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18 December 2018

Deborah Brill
Director, Housing and Infrastructure Policy
Department of Planning and Environment
GPO Box 39
Sydney NSW 2001

Our Ref: 2018/770391

Dear Ms Brill

Proposed Amendments to State Environmental Planning Policy (Affordable Rental Housing) 2009

Northern Beaches Council welcomes the opportunity to comment on proposed amendments to State Environmental Planning Policy (Affordable Rental Housing) 2009 (the SEPP).

The proposal to limit the number of boarding rooms in a boarding house development in the R2 zone to a maximum of twelve (12) boarding rooms is strongly supported by Council.

You would be aware that Council has made a number of submissions to the Minister for Planning and the Department about the impact of the current controls for boarding houses, particularly in low density residential areas. The proposed amendments will prevent excessively large/ high density residential development on larger sites in the Council area and will discourage the consolidation of smaller sites for this use.

Proposed controls do not address overdevelopment of small sites

The proposed amendments will not prevent the overdevelopment of smaller sites in the R2 zone which are unsuitable for boarding houses with 12 boarding house rooms due to the inability to provide appropriate setbacks and open spaces to meet the needs of residents and to reduce impacts on adjoining properties.

While it is acknowledged that the development of smaller sites for boarding houses may be less likely due to minimum on-site parking requirements, local planning controls should better reflect the desired future character of local areas. Such low density neighbourhoods are typically characterised by 1-2 storey dwellings with generous setbacks and rear yards.

Proposed controls do not prevent proliferation of boarding house development

The proposed amendments would not prevent the redevelopment of a number of allotments in one street or locality, with consequent impacts related to additional traffic, car parking demand, and changing local character.

An accumulation of smaller sized boarding houses in a local area will have detrimental effects on streetscapes and local character.



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In the context of Northern Beaches low density residential areas, boarding houses of up to 12 rooms should be subject to strategically determined locational criteria, including controls for minimum allotment size and width.

Proposed controls will not apply to boarding house DAs not subject to the SEPP

Whilst development applications for boarding houses subject to the SEPP will be required to meet the proposed new controls, there is concern that some boarding house applications will not be subject to the new requirements unless Councils also amend their LEPs to reflect the new standards.

Council has received advice that Division 3 of Part 2 of the SEPP (entitled Boarding Houses) does not apply to development on land that is not in an accessible area (clause 27(2)).

As Boarding Houses are permissible in the R2 zone under all LEPs as a mandated use under the standard instrument, they may be approved in circumstances where the SEPP, and its requirements, do not apply.

We therefore seek your advice regarding the acceptability to the Department, of Council's preparation of a Planning Proposal to include the new SEPP requirements in Council's LEPs.

Should you require any further information about matters raised in this letter please contact Neil Cocks, Manager Strategic and Place Planning, on 9942 2746.

Yours faithfully

David Kerr
General Manager Planning Place & Community