

City of Sydney  
Visitor and Tourist  
Accommodation  
Development Control Plan  
2006

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# I Introduction

## I.1 Introduction

The provision of tourist and visitor accommodation for all price ranges and a variety of lifestyles is encouraged in the City of Sydney.

This Development Control Plan (DCP) aims to ensure that the design, development and management of visitor and tourist accommodation provides acceptable levels of health, safety and amenity for guests, whilst not adversely impacting on the amenity of surrounding land use and the local environment.

For the purposes of this DCP, visitor and tourist accommodation refers to: backpacker accommodation; private hotels; motels; guesthouses; and bed and breakfast accommodation, used by travellers for temporary accommodation.

**Note:** This DCP does not apply to boarding houses, serviced apartments, and residential flat buildings.

Premises approved for residential development (such as serviced apartments and / or residential units and the like) are not to be used for backpacker accommodation, or for any other use without development consent. A new development application is required for any separate or additional use.

Definitions of the development types addressed by this DCP are provided in the relevant Local Environmental Plan (LEP) and in Section 1.8 of this DCP.

**Appendix A** of this DCP provides a checklist of the specific requirements for visitor and tourist accommodation in addition to the standard requirements of the City for lodgement of development applications. These standard submission requirements may be obtained at Council's One Stop Shop or Neighbourhood Service Centres, contact details for which are in the following table.

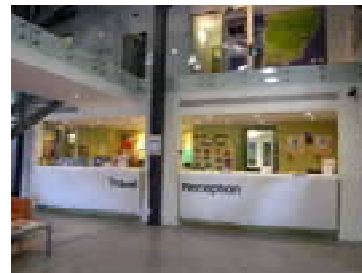
<b>Town Hall One-Stop-Shop</b>	
Town Hall House Level 2, 456 Kent St Sydney. Monday to Friday 8.00 am to 6.00 pm	
<b>Redfern Neighbourhood Service Centre</b>	<b>City East Neighbourhood Service Centre</b>
Tower 2, 1 Lawson Square Redfern Monday to Friday 8.00am - 5.30pm, Saturday 9.00am – 12 midday	60a Darlinghurst Road, Kings Cross. Monday to Friday 8.30am – 6.00pm, Saturday 9.00am-12 midday
<b>Glebe Town Hall Neighbourhood Service Centre</b>	<b>Erskineville Neighbourhood Service Centre</b>
Glebe Town Hall, 160 St. Johns Road, Glebe 2037 Monday to Friday 8.30am- 6.00pm	104 Erskineville Road, Erskineville. Monday to Friday: 9am to 5pm

## I.2 Citation

This Development Control Plan (DCP) is called the *City of Sydney, Visitor and Tourist Accommodation Development Control Plan 2006*.

## I.3 Commencement

This DCP was approved by the Council of the City of Sydney on 27 February 2006. The DCP commenced operation on 24 March 2006.



## 1.4 Area to which the plan applies

This DCP applies to all land within the City of Sydney Local Government Area, the boundaries of which may change from time to time. An indicative map of the City of Sydney is shown below in **Figure 1**.

## 1.5 Objectives

The objectives of this DCP are:

- To provide a satisfactory level of health, comfort, amenity and facilities in premises providing tourist and visitor accommodation.
- To provide sufficient space for guests to carry out a variety of recreational pursuits within the premises;
- To ensure that the design, operation and impact of tourist and visitor accommodation does not unreasonably affect the amenity of the surrounding area;
- To provide the necessary level of fire safety for the occupants of the premises;
- To provide proper management to maintain acceptable standards of operation, administration, cleanliness and fire safety and amenity of the surrounding area; and
- To ensure that development in accordance with this DCP does not result in the loss of low cost long-term rental housing stock, such as boarding houses, which are not subject to this DCP.

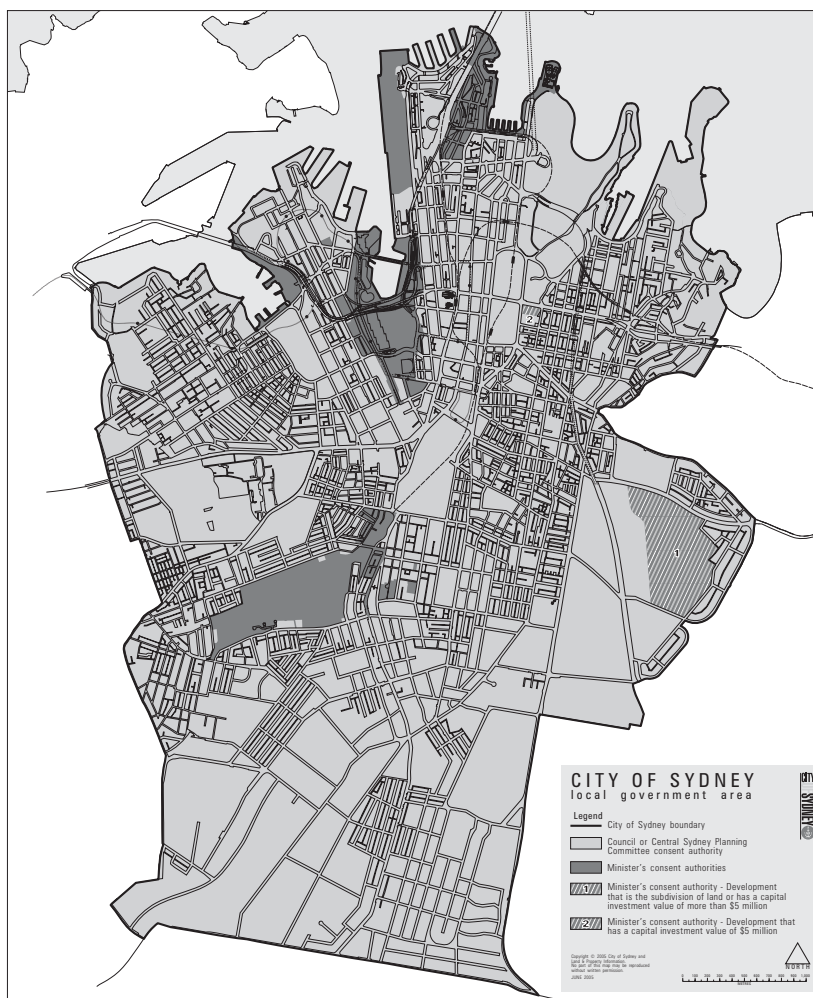


Figure 1 - The City of Sydney

## 1.6 Relationship to other environmental planning instruments and development control plans

This DCP complements the provisions of the relevant environmental planning instruments as they apply to the City of Sydney. Where there is any inconsistency between this plan and an applicable Local Environmental Plan (LEP), the LEP will prevail.

Upon commencement of this DCP the following development control plans and policies or parts thereof where they apply to tourist and visitor accommodation in the City of Sydney are repealed:-

- *Section 6.3, Part 6 – Central Sydney Development Control Plan 1996;*
- *Section 4.5, Part F – South Sydney Development Control Plan 1997;*
- *Policy for the Provision of Tourist and Visitor Accommodation (Prepared by the City of Sydney, 2001)*
- *Policy for the Provision of Tourist and Visitor Accommodation in Central Sydney (Prepared by the City of Sydney, 2001); and*
- *Health Policy for Places of Shared Accommodation (Prepared by South Sydney Council, 2000).*

## 1.7 Application of this DCP

This DCP applies to:

- Construction of all new visitor and tourist accommodation;
- Conversion or adaptation of an existing building to tourist and visitor accommodation; or
- Expansion of, or alterations and additions to tourist and visitor accommodation, which requires a development application.

**Note:** Works to and/or conversions of Bed and Breakfast Accommodation may be covered by the provisions of Exempt and Complying Development Control Plans applying to the City of Sydney Local Government Area. Bed and Breakfast proposals that meet existing Exempt and Complying provisions do not require consent and are not subject to this DCP's controls. You are advised to contact the Duty Town Planner to discuss whether these provisions apply.

## 1.8 Definitions

For the purpose of provisions contained in this DCP:

**Backpacker Accommodation** in this DCP has the following meaning:

- (For area subject to Sydney LEP 2005)  
**Backpacker Accommodation** in Central Sydney means low cost tourist and visitor accommodation provided in a building or part of a building that may involve use of shared facilities such as communal bathroom, kitchen and laundry, and shared sleeping accommodation in which there are two or more persons in a room.
- (For area subject to South Sydney LEP 1998)  
**Backpackers' hostel** means a building having an average of two or more beds in each room and providing temporary shared accommodation for travellers and tourists who have their principal place of residence elsewhere.
- (For area subject to Leichhardt LEP 2000)  
**Backpacker hostel** means a building or part of a building primarily used to provide accommodation for travellers, tourists or persons engaged in recreational pursuits but is not used as their principal place of residence, and does not include a building or place elsewhere defined in this Schedule.

**Bed and Breakfast Accommodation** in this DCP has the following meaning:

- (For area subject to Sydney LEP 2005)  
**Bed and Breakfast Accommodation** is a form of visitor and tourist accommodation and means a dwelling house which:
  - (a) Provides no more than 6 persons; and
  - (b) Offers at least breakfast; and
  - (c) Does not contain facilities in rooms for the preparation of meals by guests, and
  - (d) Is operated and managed by the person who normally resides in the dwelling.
- (For area subject to South Sydney LEP 1998)  
**Bed and breakfast** means a dwelling house which provides short-term accommodation for not more than 6 persons, and incorporates common facilities for the provision of meals, but does not include a backpackers' hostel, boarding house, serviced apartment, private hotel, hotel or motel.
- (For area subject to Leichhardt LEP 2000)  
**Bed and breakfast accommodation** means a dwelling which:
  - (a) provides temporary overnight accommodation for the short-term traveller; and
  - (b) offers at least breakfast, and
  - (c) provides no more than two double rooms for let, and
  - (d) does not contain facilities in rooms for the preparation of meals by guests, and
  - (e) is operated and managed by the person who normally resides in the dwelling.

**Hotel** in this DCP has the following meaning:

- (For area subject to Sydney LEP 2005)  
**Hotel** means a building or part of a building that includes premises specified in hotelier's licence granted under the *Liquor Act 1982* and that provides serviced tourist and visitor accommodation in rooms or self contained suites. It may also provide function rooms.
- (For area subject to South Sydney LEP 1998)  
**Hotel** means premises specified in a hotelier's licence granted under the *Liquor Act 1982*.
- (For area subject to Leichhardt LEP 2000)  
**Hotel** means a premises, including a tavern, specified or proposed to be specified in a hotelier's licence granted under the *Liquor Act 1982*, whether or not the premises provide accommodation

**Motel** in this DCP has the following meaning:

- (For area subject to Sydney LEP 2005, where the definition is adopted from the model provisions)  
**Motel** means a building or buildings (other than a hotel, boarding-house or residential flat building) substantially used for the overnight accommodation of travellers and the vehicles used by them whether or not the building or buildings are also used in the provision of meals to those travellers or the general public.
- (For area subject to South Sydney LEP 1998)  
**Motel** means a building (other than a hotel, backpackers' hostel, private hotel, bed and breakfast or boarding house) used principally for the overnight accommodation of travellers and the parking of their vehicles whether or not meals are also provided in the building to those travellers or the general public.

- (For area subject to Leichhardt LEP 2000)

**Motel** means a building or buildings (other than a hotel, boarding house, bed and breakfast accommodation, backpacker hostel or private hotel) primarily used for the overnight accommodation of travellers and their vehicles, whether or not the building or buildings are also used in the provision of meals to those travellers or the general public.

**Private Hotel** in this DCP has the following meaning:

- (For area subject to Sydney LEP 2005)

**Private Hotel** means a hotel used primarily for short term residential purposes which does not constitute premises licensed under the Liquor Act 1982, and is not a boarding house, bed and breakfast or backpackers' hostel or the like.

- (For area subject to South Sydney LEP 1998)

**Private Hotel** means a hotel used primarily for short term residential purposes which does not constitute premises licensed under the Liquor Act 1982, and is not a boarding house, bed and breakfast or backpackers' hostel.

- (For area subject to Leichhardt LEP 2000)

**Private Hotel** means a hotel used primarily for short-term residential purposes which is not licensed under the Liquor Act 1982 and does not include a building or place elsewhere defined in the LEP Schedule.

**Tourist accommodation** means a building or part of a building that provides temporary or short term accommodation for travellers and tourists who generally have their principal place of residence elsewhere. Tourist and Visitor Accommodation includes serviced apartments, backpacker accommodation, hotels, guest houses, bed and breakfast accommodation, motels and the like.



## 2 General Provisions for all visitor and tourist accommodation

The following provisions apply to all forms of visitor and tourist accommodation. Additional controls apply to bed and breakfast, hotel, private hotels and motels, backpacker accommodation and serviced apartments (see sections 3, 4, 5 and 6 of this DCP).

### Planning Provisions

Planning provisions are the City's controls for development within the City of Sydney Local Government Area.

### Strategy

Visitor and tourist accommodation provide short term accommodation. Despite the short term occupancy, minimum standards should be established to ensure that visitor and tourist accommodation provide adequate levels of comfort, amenity, health, and safety conditions.

The following provisions provide minimum standards for location, building form, sleeping rooms, recreational areas, facilities, amenity, access for people with disabilities, waste, material selection, car parking and signage.

### 2.1 Building Form

#### Objectives

The amenity of visitor and tourist accommodation is closely related to the extent and quality of the built form. Building design is to:

- Ensure that new development, including alterations and additions maintain consistency with the predominant height of the built form within the locality, particularly having regard to adjoining and adjacent development;
- Achieve an appropriate building scale and design;
- Ensure that new buildings do not adversely impact on adjoining properties through loss of privacy or overshadowing and view loss; and
- Ensure that developments have regard to *Crime Prevention Through Environmental Design* (CPTED) Principles.

#### Provisions

##### General

- 2.1.1 Detailed site analysis and design should ensure that any new development is self contained within the site and there are no common access ways with adjoining properties.

##### Height, Floor Space Ratio, and Setback

- 2.1.2 Visitor and tourist accommodation must comply with the relevant height, floor space ratio, setback, and building envelope controls as stipulated by the LEP and/or DCP relevant to that area.

##### Ceiling Heights/Bunks

- 2.1.3 For all new buildings, ceiling heights must be increased in sleeping rooms providing shared or dormitory-style accommodation to 2700 mm for rooms with double bunks. For safety reasons, triple bunks are not permitted.



## 2.2 Rooms, Recreational Areas and Facilities

### Objectives

The design of internal spaces and facilities within a visitor and tourist accommodation can affect the comfort and amenity of guests. The objectives of the provisions relating to rooms, recreational areas and facilities are:

- To provide a satisfactory level of health, comfort, amenity and facilities in premises providing tourist and visitor accommodation;
- To provide sufficient space for guests to carry out a variety of recreational pursuits within the premises; and
- To encourage a mixture of room sizes and bed configurations to allow for greater choice and diversity.

### Provisions

#### Sleeping Room Occupancy Requirements

- 2.2.1 Each bed must be provided with a minimum 800 mm x 1900 mm mattress, pillow and an adequate supply of clean linen and blankets.
- 2.2.2 A washable mattress protector should be provided to alleviate allergy symptoms and minimise bed bug infestations.
- 2.2.3 Where bunk beds are provided, a fixed ladder (ie, that is not easily removed) must be provided to allow access to upper bunks. A non-removable safety rail that extends along at least half the length of the upper bed in a bunk bed must also be provided.
- 2.2.4 Internal partitions should be considered within sleeping rooms to provide privacy between beds.
- 2.2.5 Each room must be provided with:
- (i) A mirror;
  - (ii) A waste container fitted with disposable liner;
  - (iii) An approved latching device on the door;
  - (iv) A night light or other approved illumination to each bed; and
  - (v) A double power point per 4 beds, however, at least one double power point is required per room.
- 2.2.6 All doors and windows must be kept clear of obstructions, including bunk beds.
- 2.2.7 Cooking facilities are not permitted in sleeping rooms.

#### Kitchen Areas

- 2.2.8 All windows and external doors of every dining room and every room or place used for or in connection with the preparation or storage of food must be fitted with fly-proof screens of wire gauze or other material approved by the consent authority.
- 2.2.9 Kitchen plumbing fittings must have a minimum AAA rating.
- 2.2.10 Refrigeration and dishwashing appliances provided must be within 1.5 Stars of the most efficient available of the same type and capacity category.
- 2.2.11 The make, model and star rating of refrigeration and dishwashing appliances must be provided prior to the issue of an Occupation Certificate. Appliance energy ratings can be viewed at <http://www.energyrating.gov.au>.

**Note:** Further information concerning sustainability provisions is provided in Appendix B: Environmental sustainability guidelines, of this DCP.

## Bathrooms, Laundries and Drying Facilities

**2.2.12** All toilet and shower facilities, including communal facilities, must be:

- (i) constructed to allow easy cleaning and maintenance;
- (ii) provided with adequate lighting and power points for guests;
- (iii) provided with a mirror; hand drying facilities and soap adjacent to each hand basin;
- (iv) for communal facilities, provided with a soap holder in each shower recess;
- (v) screened for privacy;
- (vi) provided with a sign displayed in a prominent position to denote the gender for which they are intended; and
- (vii) provided with an adequate number of hooks or shelves to allow guests to place belongings whilst preventing contact with the floor and water.

**2.2.13** Clothes washing appliances installed must be within 1.5 Stars of the most efficient available of the same type and capacity category.

**2.2.14** If installed, electric clothes dryers must have a minimum 3.5 Star SEDA greenhouse rating.

**2.2.15** The make, model and star rating of clothes washing and drying appliances must be provided prior to the issue of an Occupation Certificate. Appliance energy ratings can be viewed at <http://www.energyrating.gov.au>.

**Note:** Further information concerning sustainability provisions is provided in **Appendix B: Environmental sustainability guidelines**, of this DCP.

## 2.3 Amenity

### Objectives

The amenity of visitor and tourist accommodation is influenced by factors including daylight access, siting and orientation of the development to provide both visual and acoustic privacy. The aims of amenity provisions are:

- To enhance the amenity of visitor and tourist accommodation in terms of daylight, sun access, ventilation, privacy, outlook, noise, and safety.
- To ensure the protection of the visual and acoustic privacy and amenity of residents of nearby buildings and spaces; and
- To provide a satisfactory level of health, comfort, amenity and facilities in premises providing tourist and visitor accommodation.

### Provisions

**2.3.1** Visitor and tourist accommodation must comply with the relevant amenity controls as stipulated by the relevant LEP and/or DCP.

**2.3.2** In bedrooms, floor coverings should be smooth, well maintained (crevices in floors to be sealed) and ideally made of polished floor boards, cork, tile, or vinyl, with underlay to deter hiding of bed bugs and other vermin. The use of carpet in bedrooms should be avoided. If carpet is to be used, it must comply with the fire / flammability index of materials in accordance with Part C of the *Building Code of Australia, Volume 1*.

**2.3.3** A Noise Management Plan is to be submitted with the Development Application (refer to Section 2.10.10 of DCP for requirements). In addition, a noise/nuisance complaints register must be kept up to date at all times and must be made available to Council on request (refer to Section 2.10.4 of DCP for requirements).

## 2.4 Access for People with Disabilities

### Objectives

The objective of provisions for access for people with disabilities is:

- To ensure all new visitor and tourist accommodation and building conversions, plus associated spaces (including communal open space, parking areas and the like) are designed to be accessible for all persons.

### Provisions

- 2.4.1** All new visitor and tourist accommodation (or building conversions or additions to existing premises) must comply with the minimum access requirements contained within the *City of Sydney Access Development Control Plan 2004*.
- 2.4.2** Additions and alterations to existing buildings may also be required to comply with the above requirements dependent on the extent of works proposed. Refer to the *City of Sydney Access Development Control Plan 2004* for further information.

## 2.5 Energy and Water Efficiency

### Objectives

Any new building or substantial additions must encompass sustainable development practices to:

- Have regard to the principles of Ecologically Sustainable Development (ESD) by providing energy and water efficient buildings;
- Encourage the design and construction of buildings that minimise consumption of energy from non-renewable sources and potable water to preserve the environment and reduce greenhouse gas emissions including minimise reliance on mechanical heating and cooling;
- Improve the health and comfort of the occupants in terms of maximising natural air flow, and minimise impacts on the existing solar access of adjoining premises; and
- Encourage site planning and building design that optimises site conditions to achieve energy and water efficiency.

### Passive Energy Design

- 2.5.1** If possible communal areas should face within  $\pm 20^\circ$  of true north and windows positioned to admit direct sunlight for at least three hours between 9.00am and 3.00pm on 21<sup>st</sup> June.
- 2.5.2** Windows should allow access to cooling summer breezes.
- 2.5.3** Buildings are designed to make use of natural daylight.
- 2.5.4** Windows and skylights are to be sized and located so that all rooms do not need artificial lighting during the day.
- 2.5.5** Any new construction as part of an alteration or addition must comply with the following minimum added insulation levels:
- reflective foil sarking under tiled roof or foil backed anti-condensation blanket for metal roof;
  - ceiling insulation with a minimum 3.0 R value;
  - timber or steel frame walls with a minimum 1.5 R value; and
  - cavity brick wall insulation with a minimum 1.0 R value.
- 2.5.6** North facing glazing is shaded from summer sun and exposed to winter sun.

- 2.5.7 East and west facing glazing is shaded from morning and afternoon summer sun by external shading devices.
- 2.5.8 Skylights and roof windows in habitable rooms are fitted with shading devices to keep out the summer sun.
- 2.5.9 Windows and doors are located to maximise cross ventilation by cooling breezes.
- 2.5.10 Windows and/or doors are lockable in a partially open position to provide ventilation under high security conditions at night or when occupants are away from the accommodation.
- 2.5.11 External doors and windows should be adequately sealed and weather stripped to prevent uncontrolled ventilation due to air leaks.

### Active Energy Design

- 2.5.12 All proposed hot water systems must have a minimum Greenhouse Score of 3.5.
- 2.5.13 Solar boosted and heat pump hot water systems must be eligible for at least 24 Renewable Energy Certificates (RECs). The number of RECs a solar or heat pump water heater qualifies for can be found at <http://www.orer.gov.au>.
- 2.5.14 The make, model, and Greenhouse Score of hot water systems must be provided prior to the release of an Occupation Certificate. The NSW Sustainable Energy Development Authority has an on-line hot water calculator to compare different types of water heaters: <http://www.energysmart.com.au/les/>. Energy ratings for gas water heaters can be found at <http://www.gas.asn.au> in the Certified Product Directory for gas appliances.
- 2.5.15 Hot water systems are to be located as close to the kitchen and bathroom as possible to reduce hot water pipe lengths.
- 2.5.16 Buildings must have their internal spaces configured so that areas to be heated or cooled can be closed off from other spaces.
- 2.5.17 When heating and cooling appliances are installed as part of the development, they must be energy efficient models:
  - Air conditioners will have an energy efficiency rating within 2 Stars of the best available for the capacity and type. This will apply to both heating and cooling if reverse cycle models;
  - Gas heaters must be at least 3 Star rated; and
  - All ducting in unconditioned spaces must be insulated to at least R1.5
- 2.5.18 Solid fuel heaters must not be installed.
- 2.5.19 The make, model and star rating of heating and cooling appliances must be provided prior to the release of an Occupation Certificate. Appliance energy ratings can be viewed at <http://www.energyrating.gov.au>.

### Water Efficiency and Potable Water Supply Reduction

- 2.5.20 All new toilets, showerheads, dishwashers, washing machines and taps must have a minimum 3A rating.
- 2.5.21 Where new plumbing is to be installed that dual plumbing be considered to facilitate current or future use of recycled water or rainwater ie separate supply lines to toilets, irrigation and laundry.
- 2.5.22 Rainwater tanks are to be provided for all new buildings and are to be considered in all alterations and additions where floor area increases by more than 20 % or kitchen or bathrooms or laundries are renovated.
- 2.5.23 Rainwater tanks must be plumbed into appropriate indoor end uses.

**2.5.24** Rainwater tank sizes are to be determined by the end use, roof area and site opportunities.

**2.5.25** Examine opportunities for on-site reuse of grey-water for applications such as irrigation, toilet flushing and clothes washing using NSW Health accredited treatment devices.

**2.5.26** All toilets in the proposed development must be dual-flush. Waterless urinals are encouraged.

**Note:** Further information concerning sustainability provisions is provided in **Appendix B: Environmental sustainability guidelines**, of this DCP.

## 2.6 Waste

### Objectives

The level of health, comfort, amenity of a visitor can be affected by the efficient waste minimisation and resource recovery including ongoing facility management. The objectives of the waste provisions are:

- To ensure more efficient management of waste and recyclable materials;
- To ensure waste systems are easy to use and that collection vehicles are able to access buildings to remove waste;
- To ensure safe practices for storage, handling and collection of waste and recycling;
- To ensure health and amenity for visitors, residents and workers in the City of Sydney; and
- To minimise noise during use by residents and collection of waste and recyclables.

### Provisions

**2.6.1** Waste and recycling storage areas must be provided on the site in an approved position and constructed in accordance with the requirements of Council's *Policy for Waste Minimisation in New Developments* and Councils.

**2.6.2** A sufficient number of watertight receptacles with close fitting lids for the reception of garbage and refuse arising from the premises must be provided. The contents of such garbage receptacles are to be disposed of at least once in every seven consecutive days. The proprietor must not allow the garbage or refuse to become a nuisance at any time.

**2.6.3** Waste must be containerised in Council approved containers and are the responsibility of the waste generator. Containers must:

- (i) be mobile garbage bin, maximum 240 litres;
- (ii) have permanently fixed, tight-fitting lid;
- (iii) have smooth internal washable surface;
- (iv) be fully intact;
- (v) be permanently labelled with the name, all hours telephone number and/or address of the waste generator;
- (vi) be permanently labelled with the name and all hours telephone number of the commercial waste contractor;
- (vii) be free of stains, odours and debris; and
- (viii) be in full working order with no cracks, missing wheels, lids or pins.

**2.6.4** A waste and recycling storage room or collection point must be provided within the site in an approved position constructed in accordance with the requirements of the *City's Policy for Waste Minimisation in New Developments*. The room or area must be kept clean at all times and nuisance free.

- 2.6.5 In commercial and mixed use developments, arrangements should be made with a private contractor for the removal of waste and recyclable materials.

## 2.7 Materials Selection

### Objectives

The use of materials in building construction, renovation and refurbishment is a major contributor to environmental impact. Use materials efficiently and select environmentally preferred materials for use in construction, renovation and refurbishment. The Objectives of the Materials Selection provisions are:

- Prevent ecological degradation and protect biodiversity and habitat;
- Reduce depletion of non-renewable material resources;
- Reduce the greenhouse-related impacts of material production, transport and use;
- Reduce material waste and increase the recovery of waste for re-use in buildings;
- Expand the market for re-used materials and materials with recycled content; and
- Create healthier indoor environments.

### Provisions

- 2.7.1 At Development Application stage, the Statement of Environmental Effects are encouraged to demonstrate the extent to which environmentally preferred materials are used in the building works.
- 2.7.2 At Construction Certificate stage, the *Materials Specification* should list all the materials used and indicate which materials are environmentally preferred.
- 2.7.3 Generally, an environmentally preferred material is one that meets the objectives and criteria set out in this section. Environmentally preferred materials can be identified and selected using *EcoSpecifier* and the other materials choice databases listed **Appendix B** of the DCP.
- 2.7.4 When choosing between comparable environmentally preferred materials, buy local products to save on transportation energy.
- 2.7.5 All structural timbers and floorboards must be:
- (i) Timber supplied from sustainable plantation sources, with Forest Stewardship Council (FSC); or
  - (ii) Australian Forestry Standard (AFC) Certification; or
  - (iii) Timber specified by *EcoSpecifier* or the Wilderness Society's *One Stop Timber Shop* or Friends of the Earth's *Good Wood Guide 9<sup>th</sup> Edition*; or
  - (iv) Re-used/recycled
- 2.7.6 Specify smaller section timbers and sizes to allow use of plantation and re-growth timbers. Larger solid sections (e.g. floor boards wider than 140mm or beams over 300mm deep) are not generally a characteristic of re-growth forests or plantations.
- 2.7.7 For joinery timbers (windows, doors, skirtings, architraves, trims and built-in furniture) use of any timbers from forests with high conservation value, including rainforests, is strongly discouraged. It is the applicant's responsibility to check whether the timber they are proposing to use is from these sources. If so, a written justification must be provided in the Statement of Environmental Effects and the Materials Specification, explaining why environmentally preferred alternatives have not been selected.

**Note:** Common examples of rainforest timber include (but are not limited to) Meranti, Merbau, Pacific maple, Rimu, Mahogany, Teak, Ebony, Anegre, Brushbox and Western Red Cedar.

- 2.7.8** Use local timbers in preference to imported timbers, except where imported timbers have superior environmental attributes.
- 2.7.9** Adaptive re-use of existing building facades and existing building structure is strongly encouraged where feasible.
- 2.7.10** Use materials with recycled content where available. Examples of common building materials which can contain recycled content are concrete, steel, insulation, composite timber products, underlay and many cladding materials.
- 2.7.11** Use of renewable natural materials such as bamboo, jute, sisal and cork for interior finishes is encouraged. These are known as 'fast cycling' because they grow quickly to replenish stock.
- 2.7.12** Materials and finishes containing low to zero levels of Volatile Organic Compounds (VOCs) and other toxic chemicals are recommended. This is particularly important for large surfaces such as walls, ceilings and floors. Where possible, use materials that do not require finishes and avoid solvent-based products.
- 2.7.13** Water-based low emission interior paints should be used such as 'zero VOC' paints or plant-based bio-paints on interior painted surfaces.
- 2.7.14** Low emission finishes to timber floors should be used, as should joinery such as plant-based hard oils and waxes, or materials should be purchased pre-finished.
- 2.7.15** If using composite timber products such as medium density fibrewood (MDF), plywood or laminated timbers, select low formaldehyde E1 standard (formaldehyde is a VOC commonly found in composite timber products). For larger scale developments, it may be possible to obtain E0 standard products, which emit at least 50% less than E1.
- 2.7.16** Where possible, water-based sealants and adhesives should be used.
- 2.7.17** Effective and controllable natural ventilation and the use of indoor plants also contribute to healthy indoor air quality.
- 2.7.18** Avoid use of organic chlorine-based materials such as polyvinyl chloride (PVC) and vinyl where possible. Use alternatives to PVC for drainage and finishes where viable. High-density polyethylene (HDPE) is a commercially available alternative to PVC for plumbing.
- 2.7.19** Use of timber treated with toxic preservatives such as copper chrome arsenate (CCA) solution is strongly discouraged. Environmentally preferred treatments and suppliers can be found in *EcoSpecifier*.
- 2.7.20** Heavy metals are to be avoided. Use zinc plated fixings in preference to cadmium plated fixings, and minimise chrome plating fittings and fixtures (stainless steel or other finishes are preferred).

**Note:** Further information concerning sustainability provisions is provided in **Appendix B:** Environmental sustainability guidelines, of this DCP.

## 2.8 Car Parking

### Objectives

Given the demographic profile of the average traveller and the transient nature of their occupation, car ownership and usage of short-term accommodation patrons is relatively low. Notwithstanding this, any proposals for new visitor and tourist accommodation must ensure adequate provision is made for both residents and staff or the owner/manager to minimise off-site impacts.



Appropriately located parking for cars and tourist coaches is important in the development of visitor accommodation and enhancement of pedestrian amenity in the City of Sydney LGA. The objectives of the car parking provisions are:

- To encourage the provision of on-site parking facilities which are compatible with the City's transport policies, and consider the anticipated resident needs, community and environmental expectations;
- To ensure parking does not compromise existing traffic movements or result in vehicle conflicts;
- To ensure the provision of convenient, accessible and safe on-site parking for residents; and
- To ensure parking does not compromise the aesthetic value of streetscapes or character, particularly in residential areas.

### Provisions

**2.8.1** The provision for car parking and bicycle storage facilities on the site must comply with controls as stipulated by the relevant LEP and/or DCP.

**2.8.2** On-site provision for delivery and service vehicles must comply with controls as stipulated by the relevant LEP and/or DCP.

## 2.9 Signage

### Objectives

- To ensure that all advertising achieves a high level of design quality and its relationship to the architectural design of buildings and the character of streetscapes.

### Provisions

**2.9.1** The provision for signage on the site must comply with controls as stipulated by the City of Sydney Signage and Advertising Structures Development Control Plan (DCP) 2005.

## 2.10 Operation and Management

### Strategy

An important aspect of minimising potential impacts from visitor and tourist accommodation is ensuring that they are managed properly.

Plans of Management, appointment of a site manager and administration procedures are useful tools to ensure that suitable management practices are in place to minimise impacts on adjoining owners and ensure that a suitable amenity is maintained for residents living within the visitor and tourist accommodation.

### Objectives

The objectives of the operation and management provisions are:

- To ensure requirements under Occupational Health and Safety legislation are satisfied;
- To provide proper management to maintain acceptable standards of operation, administration, cleanliness and fire safety and amenity of the surrounding area; and
- To provide an adequate level of fire safety for the occupants of the premises.

## Provisions

### General Operational Requirements

- 2.10.1** The name and 24 hour contact phone number of the site manager or resident caretaker must be prominently displayed in the reception area of the premises at all times.
- 2.10.2** Where premises provide shared or dormitory style accommodation, the house rules for the premises must be conspicuously displayed in the reception area of the premises and in communal dining and recreational areas.
- 2.10.3** A register must be kept detailing the length of stay of each person accommodated (including the on-site manager or resident care-taker) on the premises. The Accommodation Register must be kept up to date at all times and must be made available to Council on request. An Accommodation Register proforma appears in **Appendix D** of this DCP for guidance.
- 2.10.4** A Noise and Nuisance Register must be kept up to date at all times and made available to Council on request (see **Appendix E**). The register must contain:
- (i) Complaint date and time;
  - (ii) Name of person/police/Council making complaint
  - (iii) Contact details (phone and address) of person / police / Council lodging complaint;
  - (iv) Nature of complaint;
  - (v) Name of staff on duty;
  - (vi) Action taken (by whom and when); and
  - (vii) Outcome and or further action required (for example: community consultation, meet with Council, meet with local police, review management policy or issue resolved).

A Noise and Nuisance Register proforma appears in **Appendix E** for your guidance.

### On-Site Manager

- 2.10.5** For all tourist accommodation premises, a site manager/s must be on the site when guests have access to the premises. For premises with less than 20 residents, a resident caretaker may be accepted instead of a site manager.

**Note:** A 'Site Manager' is a person who is a permanent employee of the premises, or owner of the premises, who is responsible for the welfare of the guests, who administers the premises' emergency procedures and plans of management, and provides training to all employees of such procedures. The Site Manager is a contact point for occupants in the event of an emergency and must be present on site at all times. Should the Site Manager leave the premises at any point in time, an alternative contact person must remain on site, with details (i.e. name, title, telephone number) readily available to all patrons. For Bed and Breakfast Establishments, a Site Manager must be contactable at all times.

A 'Resident Care-taker' is an employee of the premises who is responsible for the welfare of the guests. A resident care-taker may reside on the site for more than 28 days and must be present on site at all times. Resident care-takers are to be familiar and briefed on the premises' emergency procedures, and must be a contact point for occupants in the event of an emergency.

- 2.10.6** The site manager/s or resident care-taker is responsible for the operation, administration, cleanliness and fire safety of the premises, including compliance with the Plan of Management, Noise Management Plan, Emergency Management and Evacuation Plan, updating registers and comply with any conditions of consent.

- 2.10.7** Prior to the commencement of business, notification in writing and evidence must be submitted to the consent authority to ensure that the site manager or resident care-taker has undergone training to obtain certification or be qualified and knowledgeable in:
- (i) Fire evacuation procedures;
  - (ii) Management protocol;
  - (iii) Council requirements and conditions of consent; and
  - (iv) First Aid.
- 2.10.8** Training, including fire safety procedures, management protocol, Council requirements and conditions of consent, is to be provided for each site manager or resident care-taker every 12 months. In addition, a First Aid Certificate is to be kept up to date. Evidence in the form of a Training Register and First Aid Certificate, is to be kept on site and made available to Council Officers on request. A Training Register proforma appears in **Appendix F** for guidance.

### Plans of Management

- 2.10.9** A Plan of Management must be submitted and approved by the consent authority prior to the issue of an Occupation Certificate for visitor and tourist accommodation. The Plan of Management must address the following:
- (i) A schedule providing proof of compliance with the standards of this Policy, for example, occupancy rate for each sleeping room, provision of communal areas and sanitary facilities, and access and facilities for persons with disabilities;
  - (ii) Nominate proposed maximum period of stay of guests;
  - (iii) Measures to ensure that guest numbers do not exceed those proposed should development consent be granted;
  - (iv) Measures to minimise unreasonable impact to the habitable areas of adjoining premises;
  - (v) Proposed staffing arrangements, including location and contact details of the site manager or resident caretaker
  - (vi) Proposed security measures to restrict unauthorised after hours access to the building (eg intercom system, mechanical locking devices, building management system, card access, or digital detection and evidence-capture);
  - (vii) Proposed house rules (eg guest behaviour, activities and noise, consumption of alcohol, practice of safe sex, visitor policy);
  - (viii) Proposed waste minimisation, management, storage and collection procedures;
  - (ix) Details of whether a shuttle service (providing a pick up and drop off service to potential guests) is proposed in association with the premises, and the timing and phasing details of any shuttle service;
  - (x) Maintenance of fire safety in the building;
  - (xi) Details of how it is proposed to ensure the ongoing workability of emergency systems on the site including lighting and smoke detectors, any sprinkler systems, and air conditioning systems; and
  - (xii) Details of any on site security or surveillance systems.

**2.10.10** A Noise Management Plan must be submitted and approved by the consent authority prior to the issue of the Occupation Certificate for visitor and tourist accommodation. The Noise Management Plan must address the following:

- (i) Details of site supervision, hours of operation, night management;
- (ii) Details on restrictions to amplified music, time, use (refer to the *Protection of the Environment Operations (POEO) Act 1997* and the *Noise Control (Miscellaneous Articles) Regulation 1995*).
- (iii) Details about visitor time;
- (iv) Information given to guest upon check-in (for example: restricted areas, curfew hours);
- (v) Details about any signage to inform guests of curfew hours;
- (vi) Details on training guidelines for staff;
- (vii) Details on the process for community consultation and dealing with noise complaints from residents;
- (viii) A noise management plan is to be on site and made available upon request; and
- (ix) A noise management plan date to be reviewed.

#### **Annual Certification**

**2.10.11** Premises used for visitor and tourist accommodation must also provide on request from Council officers, certification or evidence for the following:

- (i) Compliance with the Plan of Management approved for the premises;
- (ii) Compliance with the requirements of the Emergency Management and Evacuation Plan;
- (iii) Maintenance of registers required under this DCP;
- (iv) Maintenance of schedules for the premise; and
- (v) Details of site manager or resident caretaker training in accordance with Section 2.10.7 of the DCP.

#### **Fire Safety**

**2.10.12** Prior to occupation of the building, an Emergency Management and Evacuation Plan must be prepared for the building, and approved by the Principal Certifying Authority. The emergency Management and Evacuation Plan must address (but is not limited to) Section 2.2.3, parts (a), (b), (h), (m) and (o) of *Australian Standard 3745-2002*.

**2.10.13** Staff must be trained in relation to the operation of the approved Emergency Management and Evacuation Plan.

**2.10.14** Combustible furnishings and fittings, such as lounges, desks, and display boards are not permitted in public corridors and egress routes from sleeping rooms as they may restrict the safe means of egress from the building and reduce the level of fire safety in the building.

**2.10.15** Mattresses, curtains, and furniture must be of materials that resist the spread of fire, and limit the generation of smoke and heat.

**2.10.16** The premises must be regularly checked to ensure that fire safety and the essential fire safety measures in the building are maintained, and that all required exits and egress paths are clear, and free of locks and obstructions.

**2.10.17** Public liability insurance is recommended to cover paying guests.

## Health, Amenity and Safety Standards

Health, amenity and safety standards are generally specified by other relevant non-planning legislation and documents applying to the whole of NSW or Australia, such as *Occupational Health and Safety Act 2000*; *Occupational Health and Safety Regulations 2001*, *Building Code of Australia (BCA)* and relevant Australian Standards. Standards and requirements from these documents are mandatory and must be complied with.

### 2.11 Building Form

#### General

2.11.1 The premises must be designed and constructed so as to comply with relevant provisions of the *Building Code of Australia (BCA)*.

### 2.12 Rooms, Recreational Areas and Facilities

#### Sleeping Room Occupancy Requirements

2.12.1 Where accommodation is provided for more than 28 consecutive days, the *Public Health (General) Regulation 2002* requires a minimum of 5.5 square metres per person.

#### Kitchen Areas

2.12.2 Where food is prepared, provided by the proprietor or is for sale, the kitchen and food storage areas must comply with the *Australian Standard AS 4674 – 2004 Design, Construction and fitout of food premises* and be provided with appropriate ventilation.

2.12.3 Kitchen flooring and benches are of impervious material to comply with the *Food Regulation 2004*.

#### Bathrooms

2.12.4 Toilet and shower facilities must be provided and constructed so as to comply with the requirements of the *Building Code of Australia* as follows:

- 1 bath or shower; and
- 1 toilet and washbasin

per 10 residents for whom private facilities are not provided, except that if 1 urinal is provided for each 25 males up to 50 (ie, two required) and one additional urinal for each additional 50 males or parts thereof, one closet pan for each 12 males may be provided.

2.12.5 All toilet and shower facilities, including communal facilities, must be provided with an adequate supply of running hot and cold water in accordance with the *Building Code of Australia*.

### 2.13 Amenity

2.13.1 Adequate daylight must be provided to all bedrooms and dormitories by windows, skylights, glass bricks or similar translucent material, that are open to the sky, or face a courtyard or other space open to the sky or an open verandah, carport or the like and have an aggregate light transmitting area of not less than 10% of the floor area of the room in accordance with the *Building Code of Australia*.

2.13.2 Artificial lighting must be provided to all rooms that are frequently occupied and all corridors, lobbies, internal stairways, other circulation spaces and paths of egress if natural lighting is not available in accordance with the *Building Code of Australia*.

- 2.13.3** All habitable rooms, sanitary compartments, shower rooms, bathrooms, laundries and any other room occupied by a person for any purpose must have either natural ventilation or mechanical ventilation to comply with the *Building Code of Australia* and *Australian Standard 1668*.
- 2.13.4** Natural ventilation must consist of permanent openings, windows, doors or other devices that can be opened – with an aggregate opening or openable size not less than 5% of the floor area of the room required to be ventilated and open to a suitably sized court, or space open to the sky or an open verandah, carport or the like in accordance with the *Building Code of Australia*.
- 2.13.5** Mechanical ventilation must be installed in accordance with the requirements of the *Building Code of Australia, Australian Standard 1668 Part 1 – 1998* and *Australian Standard 1668 Part 2 – 1991*.
- 2.13.6** Noise arising from within the premises must not result in “Offensive Noise” (as defined in the *Protection of the Environment Operations (POEO) Act 1997*) at any adjoining residential premises, and that external noise generation arising from the use must be minimised through the establishment of appropriate management procedures and their ongoing application.
- 2.13.7** Sound transmission and insulation is to comply with Part F5 of the *Building Code of Australia, Vol 1* for backpacker accommodation, hotel, private hotel, motel and serviced apartments and comply with Part 3.8.6 of the *Building Code of Australia, Vol 2* for bed and breakfast accommodation.
- 2.13.8** All parts of the premises and surrounds, including furniture, fittings, utensils, beds and bed linen must be kept in good repair; clean, healthy, and free from vermin in accordance with the *Local Government (General) Regulation 2005*.

## 2.14 Access for People with Disabilities

- 2.14.1** All new visitor and tourist accommodation (or building conversions or additions to existing premises) must comply with the minimum access requirements contained within Parts D and F of the *Building Code of Australia* and *Australian Standard (AS) 1428 – Design for Access and Mobility*.

## 2.15 Operation and Management

### General Operational Requirements

- 2.15.1** A sign must be displayed adjacent to the entry to the premises indicating the maximum length of stay of guests on the premises to comply with the *Local Government (General) Regulations 2005*. An example is shown in **Appendix C**.
- 2.15.2** Where there is shared accommodation, an occupancy schedule showing the number of each bedroom and dormitory and the number of persons permitted to be accommodated in each bedroom/ dormitory must be conspicuously displayed at the reception area of the premises and the room number and maximum residential capacity of the room must be displayed on each bedroom/ dormitory door in accordance with the *Local Government (General) Regulation 2005*. Examples are shown in **Appendix C**.

### General Operational Requirements

- 2.15.3** The employer and site manager are to comply with the requirements under *Occupational Health and Safety Act 2000* and *Occupational Health and Safety Regulations 2001*.

### Fire Safety

- 2.15.4** The premises must comply with the *Building Code of Australia* and the *Environmental Planning and Assessment Regulations 2000*.

- 2.15.5 A copy of the annual fire safety statement and current fire safety schedule for the premises must be prominently displayed in the reception area in accordance with Section 177 of the *Environmental Planning and Assessment Regulation 2000*.
- 2.15.6 A fire safety evacuation floor plan must be provided behind every door to each bedroom or public / common areas. Floor plan must be location specific indicating the way of exit from the building and shall meet the requirements of *Australian Standard 3745-2002*.
- 2.15.7 Smoke detection system is to be installed that complies with *Australian Standard 3786-1993* and *Australian Standard 3000-1991*.

### Annual Certification

- 2.15.8 Annual certification of essential fire safety measures for visitor and tourist accommodation must occur in accordance with the *Environmental Planning and Assessment Regulation 2000*. A copy of an Annual Fire Safety Statement is to be submitted to Council and the Commissioner of New South Wales Fire Brigades and be prominently displayed in the building.

## 3 Bed and Breakfast Accommodation

The following provisions specifically apply to Bed and Breakfast accommodation in addition to the general provisions in Section 2.

**Note:** Works to and/or conversions of Bed and Breakfast Accommodation may be covered by the provisions of Exempt and Complying Development Control Plans applying to the City of Sydney Local Government Area. Bed and Breakfast proposals that meet existing Exempt and Complying provisions do not require consent and are not subject to this DCP's controls. You are advised to contact the Duty Town Planner to discuss whether these provisions apply.



### Planning Provisions

Planning provisions are Council's controls for development within the City of Sydney Local Government Area.

### 3.1 General

3.1.1 The bed and breakfast accommodation must be permanently occupied by a resident or residents, and the establishment is operated by the permanent residents of the dwelling, and does not employ persons not permanently residing on the site.

### 3.2 Rooms, Recreational Areas and Facilities

#### Sleeping Room Occupancy Requirements

- 3.2.1 Bed and Breakfast accommodation should have no more than two persons per guest bedroom.
- 3.2.2 The maximum stay for bed and breakfast accommodation is 3 months.
- 3.2.3 Secure lockable storage facilities of a minimum capacity of 0.6 cubic metres per person must be provided to allow guests to individually store baggage and travel items within the sleeping room.
- 3.2.4 No key release dead locks should be on guest bedroom and exit doors
- 3.2.5 There should be no bars or other restrictions to egress from guest bedroom windows.

#### Kitchen Areas

- 3.2.6 A separate hand wash basin (in addition to any single or double bowl sink) is required.
- 3.2.7 A single or double bowl sink and commercial grade dishwasher capable of heating water to a minimum of 60 degrees Celsius is required.
- 3.2.8 Cooking facilities or a kitchenette in sleeping rooms are not permitted in bed and breakfast accommodation.

#### Bathrooms, Laundries and Drying Facilities

- 3.2.9 There must be a minimum of two bathrooms and toilets in any bed and breakfast accommodation, so as to provide separate bathrooms and toilets for guests and permanent residents.
- 3.2.10 A washtub, clothes washing machine and clothes dryer (or clothesline with minimum 20 metres - can be retractable in an outdoor area or drying room) must be provided for every 50 residents or part thereof.

**Note:** The City may vary this requirement if provision is made by the site manager for a daily laundry pick-up service to a local launderette, and the provisions of the *Building Code of Australia* are complied with.



- 3.2.11 Where provided outdoor clothes drying facilities are to be open to breezes and receive at least two hours solar access between 9am and 3pm on 21<sup>st</sup> June.

### 3.3 Operations and Management

#### Fire Safety

- 3.3.1 Floor coverings in sleeping rooms and corridors must be of materials that resist the spread of fire, and limit the generation of smoke and heat.

#### Health, Amenity and Safety Standards

Health, amenity and safety standards are generally specified by other relevant non-planning legislation and documents applying to the whole of NSW or Australia, such as *Occupational Health and Safety Act 2000*; *Occupational Health and Safety Regulations 2001*, *Building Code of Australia (BCA)* and relevant Australian Standards. Standards and requirements from these documents are mandatory and must be complied with.

### 3.4 Rooms, Recreational Areas and Facilities

#### Kitchen Areas

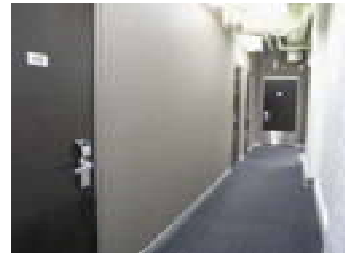
- 3.4.1 Refrigerator to maintain food below 5 degree Celsius to comply with the *Food Regulation 2004*.
- 3.4.2 A fire extinguisher and fire blanket are installed in the kitchen to comply with the *Building Code of Australia* and the *Food Regulation 2004*.

## 4 Hotels, Private Hotels and Motels

The following provisions specifically apply to Hotels, Private Hotels and Motels in addition to the general provisions in Section 2.

### Planning Provisions

Planning provisions are Council's controls for development within the City of Sydney Local Government Area.



### 4.1 Rooms, Recreational Areas and Facilities

#### Sleeping Room Occupancy Requirements

- 4.1.1 The maximum number of persons accommodated in a bedroom, or in a dormitory is determined on the basis of 3.25 square metres per person per sleeping room.
- 4.1.2 Where accommodation is provided for more than 28 consecutive days there should be no more than two persons per room and the maximum stay for hotels, private hotels, and motels is 3 months.
- 4.1.3 Secure lockable storage facilities of a minimum capacity of 0.6 cubic metres per person must be provided to allow guests to individually store baggage and travel items within the sleeping room.

#### Kitchen Areas

- 4.1.4 Where rooms include a small kitchenette adequate cupboards and shelves should be provided. In addition a small bar-type fridge in good working order should also be provided. However to reduce fire hazard, provision of cooking appliances (other than a microwave and kettle) is not permitted.

#### Bathrooms, Laundries and Drying Facilities

- 4.1.5 One sharps container is to be located within one toilet cubicle for each gender for every level with toilet facilities. Toilets with syringe disposal facilities must be identified.
- 4.1.6 Sharps containers must be locked and constructed of stainless steel. Arrangements for the collection and transport of sharps materials must be made with a licensed waste contractor.
- 4.1.7 Final disposal of sharps containers must be conducted by Department of Environment and Conservation licensed contaminated waste contractors.

### Health, Amenity and Safety Standards

Health, amenity and safety standards are generally specified by other relevant non-planning legislation and documents applying to the whole of NSW or Australia, such as *Occupational Health and Safety Act 2000*; *Occupational Health and Safety Regulations 2001*, *Building Code of Australia (BCA)* and relevant Australian Standards. Standards and requirements from these documents are mandatory and must be complied with.

### 4.2 Rooms, Recreational Areas and Facilities

#### Provisions

#### Sleeping Room Occupancy Requirements

- 4.2.1 Where accommodation is provided for more than 28 consecutive days, the *Public Health (General) Regulation 2002* requires a minimum of 5.5 square metres per person.

- 4.2.2** 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 in accordance with the *Local Government (General) Regulations 2005*.

#### **Bathrooms, Laundries and Drying Facilities**

- 4.2.3** Sanitary facilities for employees must comply with Part F2 of the *Building Code of Australia*.

### **4.3 Operation and Management**

#### **General**

- 4.3.1** Operators should ensure that their premises complies with the *Smoke-free Environment Act 2000* which regulates smoking in enclosed public places". Information concerning the legislation can be accessed through <http://www.health.nsw.gov.au/health-public-affairs/smokefree/index2001.html>.

#### **Fire Safety**

- 4.3.2** Each sleeping room in a Class 3 building must be considered as a sole occupancy unit for the purposes of Section C and Parts D1, D2 and F5 of the *Building Code of Australia* so as to ensure that there is adequate fire safety in the building, and adequate sound insulation to provide reasonable amenity between sleeping rooms.
- 4.3.3** In a Class 3 building, public corridors, and egress routes from sleeping rooms, must be fire separated from adjoining uses (including sleeping rooms, reception areas, linen and baggage stores, garbage room, recreation/ lounge room, and kitchen) to comply with Performance Requirement CP2 of the *Building Code of Australia*.
- 4.3.4** Floor coverings in sleeping rooms and corridors must be of materials that resist the spread of fire, and limit the generation of smoke and heat in accordance with Section C of the *Building Code of Australia*.

## 5 Backpacker Accommodation

The following provisions specifically apply to Backpacker accommodation in addition to the general provisions in Section 2.

### Planning Provisions

Planning provisions are controls for development within the City of Sydney Local Government Area.



### 5.1 Location

#### Objectives

The zones where backpacker accommodations are permitted are generally prescribed by the relevant Local Environmental Plans (LEPs). The location of backpacker accommodation can influence the amenity for the occupants and the surrounding neighbourhood. The objectives are:

- To encourage the provision of backpacker accommodation within close proximity to public transport, services and facilities;
- To ensure that backpacker accommodation are appropriately located so as to reduce adverse amenity impact on the neighbourhood; and
- To ensure that backpacker accommodation development does not result in the loss of low cost long-term rental housing stock, such as boarding houses.

#### Provisions

- 5.1.1** Backpacker accommodation is to be located within business or mixed use areas; and should be within acceptable walking distance of public transport and within easy access to facilities and services.
- 5.1.2** Backpacker accommodation is generally not permitted in residential areas, acknowledging that in some cases, there are existing backpacker facilities in residential areas that have been previously approved under pre-existing planning regimes.

**Note:** For clear advice as to permissibility, refer to the relevant LEP zoning table.

### 5.2 Rooms, Recreational Areas and Facilities

#### Sleeping Room Occupancy Requirements

- 5.2.1** The maximum number of persons accommodated in a bedroom, or in a dormitory is determined on the basis of 3.25 square metres per person per sleeping room.
- 5.2.2** Sleeping rooms providing shared or dormitory-style accommodation must be designed to accommodate no more than 8 guests.
- 5.2.3** The maximum length of stay for guests of backpacker accommodation is 28 consecutive days.
- 5.2.4** Mattresses in sleeping rooms should be made of high density foam, must be fire retardant and be designed to eliminate potential harbourage of vermin including bed bugs, *Cimex lectularius*. A mattress with no seams or piping where vermin can hide is appropriate.
- 5.2.5** Secure lockable storage facilities of a minimum capacity of 0.6 cubic metres per person must be provided to allow guests to individually store baggage and travel items within the sleeping room.
- 5.2.6** A staff room must be provided. In addition, where a site manager, or resident caretaker lives on site, a separate sleeping room (not shared room or dormitory) must be provided.

- 5.2.7 In premises providing for more than thirty (30) beds, a range of room sizes and bed types (i.e. single and double beds) should be provided.

### Communal Recreational Areas

- 5.2.8 Communal recreational areas must be provided within the premises at the rate of 0.75 square metres per person.

- 5.2.9 Communal recreation areas should be internal to the building, and must have a minimum total floor area of 20 square metres and a minimum width of 3 metres, where there is less than 30 occupants.

**Note:** the floor area of bedrooms, bathrooms, laundries, reception area, storage, kitchens, car parking, loading docks, driveways, clothes drying areas, corridors and the like is not counted when determining the area of communal areas. Dining areas may be included as a communal recreation area.

- 5.2.10 If communal outdoor facilities are proposed, it should not be greater than 20% of the total communal recreational area. The design and location are to reduce noise impacts and details on management of the space including restricted hours of access (for example, no access later than 10.30pm) and noise management are to be addressed.

### Kitchen Areas

- 5.2.11 For all backpacker accommodation, an internal self-catering kitchen with separate dining room must be provided on site. The kitchen must allow for 15% of the maximum number of guests to prepare and consume meals at any one time.

- 5.2.12 Cooking facilities or a kitchenette in sleeping rooms are generally not permitted in backpacker accommodation.

### Bathrooms, Laundries and Drying Facilities

- 5.2.13 Toilets are to be in a separate compartment from common showers/bathrooms. Walls separating toilet and shower facilities must be a minimum of 1800mm high and a maximum 250mm off the ground. In the case of a unisex facility, partitions separating adjacent compartments are to extend from floor level to ceiling.

- 5.2.14 Toilets are encouraged to be fitted with one condom vending machine for each male and each female facility on every floor of the accommodation venue.

- 5.2.15 A washtub, clothes washing machine and clothes dryer (or clothesline with minimum 20 metres - can be retractable in an outdoor area or drying room) must be provided for every 50 residents or part thereof.

**Note:** The City may vary this requirement if provision is made by the site manager for a daily laundry pick-up service to a local laundrette, and the provisions of the *Building Code of Australia* are complied with.

- 5.2.16 Where provided outdoor clothes drying facilities are to be open to breezes and receive at least two hours solar access between 9am and 3pm on 21<sup>st</sup> June.

- 5.2.17 One sharps container is to be located within one toilet cubicle for each gender for every level with toilet facilities. Toilets with syringe disposal facilities must be identified.

- 5.2.18 Sharps containers must be locked and constructed of stainless steel. Arrangements for the collection and transport of sharps materials must be made with a licensed waste contractor.

- 5.2.19 Final disposal of sharps containers must be conducted by Department of Environment and Conservation licensed contaminated waste contractors.

## 5.3 Operation and Management

### General Operational Requirements

- 5.3.1 Health information relevant to backpackers are to be displayed prominently in communal areas, particularly drug, alcohol and sexual health related information. A referral list of emergency numbers, local drug and alcohol, sexual health and general health services for travellers in Australia is essential and should be displayed in the top four language groups of backpackers.

### Health, Amenity and Safety Standards

Health, amenity and safety standards are generally specified by other relevant non-planning legislation and documents applying to the whole of NSW or Australia, such as *Occupational Health and Safety Act 2000*; *Occupational Health and Safety Regulations 2001*, *Building Code of Australia (BCA)* and relevant Australian Standards. Standards and requirements from these documents are mandatory and must be complied with.

## 5.4 Rooms, Recreational Areas and Facilities

### Provisions

#### Sleeping Room Occupancy Requirements

- 5.4.1 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 in accordance with the *Local Government (General) Regulations 2005*.

#### Bathrooms, Laundries and Drying Facilities

- 5.4.2 Sanitary facilities for employees must comply with Part F2 of the *Building Code of Australia*.

## 5.5 Operation and Management

### General

- 5.5.1 Operators should ensure that their premises complies with the *Smoke-free Environment Act 2000* which regulates smoking in enclosed public places". Information concerning the legislation can be accessed through <http://www.health.nsw.gov.au/health-public-affairs/smokefree/index2001.html>.

### Fire Safety

- 5.5.2 Each sleeping room in a Class 3 building must be considered as a sole occupancy unit for the purposes of Section C and Parts D1, D2 and F5 of the *Building Code of Australia* so as to ensure that there is adequate fire safety in the building, and adequate sound insulation to provide reasonable amenity between sleeping rooms.
- 5.5.3 In a Class 3 building, public corridors, and egress routes from sleeping rooms, must be fire separated from adjoining uses (including sleeping rooms, reception areas, linen and baggage stores, garbage room, recreation/ lounge room, and kitchen) to comply with Performance Requirement CP2 of the *Building Code of Australia*.
- 5.5.4 Floor coverings in sleeping rooms and corridors must be of materials that resist the spread of fire, and limit the generation of smoke and heat in accordance with Section C of the *Building Code of Australia*.

## Appendix A: Checklists

The checklists are specific to the requirements of visitor and tourist accommodation in addition to the standard requirements of the City for lodgement of development applications which can be obtained at Council's One Stop Shop.

If you are unclear as to whether the proposal is subject to the requirements of this DCP, please contact the City's Shared Accommodation Project Officer or the Duty Town Planner at the 'One Stop Shop' or at the City's Neighbourhood Service Centres located at Redfern, Glebe, Kings Cross, and Erskineville.

### Occupation Certificate

Prior to the issue of the occupation certificate or commencement of business, the following documents are to be submitted to Council:

	Document	Reference in DCP
1	A Plan of Management is to be prepared by the applicant	Section 2.10.9
2	A Noise Management Plan	Section 2.10.10
3	An Emergency Management and Evacuation Plan	Section 2.10.12
4	Notification in writing and evidence that the site manager or resident caretaker has undergone training and is qualified to manage the premises	Section 2.10.7 & Appendix F

### Annual Certification

An Annual Fire Safety Statement is required to be submitted to Council in accordance with the *Environmental Planning and Assessment Regulation 2000*. A copy must be submitted to:

Building Compliance Officer  
 Health and Building – Fire Safety Unit  
 City of Sydney  
 GPO Box 1591  
 SYDNEY NSW 2001

### Plans, Registers, Documents and Inspections

The following plans, registers and documents are to be kept on site and up to date at all times and be made available on request:

#### Plans

	Document	Reference in DCP
1	Plan of Management	Section 2.10.9
2	Noise Management Plan	Section 2.10.10
3	Emergency and Evacuation Plan	Section 2.10.12

## Registers and Documents

	Document	Reference in DCP
1	A register detailing the length of stay for each person accommodated including the on-site manager or resident care taker	Section 2.10.3 & Appendix D
2	A Noise and Nuisance Register	Section 2.10.4 & Appendix E
3	Copy of the Annual Fire Safety Statement and current fire safety schedule	Section 2.15.8
4	Details and evidence of site manager or resident caretaker training	Section 2.10.7 & Appendix F

## Inspections

The consent authority may inspect the premises at any time. Operators should ensure that the premise:

- Complies with the approved Plan of Management;
- Complies with the requirements of the Emergency Management and Evacuation Plan;
- Maintains up to date Registers and Schedules required under this DCP; and
- Complies with the conditions of consent.



## Appendix B: Further Information Environmental Sustainability

### REDUCING WATER CONSUMPTION

#### Indoor Water Management

- The **National Water Conservation Labelling Scheme** is similar to the Energy Efficiency Rating Scheme. But instead of stars it uses 'A's. The more 'A's a product has, the more water efficient that product is. The scheme used to be known as the 'AAA' rating scheme but due to improvements in water efficiency and technology, two more 'A's have been added. AAA rating is the minimum requirement for a water efficient product.

The scheme covers washing machines, dishwashers, showerheads, toilet suites, taps and commercial urinals. Labels are displayed on merchandise in the form of a 'rating label', which is as follows:

1A – A moderate level of water efficiency

2A – A good level of water efficiency

3A – A high level of water efficiency

4A – A very high level of water efficiency

5A – An excellent level of water efficiency

- Sydney Water provides advice on saving water. The information is available on their web site at: <http://www.sydneywater.com.au/everydropcounts/home/index.cfm>
- Products must conform to the appropriate **Australian Standard** for performance, such as Australian Standard AS/NZS 3662 for showerheads.

For example, a **showerhead** that provides a high quality shower using between 7.5 and 9 litres per minute will be 'AAA' rated. One that uses 9 to 12 litres per minute will receive 'AA' rating. A 12 to 15 litre per minute showerhead will have an 'A' rating. Those using more than 15 litres per minute do not comply with the ratings.

- Flow regulators** on taps offer water savings with:
  - A 8 to 10 litres/minute (basin) 10 to 12 litres/minute (kitchen/laundry)**
  - AA 6 to 8 litres/minute (basin) 8 to 10 litres/minute (kitchen/laundry)
  - AAA 4 to 6 litres/minute (basin) 6 to 8 litres/minute (kitchen/laundry)
- Again, some **dishwashers** have more effective spray systems and make better use of the water used during wash and rinse cycles. The water conservation labelling scheme uses the following ratings:
  - A 2 to 2.8 litres per place setting
  - AA 1.5 to 2 litres per place setting
  - AAA 1 to 1.5 litres per place setting
- AAA flush control mechanisms for **commercial urinals** typically use smart demand operation, which triggers flushing via a sensor mounted on the wall or ceiling. However, waterless urinals are now available and are easily retrofitted into existing rest rooms. Waterless urinals avoid odour using a liquid barrier that prevents vapours rising from the sewerage system. They require the same maintenance requirements as conventional urinals.
- For further information about this **labelling scheme**, see the Water Services Association Australia website at <http://www.wsaa.asn.au/>

- For more technical information about **Australian Standards**, see the website at <http://www.standards.com.au>.
- **Commercial trade waste** is liquid waste discharged to sewer from businesses. The waste is typically generated by retail food premises and results from activities such as washing, cleaning and rinsing utensils, containers, floors, benches and bins in food preparation areas.
- A **single pass** cooling tower often uses 80-100% more water than a cooling tower that re-circulates its make up water prior to discharge.
- Water savings between 20-30% can be made by installation of **conductivity meter** on a cooling tower and setting the bleed-off rate to a pre-set value of conductivity.
- **Air-cooled** mechanical ventilation systems eliminate water demand and sewer discharge costs in comparison to water cooled systems, although, there is an increase in energy use (cost) associated with air cooled systems. In ground heat pumps, if they can be used in the location are much more energy and water efficient.
- Sub-meters enable a comparison of water consumption and sewer discharges over time to monitor and reduce water use and sewage discharge costs.
- Australian Standard AS/NZS 3500.1.2: Water Supply – Acceptable Solutions provides guidance for the design of rainwater tanks with dual water supply (rainwater and scheme water).

## Outdoor water management

### Rainwater Harvesting

- Rainwater is sourced from **roof surfaces only**.
- In urban areas, the NSW Department of Health recommends that **scheme water** should be used for drinking and cooking purposes.
- Harvested rainwater can be suitably plumbed to supply water for other indoor uses such as toilet flushing and cooling tower make-up water as well as outdoor uses including irrigation and filling ornamental ponds.
- Rainwater tanks are generally constructed from galvanised steel, fibreglass, concrete or masonry. Many models can be customised to blend in with the proposed building.
- Sydney Water's approval to proceed is not needed unless:
  - the tank capacity is greater than 10,000 litres; or
  - the property owner wants a top-up from the scheme water supply to the rainwater tank, as this is defined as an indirect connection.
- However, Sydney Water needs to be informed of all proposed rainwater tank installations so that the meter can be replaced with another containing a **backflow prevention device**.
- If supply is supplemented by interconnection with scheme water system, backflow prevention is to be provided in accordance with Australian Standard AS 3500.1.2 (1998).
- Top up to the rainwater tank is **not** permitted from **recycled water supply**.
- The collection system must incorporate a first flush device or filter 'sock' to divert or filter initial run-off from the roof.
- The tank must be enclosed and screened to prevent the entry of foreign matter and to prevent mosquito breeding.
- **Overflow discharges** could be fed to a detention device on site or to the neighbourhood stormwater system.

- Supplemental scheme water intake should not take place until the tank is at least 80% empty. This allows the tank to buffer storm inflows.
- Noise emissions from any pumps must not exceed 5dB(A) above ambient background noise level measured at the allotment boundary to avoid nuisance of neighbours. Submersible pumps are therefore recommended to attenuate noise.
- Please refer to Sydney Water's Guidelines for Rainwater Tanks on Residential Properties – Plumbing Requirements [www.sydneywater.com.au/html/yourBusiness/pdf/SWGuidelines\\_for\\_Rainwater\\_Tank\\_on\\_Res\\_Prop.pdf](http://www.sydneywater.com.au/html/yourBusiness/pdf/SWGuidelines_for_Rainwater_Tank_on_Res_Prop.pdf)

### Grey Water Systems

For information relating to Greywater reuse, please refer to the NSW Health "Interim Guidelines for Greywater and Sewage Recycling in Multi-Unit Dwellings and Commercial Premises" which can be accessed through [www.sesahs.nsw.gov.au/public.health](http://www.sesahs.nsw.gov.au/public.health).

## ENERGY

- Living areas are any regularly used rooms such as lounge, kitchen, dining, and common rooms.
- A suitable rooftop area for renewable energy systems is at least 10m<sup>2</sup> and has unrestricted solar access for at least four hours per day between 9am and 3pm on 21<sup>st</sup> June. Renewable energy systems include solar water heaters and photovoltaic arrays. It is important not to overshadow suitable roof areas in order not to preclude the future installation of renewable energy systems.
- Care is needed to ensure trees do not grow and block solar access in future.
- For further information on solar access see: <http://www.greenhouse.gov.au/yourhome/technical/fs13.htm>
- Naturally ventilated or mixed mode buildings are to be encouraged where possible. Where mechanical ventilation is required, adequate fresh air for good air quality, should be ensured by carbon dioxide monitoring. Fresh air provision should meet at least the minimum requirement in AS1668.2
- The efficiency of heating and cooling systems for office buildings is included in the Australian Building Greenhouse Rating score. However, heating and cooling systems, whether air conditioning or natural ventilation should have some degree of occupant control of temperature and ventilation.
- Consideration should be given to the incorporation of renewable energy sources such as photovoltaic arrays, which can play an important role in reducing peak electricity demand. These can be more financially attractive if used as part of the building envelope, such the façade or for shading, where they perform two functions. The lifetime cost of systems can be reduced through Renewable Energy Certificates. <http://www.orer.gov.au/factsheets/generators.html>
- An energy performance statement from an accredited energy consultant is to be provided.
- A list of accredited energy consultants can be obtained from the NSW Sustainable Energy Development Authority (SEDA) Energy Smart Allies Directory <http://www.energysmart.com.au/wes/DisplayPage.asp?PageID=37>
- Outdoor dining areas should be sheltered and/or able to be partially enclosed to avoid outdoor heating.
- Existing buildings that are heated and cooled should be fitted if possible with automatic doors and high performance glazing when doors and windows are replaced.

- Information on glazing and the Window Energy Rating Scheme WERS ratings for generic types of glazing can be found at: <http://www.greenhouse.gov.au/yourhome/technical/fs18a.htm> and <http://www.greenhouse.gov.au/yourhome/technical/fs18e.htm>
- Star ratings for electrical appliances, including air conditioners, are available at <http://www.energyrating.gov.au> and for gas appliances at <http://www.gas.asn.au> in the Certified Product Directory.
- Outdoor dining areas should be sheltered and/or able to be partially enclosed to avoid outdoor heating.
- The number of Renewable Energy Certificates (RECs) a solar or heat pump water heater qualifies for can be found at: <http://www.orer.gov.au>
- RECs reduce the purchase cost of solar and heat pump water heaters.
- Energy ratings for gas water heaters can be found at <http://www.gas.asn.au> in the Certified Product Directory for gas appliances.
- Gas boosted solar systems generally have the lowest greenhouse gas emissions, although electric solar and heat pump systems have effectively zero emissions if run on GreenPower.
- Solar water heaters should only be installed where the location is suitable in accordance with AS/NZS 3500.4.
- Solar heat pumps do not require the same solar access as normal solar systems because they do not need direct sunlight on the roof panels. They are therefore appropriate where solar access is restricted.
- Waste heat from air conditioning systems should be used to pre-heat water for centralised hot water systems where feasible.
- Cool air from heat pump systems should be used to pre-cool air for air conditioning systems where feasible.
- Long hot water pipe runs result in water being wasted waiting for hot water to reach the tap, and energy being wasted to heat the water that remains in the pipe when the tap is turned off.
- High frequency electronic ballast fluorescent lighting should be used. T5 lamps are the most energy efficient.
- Light switches should be placed in readily accessible locations close to the switched zone.
- General lighting levels are often excessive. In many situations it is preferable to use lower levels of background lighting, compliant with minimum safety standards required by AS 1680.2.2-1994 and AS 1680.2.1-1993, in combination with energy efficient task or feature lighting.
- Low voltage halogen lamps, including downlights, are a type of incandescent lighting and are not energy efficient. They should be used sparingly for special effect only. Compact fluorescent downlights are available that use much less energy.
- Areas requiring higher illumination levels for safe working, such as kitchens, should use task specific lighting.
- Equipment covered by MEPS can be viewed at <http://www.energyrating.gov.au/meps1.html>. MEPS currently cover three phase electric motors (0.73kW to <185kW), three phase air conditioners (up to 65kW cooling), and ballasts for linear fluorescent lamps, as well as some domestic products. From October 2004, commercial refrigeration (self contained and remote systems) and single-phase air conditioners will be included.
- Appliance energy ratings can be viewed at <http://www.energyrating.gov.au>

- Use timers to turn off unnecessary electrical and office equipment outside of working hours. Office equipment should be Energy Star compliant and activated.
- Electricity and gas usage should be monitored regularly to allow investigation of opportunities to reduce consumption.

## Appendix C: Internal Signage & Occupancy Schedule

### Internal Signage

In accordance with Section 2.15.1 of the DCP, a sign indicating the maximum length of stay of guests on premises, displayed at the entrance or reception may be as follows:

**SHORT TERM ACCOMMODATION  
MAXIMUM STAY UP TO 28 DAYS**

In accordance with Section 2.15.2 of the DCP, a sign indicating room number and the maximum number of persons permitted in the bedroom, displayed in each bedroom may be as follows:

**ROOM NO. < >  
MAXIMUM OCCUPANTS  
< >**

### Occupancy Schedule

In accordance with Section 2.15.2 of the DCP, an occupancy schedule showing the number of each bedroom and dormitory and the number of persons permitted to be accommodated in each bedroom/dormitory, displayed at the reception area of the premises may be as follows:

Business Name:	ABN:
Address:	
<b>After Hours Number: Emergency Number 000</b>	
<b>Room Number:</b>	<b>Maximum Occupants:</b>
1	< >
2	< >
3	< >
4	< >



## Appendix E: Noise and Nuisance Register

NOISE AND NUISANCE REGISTER		
Date:	Time:	Register Form No:
Nature of Complaint		
Name, address and phone number of Person/ Police / Council reporting complaint:		
Name of Staff on Duty:		
Action Taken:		
Outcome / Further Actions		



## Appendix F: Training Certification

### Site Manager / Resident Care Taker Training Certificate

Note: Certificate to be submitted and assessed by Council prior to issue of the occupation certificate and certification kept up to date every 12 months thereafter.

PREMISE ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

DEVELOPMENT APPLICATION NUMBER: \_\_\_\_\_

In accordance with the provision of Visitor and Tourist Accommodation Development Control Plan 2006, I certify that the following person(s) have been briefed and trained in fire evacuation procedures; management protocol including approved plans of managements for the operation of the premise and Council requirements and conditions of consent on the dates specified:

NAME \_\_\_\_\_

(Site Manager / Resident Care Taker / Employee)

DATE \_\_\_\_\_

NAME \_\_\_\_\_

(Site Manager / Resident Care Taker / Employee)

DATE \_\_\_\_\_

I am the OWNER/SITE MANAGER of the premise and certify that the training requirements under the Visitor and Tourist Accommodation DCP for the above employee(s) have been satisfied.

NAME OF OWNER/SITE MANAGER  
\_\_\_\_\_

ADDRESS \_\_\_\_\_

PHONE \_\_\_\_\_ MOBILE \_\_\_\_\_

SIGNATURE \_\_\_\_\_

DATE \_\_\_\_\_