal and external alterations to facilitate the change of use, including the provision of an access ramp fronting O'Neill Street. The scale of the proposal remains consistent with the low density residential zone and existing and adjoining dwelling houses. There is also an adequate mix of services and uses within the development to ensure that amenity is retained..

Access, Traffic and Transport

Sufficient off street parking facilities are provided for vehicles, motorcycles and bicycles and the level of traffic generated from the proposed development is considered to pose negligible impacts to O'Neill Street in terms of traffic flow efficiency, road safety and residential amenity. The site is located within an accessible area with public transport located in close proximity to the site.

Economic Impact

The provision of a boarding house development provides low cost housing to a well serviced location and therefore a positive economic impact to the Bayside LGA.

Health

The proposed development was referred to Council's Environmental Health Officer who raised no objection to the proposal, subject to recommended conditions of consent to ensure the facility is designed, constructed, maintained and operated in compliance with the requirements of the Local Government Act 1993; Local Government (General) Regulation, 2005; Public Health Act, 2010; Public Health Regulation, 2012; Boarding Houses Act, 2012; and Boarding Houses Regulation, 2013.

Additionally, the proposal has been conditioned to ensure its registration with Council prior to its occupation.

Accordingly, it is considered that there will be no significant adverse impacts arising from the proposed development on site.

S4.15(1)(c) - Suitability of the site

All relevant matters pertaining to the suitability of the site for the proposed boarding house development have been considered and satisfied in the assessment of the proposal. The site is located within 216m; 300m and 400m of three separate bus stops and therefore meets the accessibility criteria in the ARHSEPP. Additional conditions are imposed to further minimise potential impacts to neighbouring properties as previously discussed in this report. There are no known major physical constraints, environmental impacts, natural hazards or exceptional circumstances which would hinder the suitability of the site for the proposed development.

S4.15(1)(d) - Public submissions

The application was placed on public exhibition for a period of 28 days from 22 February to 21 March 2018 and a total of eleven (11) submissions were received.

Items of concern are discussed below:

Concern: Location of Boarding House development in quiet residential area

Comment: This matter has been dealt with previously under the assessment of the ARHSEPP. In summary, the proposal is found to comply with the land zoning requirements; FSR and height of buildings in accordance with the SEPP, which permits Boarding House developments within the R2 - Low Density Residential zone. Additionally, the proposal was also found to respect the character of the local area and be consistent with the requirements contained within Clause 30A of the ARHSEPP.

Concern: How would the facility be managed? How would the comings and goings of boarders and their visitors be managed?

Comment: The application is accompanied by a revised Plan of Management (PoM) which has been discussed in the body of this report. Subject to compliance with the operational procedures contained therein, the proposal is not considered to result in significant detrimental impacts to the surrounding residential dwellings.

Concern: What types of people would live there? Location and proximity of nearby primary school and use of sports playing fields to the rear?

Comment: The aims of the ARHSEPP are to facilitate the retention and mitigate the loss of affordable rental housing within NSW and provide affordable rental housing for workers close to places of work, such as schools; Police LACs and hospitals. Whilst it is understood that local residents may hold genuine concerns relating to the types of residents which may occupy the development, there is no evidence that concerns raised will be realised. Additionally, the Land and Environment has seen a number of recent cases whereby it has been concluded that such concerns cannot be given weight in the assessment of a DA. An extracts from a relevant case is provided below:

Battaglia v Strathfield Council [2014] NSWLEC 1174.

32. The matters raised in the objections included in addition a concern for impact on amenity and

safety of existing residents arising from the nature of the development, as a boarding house, and its potential residents. As was the case in Revelop Projects Pty Ltd v Parramatta City Council [2-14] NSWLEC 1167, I accept that these concerns may be genuinely held. However, in the absence of substantive, objective evidence that such fears are likely to be realised, I accept the approach agreed by Council that it is not appropriate to give them weight in the assessment process. I note that the proposed development as a boarding house is permissible with consent both under the AH SEPP as a matter of State Policy, and also under the recently adopted Council planning controls in the LEP. I also note that the proposed conditions require, as a deferred commencement condition, provision of a Plan of Management for the ongoing operation of the boarding house to be approved by Council, and in condition 7 a requirement that the use of the land be carried out at all times in accordance with that Plan of Management.

Concern: *Use of the Boarding House and amenity impacts to surrounding residential dwellings*

Council comment: This matter has been addressed in detail in response to Part 4.5.5. of the RDCP 2011. The proposal is not considered to pose acoustic impacts to adjoining residential properties. This, in addition to conditions of compliance with the submitted Plan of Management, will ensure potential noise impacts resulting from occupation of the site are appropriately mitigated and managed.

Concern: *Traffic and Parking impacts*

Comment: This matter has previously been dealt with in the body of this Report. The proposal is located within 400m of three bus stops used by a regular bus service. The provision of three (3) on site parking spaces, including motorcycle and bicycle provisions is compliant with the controls contained within the ARHSEPP and therefore the proposal cannot be refused on this basis. The five (5) bedroom Boarding House development is considered to be of small scale and considered unlikely to pose traffic and parking impacts upon the local street network.

Concern: *Streetscape impacts*

Comment: The proposal does not include any external material changes to the existing dwelling house, except for the provision of an access ramp. In this regard, the proposal does not result in any streetscape impacts which may be considered to be of detriment to the low density residential nature of O'Neill Street. The proposal remains acceptable in this regard.

Concern: *Devaluation of property*

Comment: This claim has not been substantiated and is not a consideration for Council in the assessment of a DA against the provisions of the *Environmental Planning and Assessment Act, 1979*.

S4.15(1)(e) - Public interest

The proposal has been assessed against the relevant planning policies applying to the site having regard to the objectives of the controls. As demonstrated in the assessment of the development application, the proposal will allow the development of the site in accordance with its environmental capacity. The proposed development respects the existing streetscape character and will maintain the building bulk and rhythm of a single storey dwelling house. Furthermore, the proposal has demonstrated to not have unreasonable impacts upon surrounding properties whilst providing affordable housing within the Bayside community. As such, it is considered that the development application is within the public interest and recommended for approval.

S7.11 Contribution towards provision or improvement of amenities or services

Council's s.7.11 Planner has confirmed contributions are not applicable to Boarding House developments. No further consideration is required in this regard.

Schedule 1 - Draft Conditions of consent

General Conditions

The following conditions restrict the work to the detail provided in the Development Application and are to ensure that the development is complete.

1. The term of this consent is limited to a period of five (5) years from the date of the original approval. The consent will lapse if the development does not commence within this time.
2. The development must be implemented substantially in accordance with the plans listed below, the application form and on any supporting information received with the application, except as may be amended in red on the attached plans and by the following conditions.

Plan/Dwg No.	Drawn by	Dated	Received by Council
Site/Roof Plan, Drawing No. A03, Issue No. 1	EPA Solutions	June 2017	17 February 2018
Ground Floor Plan, Drawing No. A04, Issue 2	EPA Solutions	June 2017	4 April 2018
Elevations - 2, Drawing No. A06, Issue No. 1	EPA Solutions	June 2017	17 February 2018
Sections and Schedules, Drawing No. A09, Issue No. 2	EPA Solutions	June 2017	21 March 2018

3. All new building work must be carried out in accordance with the provisions of the Building Code of Australia (BCA).
4. A Construction Certificate must be obtained from Council or an Accredited Certifier prior to any building work commencing.
5. Further alterations and/or additions to the subject building shall not be undertaken without first obtaining approval. This includes the fitting of any form of doors and/or walls.
6. This approval is not to be construed as permission to erect any structure on or near a boundary contrary to the provisions of the Dividing Fences Act.
7. The materials and façade details approved under condition 2 and any other relevant condition of this consent shall not be altered or amended at the construction certificate stage without a prior S4.55 application and approval under the EP&A Act.

Development specific conditions

The following conditions are specific to the Development Application proposal.

8. Car Parking

- (a) Three (3) parking spaces shall be maintained within the site at all times;
- (b) The parking spaces shall not be used for the storage of goods at any time.

9. Residential air conditioners must be designed so as not to operate:

- a. during peak time—at a noise level that exceeds 5 dB(A) above the ambient background noise level measured at any property boundary, or
- b. during off peak time—at a noise level that is audible in habitable rooms of adjoining residences.

Peak time means:

- a. the time between 8:00 am and 10:00 pm on any Saturday, Sunday or public holiday, or
- b. the time between 7:00 am and 10:00 pm on any other day

Off peak time means: Any time other than peak time.

- 10. The use of the premises, building services, equipment, machinery and, ancillary fittings shall not give rise to an “offensive noise” as defined under the provisions of the Protection of the Environment Operations Act, 1997.
- 11. The use of mechanical plant including air conditioners, fans, compressors, condensers, freezers, swimming pool or spa pumps (whether commercial or domestic) shall not cause sound pressure levels in excess of the criteria given in the NSW Industrial Noise Policy – 2000.
- 12. The building shall be designed, constructed and maintained to comply with the requirements of the Local Government Act 1993, as amended and the Regulations there under.
- 13. The proprietor of the premises - places of shared accommodation shall provide Council with details for Council’s Environmental Health Unit register by completing the Registration form available on request from the customer service centre.
- 14. The premises shall be registered with the NSW Fair Trading by the proprietor of the Boarding Houses by completing the registration form available online at www.service.nsw.gov.au and providing documentary evidence to the Principal Certifying Authority.
- 15. Occupation shall not commence until a final inspection has been carried out by Councils Environmental Health Officer and all health related requirements have been complied with.
- 16. A new building works to comply with the Disability (Access to Premises Buildings) Standard 2010 and AS1428.1 2009. Details to be provided prior to the issue of the construction certificate.
- 17. Occupancy

A. Nothing in this consent authorises the use of the premises as detailed on the

approved plans for any land use of the site beyond the definition of 'Boarding House'.

A 'Boarding House' is defined as '*a building that:*

- (a) is wholly or partly let in lodgings; and*
- (b) provides lodgers with a principal place of residence for 3 months or more, and*
- (c) may have shared facilities, such as a communal living room, bathroom, kitchen or laundry; and*
- (d) 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.

Note. Boarding houses are a type of residential accommodation - see the definition of that term in this Dictionary.

B. The Boarding House is to operate in accordance with the requirements of the *State Environmental Planning Policy (Affordable Rental Housing) 2009*.

Any variation of the approved land use and occupancy of any unit beyond the scope of the above definition will require the submission to Council of a new development application.

C. All tenants must enter into an occupancy agreement prior to commencing tenancy at the premises. The minimum period for the occupancy agreement must be three (3) months in accordance with the definition of 'Boarding House' in the ARHSEPP and RLEP 2011 (see 'A' above).

The form of the occupancy agreement shall, at a minimum, including the provisions contained within the '*Standard Occupancy Agreement for general boarding houses*' under the *Boarding Houses Act, 2012*.

18. The Boarding House shall comply with the following:
 - (a) A maximum of five (5) rooms with five (5) beds shall be provided on the site. This includes 5 rooms for seven (7) lodgers at any one time.
 - (b) The use of the outdoor communal area and communal room will be restricted to between 8.00am and 10.00pm daily.
 - (c) A 24 hour/7 day contact number shall be provided to all immediate and nearby residential neighbours for use in the event of a disturbance. If the contact number changes, neighbouring residences shall be provided with a new telephone number within 7 days.
19. Plan of Management (PoM)
 - (a) The Boarding House shall, at all times, be operated in accordance with the approved PoM, Revision 3 and dated 23 March 2018, except where amended in accordance with the consent.
 - (b) A copy of the approved PoM shall be displaced in the entry foyer and each of the boarding rooms at all times;
 - (c) A copy of the PoM shall be made freely available to family and visitors who frequent the facility, as well as to neighbouring property owners and local residents, if requested.
 - (d) The PoM shall be reviewed annually. If the PoM is updated following the review, the operator shall:
 - (i) ensure that the amended PoM is consistent with all conditions of this consent;

- (ii) provide a copy of the amended PoM to Council within 7 days of completion;
 - (iii) ensure that the amended PoM includes any additional operational requirements as required by Council.
20. Subdivision of the Boarding House is prohibited. The Boarding house shall remain in single ownership and management at all times.
 21. The common room must not be used for habitable purposes without prior development consent.
 22. Residential air conditioners must be designed so as not to operate:
 - (a) during peak time - at a noise level that exceeds 5 dB(A) above the ambient background noise level measured at any property boundary, or
 - (b) during off peak time - at a noise level that is audible in habitable rooms of adjoining residences.

Peak time means:

(a) the time between 8.00am and 10.00pm on any Saturday, Sunday or public holiday, or

(b) the time between 7.00am and 10.00pm on any other day,

Off peak time means:

(a) any time other than peak time.

Prior to issue of the construction certificate

The following conditions must be completed prior to the issue of the Construction Certificate.

23. The following fees shall be paid to Council prior to the issue of a Construction Certificate. If payment is made after the end of the financial year, the amount shall be adjusted in accordance with Council's adopted fees and charges.
 - i. A Footpath Reserve Restoration Deposit of \$1,670.00. This is to cover repair of any damages, or other works to be done by Council. This includes construction, removal, or repair as required to: kerb and guttering, existing or new driveways; paved areas and concrete footpaths. The deposit may be lodged with Council in the form of a Bank Guarantee (Any proposed Bank Guarantee must not have an expiry date). The deposit will not be returned by Council until works are completed and all damage is restored and all specified works are completed by Council.
 - ii. An environmental enforcement fee of 0.25% of the cost of the works.
 - iii. A Soil and Water Management Sign of \$18.00.
24. For work costing \$25,000 or more, a Long Service Leave Levy shall be paid. For further information please contact the Long Service Payments Corporation on their Helpline 13 1441.
25. If Council is appointed as the Principal Certifying Authority (PCA) then structural engineer's details shall be submitted prior to the issue of the Construction Certificate; such structural drawings shall be certified by the Structural Engineer that the design complies with the relevant S.A.A. Codes for the following:
 - i. all reinforced concrete floor slabs and external ramps
26. In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance or owner builder's permit in force in accordance with Part 6 of that Act, that such a contract or permit is in place.

27. Timber framing members shall comply with the relevant provisions of the National Timber Framing Code AS 1684-1999. Details of the roof truss, truss layout and proposed method of bracing shall be submitted to the Principal Certifying Authority prior to the first inspection.
28. Under Clause 94 of the Environmental Planning & Assessment Regulation 2000, the existing building to be brought into conformity with Part 3.7.2, 3.7.4 & 3.7.5 of the Building Code of Australia/National Construction Code – Volume 2. Details are to be submitted to the certifying authority for approval prior to the issue of any Construction Certificate.

Prior to commencement of works

The following conditions must be completed prior to the commencement of works.

29. A sign must be erected at the front boundary of the property clearly indicating the Development Approval Number, description of work, builder's name, licence number and house number before commencement of work. If owner/builder, the Owner/Builder Permit Number must be displayed.
30. A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
 - i. stating that unauthorised entry to the work site is prohibited, and
 - ii. showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours. Any such sign is to be removed when the work has been completed. This condition does not apply to:
 - iii. building work carried out inside an existing building or
 - iv. building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.
31. Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site.

During demolition / excavation / construction

The following conditions must be complied with during demolition, excavation and or construction.

32. A CC is required a copy of the Construction Certificate and the approved plans and specifications must be kept on the site at all times and be available to Council officers upon request.
33. Hours of construction shall be confined to between 7 am and 6.30 pm Mondays to Fridays, inclusive, and between 8 am and 3.30 pm Saturdays with no work being carried out on Sundays and all public holidays.
34. Demolition operations shall not be conducted on the roadway or public footway or any other locations, which could lead to the discharge of materials into the stormwater drainage system.
35. All waste generated on site shall be disposed of in accordance with the submitted Waste Management Plan.
36. All demolition work shall be carried out in accordance with AS2601 – 2001: The Demolition of Structures and with the requirements of the WorkCover Authority of

NSW.

37. The following conditions are necessary to ensure minimal impacts during construction:
- i. Building, demolition and construction works not to cause stormwater pollution and being carried out in accordance with Section 2.8 of Council's Stormwater Pollution Control Code 1993. Pollutants such as concrete slurry, clay and soil shall not be washed from vehicles onto roadways, footways or into the stormwater system. Drains, gutters, roadways and access ways shall be maintained free of sediment. Where required, gutters and roadways shall be swept regularly to maintain them free from sediment.
 - ii. Stormwater from roof areas shall be linked via a temporary downpipe to an approved stormwater disposal system immediately after completion of the roof area.
 - iii. All disturbed areas shall be stabilised against erosion within 14 days of completion, and prior to removal of sediment controls.
 - iv. Building and demolition operations such as brickcutting, washing tools or paint brushes, and mixing mortar shall not be performed on the roadway or public footway or any other locations which could lead to the discharge of materials into the stormwater drainage system.
 - v. Stockpiles are not permitted to be stored on Council property (including nature strip) unless prior approval has been granted. In addition stockpiles of topsoil, sand, aggregate, soil or other material shall be stored clear of any drainage line or easement, natural watercourse, kerb or road surface.
 - vi. Wind blown dust from stockpile and construction activities shall be minimised by one or more of the following methods:
 - a) spraying water in dry windy weather
 - b) cover stockpiles
 - c) fabric fences
 - vii. Access to the site shall be restricted to no more than two 3m driveways. Council's footpath shall be protected at all times. Within the site, provision of a minimum of 100mm coarse crushed rock is to be provided for a minimum length of 2 metres to remove mud from the tyres of construction vehicles.

An all weather drive system or a vehicle wheel wash, cattle grid, wheel shaker or other appropriate device, shall be installed prior to commencement of any site works or activities, to prevent mud and dirt leaving the site and being deposited on the street. Vehicular access is to be controlled so as to prevent tracking of sediment onto adjoining roadways, particularly during wet weather or when the site is muddy. Where any sediment is deposited on roadways it is to be removed by means other than washing and disposed of appropriately.

In addition builders / demolishers are required to erect a 1.5m high fence along the whole of the street alignment other than at the two openings. Such protection work, including fences, is to be constructed, positioned and maintained in a safe condition to the satisfaction of the Principal Certifying Authority, prior to the demolition of the existing structures and commencement of building operations.
 - viii. Any noise generated during construction of the development shall not

exceed limits specified in any relevant noise management policy prepared pursuant to the Protection of the Environment Operations Act, 1997 or exceed approved noise limits for the site.

Prior to issue of occupation certificate or commencement of use

The following conditions must be complied with prior to issue of the Occupation Certificate or Commencement of Use.

38. A sign indicating the permissible maximum length of time during which a person may board or lodge in the premises must be conspicuously displayed to public view outside the premises.
39. A schedule showing the numeral designating each bedroom and dormitory and the number of persons permitted to be accommodated in each must be conspicuously displayed on the premises.
40. Each bedroom must be numbered in accordance with the schedule and there must be displayed clearly on the door of or in each bedroom the maximum number of persons allowed to be accommodated in the bedroom.
41. All fixtures, fittings, furniture, shall be constructed of durable, smooth, impervious materials capable of being easily cleaned. All parts of the premises and all appurtenances (including furniture, fittings, bedsteads, beds and bed linen) must be kept in a clean and healthy condition, and free from vermin.
42. If the place is one in which persons may board or lodge for 7 days or longer, an adequate number of beds (each provided with a mattress and pillow and an adequate supply of clean blankets or equivalent bed clothing), adequate storage space and blinds, curtains or similar devices to screen bedroom and dormitory windows for privacy must be provided for the occupants.
43. An Occupation Certificate shall be obtained in relation to the approved works prior to any use or occupation of the building.
44. Where Council's park/reserve is damaged as a result of building work or vehicular building traffic, this area shall be restored by Council at the applicant's expense. Repairs shall be completed prior to the issue of the Occupation Certificate.
45. All excess excavated material, demolition material, vegetative matter and builder's rubbish shall be removed to the Waste Disposal Depot or the Regional Tip prior to final inspection.
Note: Burning on site is prohibited.
46. The noise reduction measures specified in the noise report prepared by prepared by Koikas Acoustics Pty Ltd (Project Number: 3112) dated 18 July 2017 shall be validated by a Certificate of Compliance prepared by the acoustic consultant and submitted to the Principal Certifying Authority (PCA) prior to the issue of an Occupation Certificate. If Council is not the PCA, a copy shall be submitted to Council concurrently.
47. Prior to issue of any Occupation Certificate a registered plumber or other suitably qualified professional is to check the existing stormwater system for the building and shall provide a certificate stating that the system is satisfactory and in good working condition. If the existing system or any element of the system cannot be certified as being satisfactory and in good working condition then the substandard section of the existing system is to be renewed.

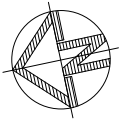
Development consent advice

- a. You are advised to consult with your utility providers (i.e. Energy Aust, Telstra etc) in order to fully understand their requirements before commencement of any work.
- b. *Dial Before You Dig*

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets, please contact Dial before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before You Dig service in advance of any construction or planning activities.

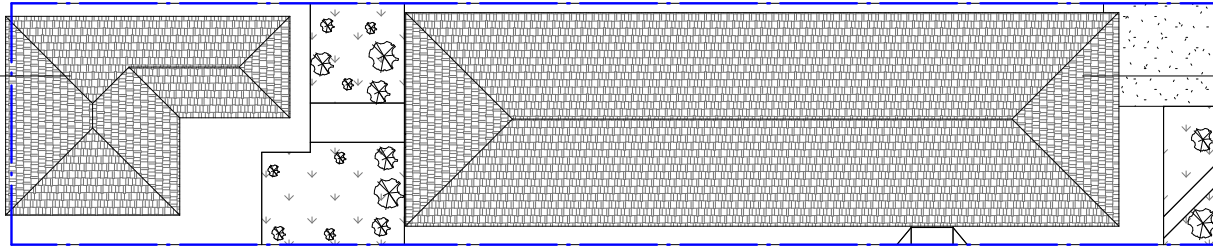
- c. If Council is appointed as the Principal Certifying Authority (PCA), a fee shall be paid before a Construction Certificate is issued. If the fee is paid after the end of the financial year, it will be adjusted in accordance with Council's adopted fees and charges. The fees charged encompass all matters related to ensuring that the proposed development is carried out in accordance with the approved plans and any post inspection issues that may arise.
- d. Hazardous and/or intractable wastes arising from the demolition process shall be removed and disposed of in accordance with the requirements of the relevant statutory authorities (NSW WorkCover Authority and the NSW Environment Protection Authority), together with the relevant regulations, including:
 - Work Health and Safety Act 2011
 - Work Health and Safety Regulation 2011
 - Protection of the Environment Operations (Waste) Regulation 2005.
- e. Demolition and construction shall minimise the emission of excessive noise and prevent "offensive noise" as defined in the Protection of the Environment Operations Act 1997. Noise reduction measures shall include, but are not limited to the following strategies:
 - choosing quiet equipment
 - choosing alternatives to noisy activities
 - relocating noise sources away from affected neighbours
 - educating staff and contractors about quiet work practices
 - informing neighbours of potentially noise activities in advance
 - equipment, such as de-watering pumps, that are needed to operate on any evening or night between the hours of 8 p.m. and 7 a.m. or on any Sunday or Public Holiday, shall not cause a noise nuisance to neighbours of adjoining or nearby residences. Where the emitted noise exceeds 5 dB(A) [LAeq(15m)] above the background sound level [LA90] at the most affected point on the nearest residential boundary at any time previously stated, the equipment shall be acoustically insulated, isolated or otherwise enclosed so as to achieve the sound level objective.

- f. The removal, cleaning and disposal of lead-based paint shall conform with the requirements of the NSW Environment Protection Authority's guideline - "Lead Alert - Painting Your Home".
- g. All site works shall comply with the occupational health and safety requirements of the NSW WorkCover Authority.
- h. In the event of any inconsistency between conditions of this approval and the drawings/documents referred to in condition 2, the conditions of this approval prevail.



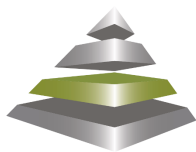
SYBIL LANE

1
A09



41 O'NEILL ST
BRIGHTON-LE-SANDS

SITE AREA =	453.06m ²
SITE COVERAGE =	229.36m ² / 50.6%
LANDSCAPING =	202.30m ² / 44.6%
PERVIOUS =	46.78m ²
IMPERVIOUS =	155.52m ²
POS =	58.30m ²
ROOF AREA =	326.76m ² (HOUSE + GARAGE)
HOUSE FOOTPRINT =	190.75m ²
HOUSE GROUND FLOOR =	175.73m ²
GARAGE =	53.63m ²
FSR =	0.38:1



EPA SOLUTIONS
ENVIRONMENTAL PLANNING & ARCHITECTURAL SOLUTIONS
FROM VISION TO REALITY
M: 0420 997 003
P: 02 7900 3548
E: ramez@epasolution.com.au
Suite 6A, Level 1, 83 Mulga Rd, Oatley NSW 2223

© COPYRIGHT ENVIRONMENTAL PLANNING & ARCHITECTURAL SOLUTIONS

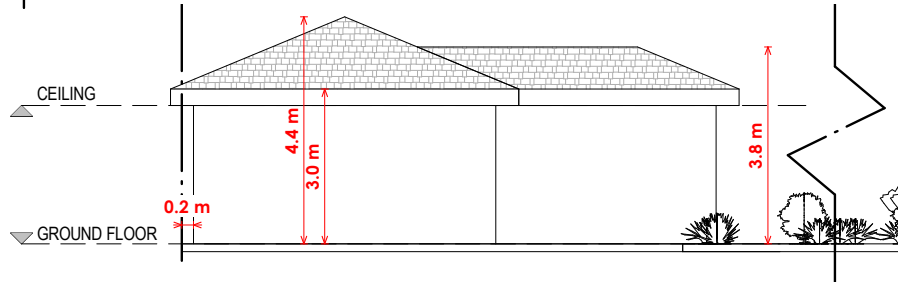
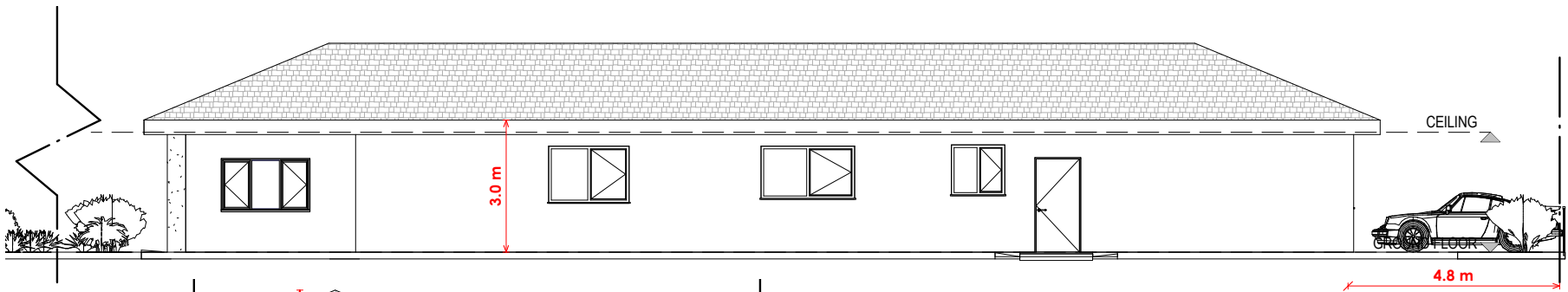
THIS PLAN & DESIGN ARE COPYRIGHT. NO SECTIONS CAN BE REPRODUCED IN WHOLE OR IN PART, WITHOUT THE WRITTEN PERMISSION OF ENVIRONMENTAL PLANNING & ARCHITECTURAL SOLUTIONS PRINCIPAL CONSULTANT

Ms JACQUELINE SAAD
Lot 131/ Plan no.DP4393 CHANGE OF USE
41 O'NEILL ST BRIGHTON-LE-SANDS

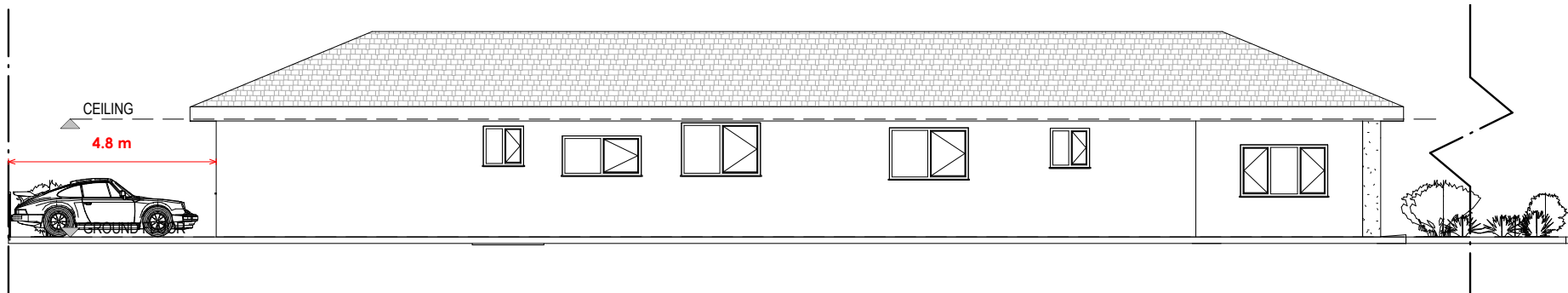
No.	Description	Date
1	ISSUED FOR APPROVAL	JUNE 2017

SITE / ROOF PLAN

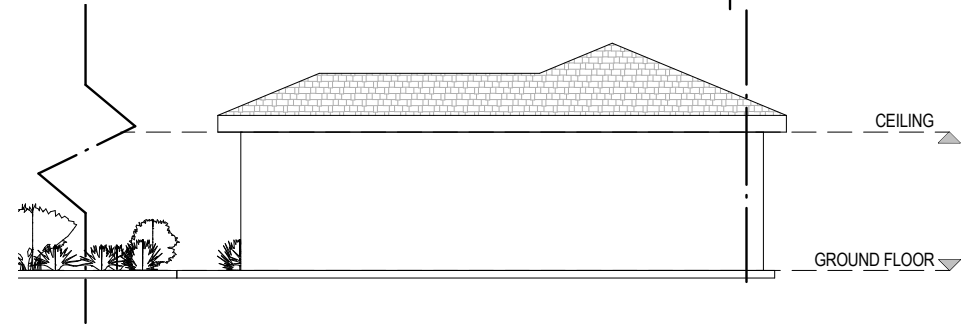
Project number	P102	A03	
Date	JUNE 2017		
Drawn by	TM		
Checked by	R.G.		
		Scale	As indicated



2 WEST
- 1 : 100



1 EAST
- 1 : 100



EPA SOLUTIONS
ENVIRONMENTAL PLANNING & ARCHITECTURAL SOLUTIONS
FROM VISION TO REALITY

M: 0420 997 003
P: 02 7900 3548
E: ramez@epasolution.com.au
Suite 6A, Level 1, 83 Mulga Rd, Oatley NSW 2223

© COPYRIGHT ENVIRONMENTAL PLANNING & ARCHITECTURAL SOLUTIONS

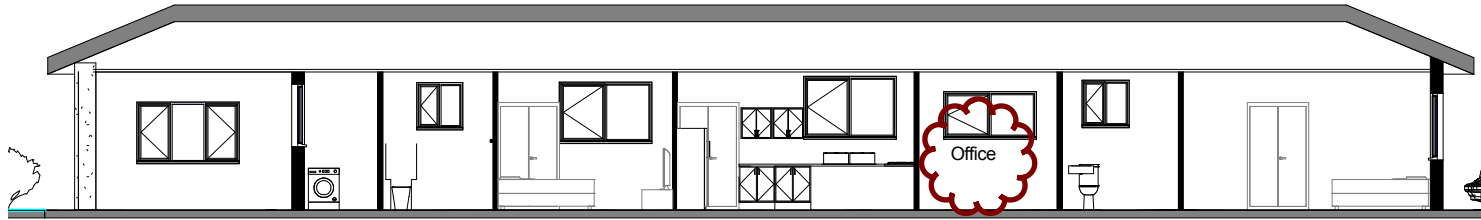
THIS PLAN & DESIGN ARE COPYRIGHT. NO SECTIONS CAN BE REPRODUCED IN WHOLE OR IN PART, WITHOUT THE WRITTEN PERMISSION OF ENVIRONMENTAL PLANNING & ARCHITECTURAL SOLUTIONS PRINCIPAL CONSULTANT

Ms JACQUELINE SAAD
Lot 131/ Plan no.DP4393 CHANGE OF USE
41 O'NEILL ST BRIGHTON-LE-SANDS

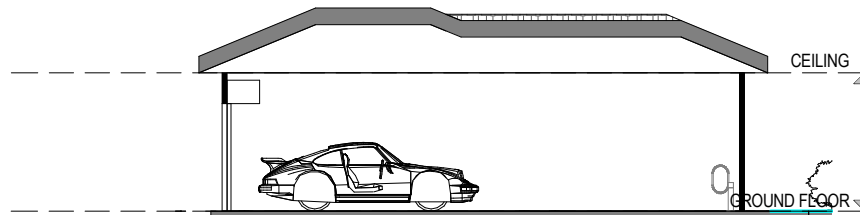
No.	Description	Date
1	ISSUED FOR APPROVAL	JUNE 2017

ELEVATIONS - 2

Project number	P102	A06	
Date	JUNE 2017		
Drawn by	TM		
Checked by	R.G.		
		Scale	1 : 100



1 Section 1
1: 100



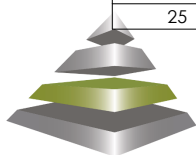
2 Section 2
1: 100

DOOR SCHEDULE

ITEM NO.	LEVEL	WIDTH	HEIGHT	Phase Created
02	GROUND FLOOR	820.000	2100.000	Existing
04	GROUND FLOOR	820.000	2100.000	Existing
05	GROUND FLOOR	820.000	2100.000	Existing
07	GROUND FLOOR	820.000	2100.000	Existing
08	GROUND FLOOR	820.000	2100.000	Existing
10	GROUND FLOOR	820.000	2100.000	Existing
11	GROUND FLOOR	1640.000	2100.000	Existing
12	GROUND FLOOR	2100.000	2100.000	Existing
13	GROUND FLOOR	820.000	2100.000	New Construction
14	GROUND FLOOR	2700.000	2100.000	Existing
15	GROUND FLOOR	2700.000	2100.000	Existing
16	GROUND FLOOR	820.000	2100.000	Existing
21	GROUND FLOOR	820.000	2100.000	New Construction
22	GROUND FLOOR	1760.000	2100.000	New Construction
23	GROUND FLOOR	970.000	2100.000	New Construction
24	GROUND FLOOR	970.000	2100.000	New Construction
25	GROUND FLOOR	970.000	2100.000	New Construction

WINDOW SCHEDULE

ITEM NO.	LEVEL	WIDTH	HEIGHT	DESCRIPTION	ORIENTATION
01	GROUND FLOOR	1210.000	1220.000	2 PANEL SLIDING	NORTH
02	GROUND FLOOR	900.000	920.000	SLIDING FROSTED	EAST
03	GROUND FLOOR	1810.000	1230.000	2 PANEL SLIDING	EAST
04	GROUND FLOOR	1810.000	1200.000	2 PANEL SLIDING	EAST
05	GROUND FLOOR	1810.000	930.000	2 PANEL SLIDING	EAST
06	GROUND FLOOR	920.000	930.000	SLIDING FROSTED	EAST
07	GROUND FLOOR	2180.000	1300.000	2 PANEL SLIDING	SOUTH
08	GROUND FLOOR	2180.000	1300.000	2 PANEL SLIDING	SOUTH
09	GROUND FLOOR	1810.000	1290.000	2 PANEL SLIDING	WEST
10	GROUND FLOOR	2110.000	1200.000	2 PANEL SLIDING	WEST
11	GROUND FLOOR	1200.000	1150.000	2 PANEL SLIDING	WEST
12	GROUND FLOOR	2000.000	1200.000	SLIDING 3 PANELS	EAST
13	GROUND FLOOR	2000.000	1200.000	SLIDING 3 PANELS	WEST



EPA SOLUTIONS
ENVIRONMENTAL PLANNING & ARCHITECTURAL SOLUTIONS
FROM VISION TO REALITY

M: 0420 997 003
P: 02 7900 3548
E: ramez@epasolution.com.au
Suite 6A, Level 1, 83 Mulga Rd, Oatley NSW 2223

© COPYRIGHT ENVIRONMENTAL PLANNING & ARCHITECTURAL SOLUTIONS

THIS PLAN & DESIGN ARE COPYRIGHT. NO SECTIONS CAN BE REPRODUCED IN WHOLE OR IN PART, WITHOUT THE WRITTEN PERMISSION OF ENVIRONMENTAL PLANNING & ARCHITECTURAL SOLUTIONS PRINCIPAL CONSULTANT

Ms JACQUELINE SAAD
Lot 131/ Plan no.DP4393 CHANGE OF USE
41 O'NEILL ST BRIGHTON-LE-SANDS

No.	Description	Date
1	ISSUED FOR APPROVAL	JUNE 2017
2	Amended Bedroom 3 to an office	21 March 2018

SECTIONS AND SCHEDULES

Project number	P102	A09	
Date	JUNE 2017		
Drawn by	TM		
Checked by	R.G.		
		Scale	1 : 100

Plan of Management

41 O'Neill Street Brighton Le Sands

Proposed Boarding Home

Contents

1. Title	4
2. Objectives.....	4
3. Operational Details	4
a) Address	4
b) Operational details.....	4
c) Hours of operation	4
4. Occupancy and Visitors	4
a) Maximum occupancy rate	4
b) Visitors	4
5. Measures to minimise unreasonable impacts on adjoining properties	5
a) Insulated bedroom walls.....	5
b) Use communal open spaces	5
6. Maintenance on fire safety	5
7. Deliveries and loading/ unloading	5
a) Provision of carparking	5
b) Noise/ vibration from plant and equipment.....	5
c) If no onsite caretaker/ site manager, how is the use managed	5
8. Managing customers or patrons.....	5
a) Boarding house staffing	5
b) Proposed house rules.....	6
i. All persons living or visiting the boarding house shall respect their fellow citizens and not infringe on their safety or well being.....	6
ii. Any illegal behaviour will be reported to the Police or other government agency.....	6
iii. All communal areas shall always be kept clean and tidy	6
iv. Clean up after yourself when using the kitchen or bathrooms	6
v. All bedrooms shall be cleaned by the resident and be kept clean and tidy	6
vi. Consume your own food or drink	6
vii. The following behaviour will translate into breach of contract and trigger the contract termination process:.....	6
c) Visitor Book	6
d) House furnishing	6
e) Room furnishing.....	6
f) Use communal open spaces	6
9. Waste minimisation	6
10. Safety and security.....	7

11.	Complaint handling	7
12.	POM review process	7

1. Title

This Plan of Management is for the boarding house at 41 O'Neill St Brighton le Sands.

2. Objectives

The objective of the new boarding house is to:

Provide the community with a low cost safe and social housing solution for those that need to live and work in the Brighton le Sands and St George area.

3. Operational Details

a) Address

The boarding house is situated at 41 O'Neill St Brighton le Sands which is in an R3 Medium Density Residential Zone area.

b) Operational details

The boarding house will operate 7 days a week all year round in line with council's registration requirements.

c) Hours of operation

The hours of operation shall be 24x7, 7 days a week in line with council's registration requirements.

4. Occupancy and Visitors

The boarding house may have the following roles visit and sleep overnight at the house:

Residents – have signed a contract and are permitted to sleep overnight at the boarding house in their own bedroom

Visitors – do not sign any contract and may visit a resident or may need to attend to the boarding house for repairs or legally enforced visits eg from the Police or Sydney Water

a) Maximum occupancy rate

The boarding house's maximum occupancy is expected to be 7 residents at any one time whereby Proposed bedroom 1 and 2 being double lodgers and are in excess of 16 sqm in size to the satisfaction of CI29 (2) (f) ARHSEPP and bedrooms 3,4 and 5 are all single lodgers

b) Visitors

All visitors must sign the Visitor Book (located in the Foyer) when they enter and leave the boarding house.

The visiting hours are restricted to 09.00 am to 09.00 pm Mon – Sun unless there are emergency repairs or maintenance work that needs to be preformed outside these hours and relates to the structure and safety of the property

5. Measures to minimise unreasonable impacts on adjoining properties

The house rules and contract will also support noise minimisation

a) Insulated bedroom walls

As per the Acoustic Report, the owner will implement their recommendations to contain bedroom noises.

b) Use communal open spaces

The house rules and contract will warn residents and visitors from making excessive noise in the communal open spaces.

6. Maintenance on fire safety

The boarding house will be fitted with 2 fire extinguishers and blankets in both kitchens and smoke and monoxide detectors in the house.

7. Deliveries and loading/ unloading

a) Provision of carparking

There is parking for 3 car spaces, a motor bike and 2 bicycles on the property and will be assigned in line with the signed contracts to residents only.

b) Noise/ vibration from plant and equipment

There is no plant or equipment on the property or in the house that generates any noise or vibration. The house rules and contract will prevent residents and guests from bringing anything into the house or on the property that makes any noise or vibration.

c) If no onsite caretaker/ site manager, how is the use managed

The owner and/or managing agent shall manage the property and ensure the house and residents/guest and visitors comply with this Plan of Management.

The managing agent will make appointments to greet potential residents to discuss interest/ sign new contracts.

The relevant contact phone numbers will be displayed at the front house door (so neighbours may contact the managing agent if required) and conduct scheduled monthly inspections as well as be available to meet with residents and visitors as requested. The managing agent will also conduct ad-hoc visits to ensure compliance is maintained.

The Foyer will have a hall way table to house the Visitor Book as well as Group Notice Board.

8. Managing customers or patrons

a) Boarding house staffing

The managing agent of the property will ensure the house and residents/guest and visitors comply with this Plan of Management.

b) Proposed house rules

The proposed house rules are as follows:

- i. All persons living or visiting the boarding house shall respect their fellow citizens and not infringe on their safety or well being
- ii. Any anti-social behaviour will be reported to the Police or other government agency
- iii. All communal areas shall always be kept clean and tidy
- iv. Clean up after yourself when using the kitchen or bathrooms
- v. All bedrooms shall be cleaned by the resident and be kept clean and tidy
- vi. Consume your own food or drink
- vii. The following behaviour will translate into breach of contract and trigger the contract termination process:

Intentional property or personal damage

Illegal behaviour or possessions

Excessive noise or unruly behaviour

Non-payment of rent

c) Visitor Book

All non-residents who enter the property are to sign the Guest and Visitor Book located in the foyer.

d) House furnishing

The communal kitchens will feature an operational sink, oven, fridge and microwave supported by cupboard space and cleaning detergents.

The communal bathrooms will feature operational shower, sink and toilet.

The communal social area will feature an operational air conditioning unit, a dining table, two sofas and one mounted television set.

The communal laundry will feature an operational washing machine and sink supported by cupboard space, broom-and-dustpan and vacuum cleaner.

e) Room furnishing

Each bedroom will feature a bed and built-in wardrobe or stand-alone wardrobe.

f) Use communal open spaces

Residents may use the communal open spaces from 7am – 10pm with bathrooms as the exception which can be accessed all the time ensuring showers outside these hours are reduced to 10 mins to minimise interruption to the others living at the property.

9. Waste minimisation

As per the Waste Management Plan, the owner will implement their recommendations to ensure waste minimisation.

The house will also feature recycling bins in both kitchens.

10. Safety and security

The house will be equipped with a landline for all to use in case of emergency as well as fire blankets and fire extinguishers in the large kitchen and social communal area.

The owner will also make available contact numbers at the house for any emergency contact if the site manager/ entity is not on site at the time of an emergency.

11. Complaint handling

All complaints and their resolution process and handling times will be recorded and maintained by the owner for events that take place on the property of 41 O'Neill St Brighton le Sands.

All complaints for events that occur on the property of 41 O'Neill St Brighton le Sands involving the residents/visitors with should be lodged in writing to the managing agent who will contact the impacted parties within 24 hours. The managing agent will commence the resolution process within 5 business days and seek a resolution within 10 business days unless it involves a third party. If the complaint cannot be resolved within 10 days and it involves a third party, the managing agent will initiate legal enforcement action to make sure their process, lead-times and resolution times apply.

The managing agent's phone numbers will be displayed on the Office Door and at the Front House Door (so neighbours may have a point of contact if required.)

12. POM review process

This Plan of Management will be reviewed on an annual basis with feedback incorporated from the residents, visitors, site manager / entity and other interested 3rd parties.

Customer Complaints Form

41 O'Neill Street, Brighton Le Sands NSW 2216

ALL complaints/incidents are to be directed to

Ph: OR Email:

Complainants Details

Please tick the appropriate box

☐ I am a resident at 41 O'Neill St Brighton Room No.

☐ I am a Neighbour to 41 O'Neill St Brighton

☐ I wish to remain anonymous

Note:

** Response of outcome cannot be notified to those who do not enter their details*

** If you would like a response to our investigation, we need at least one contact detail recorded above.*

Name:

Phone Number:

Mobile:

Email:

Address:

Details of Complaint/Incident

Date of Incident:

Time of Incident:

Date Incident reported:

Area of Concern:

Maintenance

Amenity

Health & Safety

Other

Complaint/ Incident Description

Person reported to (if relevant):

Date Incident/Complaint made:

To be filled out by Property Manager

Person received Complaint:

Capacity:

Note: Complainant must be contacted within two (2) business days to acknowledge complaint.

Date/Time responded:

Method of response delivery:

Action Taken:

Details Complainant Contacted (if different than above)

Signature

Letter of response or other supporting documentations attached



Clause 27 - Accessible area:

Monday to Friday		6	6	6	6	6	6	6	6	6	6	
map ref	Route Number	947	947	947	947	947	947	947	947	947	947	
H	Hurstville Interchange	...	06:12	...	06:47	...	07:30	07:55	08:20	08:40	09:05	09:35
I	Hurstville Westfield Forest Road	...	06:14	...	06:49	...	07:32	07:57	08:22	08:42	09:07	09:37
F	Allawah Station Lily Street	...	06:17	...	06:52	...	07:36	08:01	08:26	08:46	09:11	09:41
E	Park Road & Princes Highway	...	06:20	...	06:55	...	07:41	08:06	08:31	08:51	09:16	09:46
C	Dolls Point Norman Avenue	05:52	06:26	06:46	07:01	07:19	07:49	08:14	08:39	08:59	09:24	09:54
D	Ramsgate Beach Plaza	05:55	06:29	06:49	07:04	07:23	07:53	08:18	08:43	09:03	09:28	09:58
K	Hollywood Street & Chuter Avenue	05:57	06:31	06:51	07:08	07:27	07:57	C08:22	08:47	09:07	09:32	10:02
A	Kogarah Station	06:06	06:42	07:02	07:20	07:42	08:12	08:39	09:02	09:19	09:44	10:14

Pag

11

Monday to Friday (continued...)		6	6	6	6	6	6	6	6	6	6	6
map ref	Route Number	947	947	947	947	947	947	947	947	947	947	947
H	Hurstville Interchange	10:05	10:35	11:05	11:35	12:05	12:35	13:05	13:35	14:05	14:35	15:05
I	Hurstville Westfield Forest Road	10:07	10:37	11:07	11:37	12:07	12:37	13:07	13:37	14:07	14:37	F15:07
F	Allawah Station Lily Street	10:11	10:41	11:11	11:41	12:11	12:41	13:11	13:41	14:11	14:41	15:14
E	Park Road & Princes Highway	10:16	10:46	11:16	11:46	12:16	12:46	13:16	13:46	14:16	14:46	15:19
C	Dolls Point Norman Avenue	10:24	10:54	11:24	11:54	12:24	12:54	13:24	13:54	14:24	14:54	15:27
D	Ramsgate Beach Plaza	10:28	10:58	11:28	11:58	12:28	12:58	13:28	13:58	14:28	14:58	15:31
B	Hollywood Street & Chuter Avenue	10:32	11:02	11:32	12:02	12:32	13:02	13:32	14:02	14:32	15:02	15:35
A	Kogarah Station	10:44	11:14	11:44	12:14	12:44	13:14	13:44	14:14	14:44	15:15	15:48

Monday to Friday (continued...)		6	6	6	6	6	6	6	6	6	6
map ref	Route Number	947	947	947	947	947	947	947	947	947	947
H	Hurstville Interchange	15:33	16:00	16:20	16:50	17:20	17:50	18:20	18:43	19:13	19:43
I	Hurstville Westfield Forest Road	F15:35	16:02	16:22	16:52	17:22	17:52	18:22	18:45	19:15	19:45
F	Allawah Station Lily Street	15:42	16:06	16:26	16:56	17:26	17:56	18:26	18:48	19:18	19:48
E	Park Road & Princes Highway	15:47	16:11	16:31	17:01	17:31	18:01	18:31	18:52	19:22	19:52
C	Dolls Point Norman Avenue	15:55	16:19	16:39	17:09	17:39	18:09	18:39	19:00	N K19:21	N
D	Ramsgate Beach Plaza	15:59	16:23	16:43	17:13	17:43	18:13	18:43	...	19:27	19:27
B	Hollywood Street & Chuter Avenue	16:03	16:27	16:47	17:17	17:47	18:17	18:47	...	19:30	20:00
A	Kogarah Station	16:16	16:40	17:00	17:30	18:00	18:30	19:00	...	19:40	20:10

Monday to Friday (continued...)		947	947	947	947	947	947	947	947	947	947
map ref	Route Number	947	947	947	947	947	947	947	947	947	947
H	Hurstville Interchange	...	20:13		20:43	...	...	21:13	...	...	...
I	Hurstville Westfield Forest Road	...	20:15		20:45	...	...	21:15	...	...	...
F	Allawah Station Lily Street	...	20:18		20:48	...	...	21:18	...	...	...
E	Park Road & Princes Highway	...	20:22		20:52	...	...	21:22	...	...	...
C	Dolls Point Norman Avenue	K19:51		N K20:21		N K20:51	21:20	21:29	21:50	22:20	22:45
D	Ramsgate Beach Plaza	19:57	20:27	20:27	20:57	20:57	21:22	...	21:52	22:22	22:47
B	Hollywood Street & Chuter Avenue	20:00	20:30	20:30	20:59	20:59	21:24	...	21:54	22:24	22:49
A	Kogarah Station	20:10	20:40	20:40	21:08	21:08	21:33	...	22:03	22:33	22:58

Page

12

Saturday		947	947	947	947	947	947	947	947	947	947
map ref	Route Number	947	947	947	947	947	947	947	947	947	947
H	Hurstville Interchange	08:18	08:58	09:38	10:18	10:58	11:38	12:18	12:58	13:38	14:18
I	Hurstville Westfield Forest Road	08:20	09:00	09:40	10:20	11:00	11:40	12:20	13:00	13:40	14:20
F	Allawah Station Lily Street	08:24	09:04	09:44	10:24	11:04	11:44	12:24	13:04	13:44	14:24
E	Park Road & Princes Highway	08:28	09:08	09:48	10:28	11:08	11:48	12:28	13:08	13:48	14:28
C	Dolls Point Norman Avenue	08:35	09:15	09:55	10:35	11:15	11:55	12:35	13:15	13:55	14:35
D	Ramsgate Beach Plaza	08:39	09:19	09:59	10:39	11:19	11:59	12:39	13:19	13:59	14:39
B	Hollywood Street & Chuter Avenue	08:43	09:23	10:03	10:43	11:23	12:03	12:43	13:23	14:03	14:43
A	Kogarah Station	08:55	09:35	10:15	10:55	11:35	12:15	12:55	13:35	14:15	14:55

Saturday (continued...)		947	947	947	947	947	947	947	947	947	947
map ref	Route Number	947	947	947	947	947	947	947	947	947	947
H	Hurstville Interchange	15:38	16:18	16:58	17:38	18:08	18:40	...	...	...	...
I	Hurstville Westfield Forest Road	15:40	16:20	17:00	17:40	18:10	18:42	...	...	...	...
F	Allawah Station Lily Street	15:44	16:24	17:04	17:44	18:13	18:45	...	...	...	...
E	Park Road & Princes Highway	15:48	16:28	17:08	17:48	18:17	18:49	...	...	...	...
C	Dolls Point Norman Avenue	15:55	16:35	17:15	17:55	18:24	18:56	19:56	20:56	...	...
D	Ramsgate Beach Plaza	15:59	16:39	17:19	17:59	...	18:59	19:59	20:59	...	...
B	Hollywood Street & Chuter Avenue	16:03	16:43	17:23	18:03	...	19:02	20:02	21:02	...	...
A	Kogarah Station	16:15	16:55	17:35	18:15	...	19:12	20:12	21:12	...	...

Figure 4: Source: Transport NSW, Route 947, Dated 18th January 2016

Source: <http://www.transdevnsw.com.au/uploads/timetables/68/attachment/947.pdf>.