

**Submission**

**No 41**

## **INTERNATIONAL STUDENT ACCOMMODATION IN NEW SOUTH WALES**

**Organisation:** Campbelltown City Council

**Name:** Mr Paul Tosi

**Position:** General Manager

**Date Received:** 11/10/2011

7 October 2011

Mr B Notley-Smith MP  
Parliament of New South Wales  
Macquarie Street  
SYDNEY NSW 2000

Dear Mr Notley-Smith

**Submission on the Terms of Reference: Inquiry into International Student Accommodation in NSW**

Thank you for providing Campbelltown City Council with the opportunity to provide comments on the inquiry in relation to international student accommodation in NSW.

For each 'Term of Reference' a number of dot points are provided for your consideration as follows:

**1. The objectives of the Private Member's Bill introduced by the Member for Ryde in the last Parliament (Environmental Planning & Assessment Amendment (Boarding Houses) Bill NSW 2010).**

- Council generally supports the introduction of more stringent controls for the regulations of boarding houses.
- Council supports the proposed additional provisions to increase the power of its authorised officers to enable them to enter premises and gather evidence of unauthorised use of residential premises for boarding houses.
- In principle, Council supports the introduction of more severe penalties in relation to the illegal operation of boarding houses, in particular, for non compliance with fire safety regulation and hygiene/health matters.
- Council supports the introduction of a maximum number of occupants per any bedroom.

## **2. Factors affecting the supply of and demand for affordable student accommodation and other accommodation used by students, particularly in relation to international students and implications for the export education industry.**

### **▪ Location of Large Educational facilities**

Campbelltown City has a number of regional educational facilities including, a large campus of the University of Western Sydney, two (2) TAFE Colleges and a number of private and government schools with onsite boarding facilities. These large educational facilities attract regional and international students to the Campbelltown Local Government Area (LGA) and create subsequent demand for affordable student accommodation. Recent consultation with the UWS has revealed that in 2011, the number of students enrolled at Campbelltown Campus is 6,048 with 274 international students.

There are currently five (5) authorised student/boarding houses in Campbelltown:

- St Gregory's Agricultural College – Educational
- Hurlstone Agricultural High School – Educational
- Macarthur Ozanam Centre - Boarding House – Rehabilitation
- Odyssey House - Robin Hood Farm - Boarding House – Rehabilitation
- University of Western Sydney Student Accommodation

Notably, Council has not undertaken any relevant studies to ascertain the demand/supply market for international and regional students within the Campbelltown LGA. In this regard, any further research into factors affecting the supply of and demand for affordable student accommodation is supported.

### **▪ The Current Rental Housing Market within Campbelltown**

The rental housing stock in Campbelltown is relatively affordable in comparison to other suburbs within the inner and middle areas of metropolitan Sydney. Therefore, international students studying at one of Campbelltown's educational facilities would potentially be likely to afford shared accommodation within the older housing stock of Campbelltown. The "relatively" affordable rental market in Campbelltown has possibly made Campbelltown LGA less profitable/attractive for unscrupulous operators.

Nevertheless, in recent years Council has identified a small number of unauthorised boarding houses operating within the Campbelltown LGA.

### **▪ Number of International and Regional Students**

The number of international students would depend on the affordability of educational fees, cost of living in the hosting country, and proximity to the original country. At the UWS Campbelltown Campus, there are currently 274 international students.



- **Planning Legislation**

Boarding houses (under Campbelltown (Urban Areas) Local Environmental Plan 2002) are currently permissible within all residential zones. Notably there are only five legal boarding houses located within the Campbelltown LGA, which are all associated with educational facilities or are special needs facilities.

**3. The appropriateness of existing standards for affordable student and other accommodation used by students.**

- The permissibility of boarding houses on certain lands is regulated by each local Council LEP. Boarding houses in Campbelltown are currently permissible in all residential and commercial land use zones under LEP 2002. Notably, the State Government's Standard LEP Instrument mandates boarding housing as a permissible use within the following zones:
  - R1 General Residential
  - R2-Low Density Residential
  - R3-Medium Density Residential
  - R4-High Density Residential
  - B1-Neighbourhood Business Centre
  - B2 Local Centre
  - B4 Mixed use Business Centre

The provisions above are considered appropriate and non-restrictive.

- The idea of "character" should extend beyond just the built form and should consider the character of a local area in terms of the expected population density for each of the properties surrounding a boarding house, i.e. if the surrounding area consists of dwellings/lands that would normally be expected to accommodate low population densities or densities generated by a single family or similar, then a boarding house with a population density greater than that which would be normally expected on the surrounding properties, may have the potential to have an adverse impact upon the local environment and may not necessarily be consistent with the land use types reasonably expected by occupiers of the surrounding lands. An adverse effect of higher population densities may include a proliferation of inappropriate parking outcomes within the neighbourhood.
- A clear distinction needs to be made between the definitions of a boarding house and a standard dwelling being used for shared accommodation (eg 4 bedroom house may equate to approximately 4 unrelated people) and a dwelling being used for single family rental accommodation.
- Consideration should be given to the question of whether or not a boarding house is actually a commercial premises? It does not operate like and is not operated in the same way as does a normal dwelling house could be expected when occupied for the purpose of shared accommodation or to a single family. A

boarding house operates more as a business. The usual definition for a boarding house attempts to distinguish it as being different to that of a motel. However, other than for the term/time of occupancy, is it so different from a motel in terms of its operation? Motels are not usually a permissible use within lower density residential zones, nor are most activities defined as commercial. Residential flat buildings are also usually prohibited within low density residential areas, however, it is not inconceivable that a boarding house could cater for a similar number of people to that of a small residential flat building. Residential flat buildings are usually restricted to the higher density residential zones, hence boarding houses should be restricted to the same zone or within an extended transitional zone along the boundary of low density/high density residential areas.

- Consideration needs to be given to a requirement for a manager being available onsite at all times. This is for the benefit and convenience of lodgers in dealing with the day to day needs of the boarding house; to respond to the needs and requests of the surrounding neighbours; and to ensure that the boarding house is tenanted as per that approved and at all times.

#### **4. Appropriate or minimum standards for student accommodation, and the adequacy of current legislation in ensuring that such standards are achieved.**

- The minimum standards for boarding houses are currently regulated by State Environmental Planning Policy (Affordable Rental Housing) 2009 (Affordable Rental SEPP).
- Some local councils have specific provision for boarding houses in their Development Control Plans.
- Campbelltown City Council does not currently have any specific controls for boarding housing development that are set out in a Development Control Plan.
- The minimum standards for boarding housing under the Affordable Rental SEPP are considered generally appropriate. However, the car parking rates of 1 space per 10 lodgers are unacceptably inadequate and need to be revised.
- There is a need to specify a maximum number of lodgers for each development within residential areas.
- Existing houses should not be allowed to be converted into boarding houses. Boarding houses should only be allowed where they are designed and built for that specific purpose.

#### **5. The current extent of unauthorised student accommodation operations in NSW.**

- In the last few years, a small number of unauthorised boarding houses have been identified by Council. There are no records kept relating to the occupations of the lodgers.
- Given the small number of unauthorised boarding houses that are brought to Council's attention each year, this issue is not considered a major concern for Council at this time. However, with the continual increase in rents, it is possible that Council may experience an increase in the number of unauthorised boarding houses within the Campbelltown LGA.

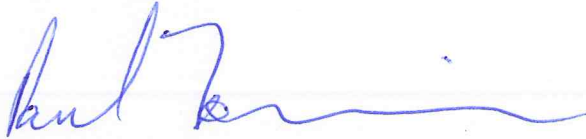
- Despite the above, there may be merit in considering the establishment of a rental housing program, specifically for students.

**6. The appropriate framework for the on-going operation of affordable student accommodation and other accommodation used by students, including the adequacy of local government powers to identify unauthorised operations and enforce compliance with the relevant laws.**

- As mentioned earlier, Council would strongly support any changes that would increase the power of its authorised persons to enter and gain evidence in relation to illegal operations of boarding houses.

I trust this information is of assistance, should you require any further information please contact Jeff Lawrence, Director Planning and Environment on (02) 4645 4576.

Yours sincerely



Paul Tosi  
General Manager