



# ***BOARDING ROOMS OPERATIONAL PLAN OF MANAGEMENT***

for  
**Mixed Use Development**  
at  
**30 DAY STREET  
COLYTON**

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For the applicant: Infiniti 3  
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## Introduction

### 0.1 Introduction:

This Operational Plan of Management (OPM) is to accompany a development application at 30 Day Street, Colyton. The development application is for a proposed Alteration & Additions Development to an existing neighbourhood shops for the addition of 24 boarding rooms

This OPM aims to set out how the proposed Boarding House (the boarding rooms part of the development) will operate based on the plans prepared by Millennium Design Consultants listed below.

### 0.2 Material relied on for this assessment includes:

Architectural drawings by Millennium Design Consultants Pty Ltd:

- 21705 – DA-01 Site Analysis 21 December 2017
- 21705 - DA-02 Basement Floor Plan dated 21 December 2017
- 21705 - DA-03 Ground Floor Plan dated 21 December 2017
- 21705 - DA-04 First Floor Plan dated 21 December 2017
- 21705 - DA-05 Roof Plan dated 21 December 2017
- 21705 - DA-11 Elevations dated 21 December 2017

The above listed documents are included in Appendix A

The proposed Boarding House will contain 24 self-contained boarding rooms equipped with ensuite and kitchenette each. The rooms are designed for no more than two people per room. The proposed boarding rooms include two accessible bedrooms designed for people with disability. Sixteen of the twenty four rooms are provided with private balconies. The boarding rooms will also be provided with the following facilities:

- A common room containing a TV, couches, dining table, and chairs and kitchenette facility
- out-door communal open space in the form of a terrace directly connected to the common room
- a caretaker office
- a cleaner's room
- a communal unisex accessible toilet with a shower facility
- common storage room in the basement
- ground floor garbage bin storage area
- five parking spaces, two of which are accessible spaces
- five motorcycle parking spaces
- five bicycle parking spaces

A caretaker will be appointed to operate and take care of the Boarding House. A room is dedicated & provided to the caretaker to live-in on site. This allows the caretaker to be on site to implement and comply with this OPM and with all conditions of consent for the proposed development that may be issued Penrith Council.

### 0.3 Objectives

The objectives of this OPM are:

- to put in place specific regulations related to rights and obligations of the boarders with respect to the use of the provided facilities associated with the boarding rooms
- to ensure the safety of boarders
- to provide the boarders with a comfortable level of habitable environment
- to manage and ensure that neighbours would not be exposed nuisance as a result of this development. This includes the control noise and avoidance of unnecessary disturbance
- to ensure the security of the premises
- to ensure that the building and the other parts of the site are properly maintained
- to manage the collection and disposal of the waste and recyclables produced during the operation of the boarding rooms

### 0.4 Operation of the Boarding House

The rooms of the Boarding House will be let and operated according to the following:

- under an Occupancy Agreement, the rooms of the Boarding House are to be let to boarders to be used as their permanent place of accommodation for the duration of the Occupancy Agreement
- the Boarding House is to operate in accordance with the NSW Boarding Houses Act 2012
- the Boarding House is not to offer any alternative type of accommodation or be used for any purpose other than as prescribed under the Act
- the Boarding Houses will be registered annually with Council.

### 0.5 The Caretaker

The Boarding House will be managed and operated by an appointed caretaker according to the following:

- the position of Caretaker will be filled either through newspaper advertisements, agencies, informal enquiries or any combination of those
- the caretaker will work as an employee to the owner of the Boarding House to achieve the objectives set out in this operational plan of management
- the caretaker will act on site as the owner's representative in all matters related to the management, operation and maintenance of the Boarding House
- caretaker must be over 18 years of age
- the caretaker will reside within the building in the allocated caretaker room
- the caretaker must not use illegal drugs or engage in any illegal activity.
- the boarding house manager must not consume an excess of alcohol such as will prevent him from meeting his responsibilities.

## 0.6 Letting

The caretaker will assume the following operational responsibilities with regards to the letting of the rooms:

- advertise vacancies for available rooms
- receive applications for boarders of available rooms
- assess applications for room letting
- check the background of prospect boarders
- accept applications for boarders
- enforce House Rules
- ensure that anyone occupying a boarding room is to sign an Occupancy Agreement. The Boarding House owner or their delegate (the caretaker) is to also sign the agreement
- ensure that boarders numbers do not exceed those approved by development consent

## 0.7 Occupancy Agreement

The proposed Occupancy Agreement (the letting contract) that will be used for letting the boarding rooms will be based on the NSW Boarding Houses Act 2012. In signing of the Occupancy Agreement, the caretaker will assume the following operational responsibilities:

- to provide to the prospective boarder a copy of the Occupancy Principles within Schedule 1 of the Boarding Houses Act 2012 prior to entering into an Occupancy Agreement
- to provide a copy of this plan of management and full House Rules attached to the Occupancy Agreement to the prospective boarder.
- to advise the prospective boarder that the boarder must read and understand the resident obligations that are set out in this OPM. The prospective boarder must sign a statement to the effect that they understand and will abide by the house Rules
- to advise the prospective boarder that they may potentially be evicted if they breach the House Rules prior to entering into an Occupancy Agreement
- to request from the prospective boarder a photographic identification (“ID”) (typically a driver’s license or a passport) to confirm their identity prior to entering into an Occupancy Agreement
- to enter the particulars of the ID (for example, the driver’s license number) in the boarding house register prior to entering into an Occupancy Agreement
- to enter the details of the prospective boarder into the boarding house register and to keep a copy of the signed Occupancy Agreement in a secure location
- to confirm with a prospective boarder that the prospective boarder intends to reside within the assigned boarding room for a period of no less than three months prior to entering into an Occupancy Agreement
- to accept a security deposit, amounting to two weeks’ worth of occupancy fees, and to provide a receipt for that amount upon entering into an Occupancy Agreement.
- to advise prospective boarders of the fees, including any utility charges, prior to entering into any Occupancy Agreement

- to keep records of rent receipts and issue copies of such receipts to boarders

Upon the boarder ceasing to occupy the boarding room, the security deposit, less any deductions authorised by the Boarding Houses Act 2012, is to be paid to the boarder within 14 days of the date upon which the boarder has ceased to occupy the boarding room.

Note: The caretaker is not required to accept payments from residents. Payments will be organised by the caretaker to be deposited in the owner's nominated account through electronic means.

Note: An information board will be provided in the common room and in the caretaker's office. A copy of the House Rules will be posted in the main entrance and common area.

#### 0.8 Eviction

The caretaker will assume the following operational responsibilities with regards to eviction:

- the caretaker is to provide a verbal notice to boarders who break the house rules
- after the verbal notice, the caretaker may evict a boarders who is refusing to comply with house rules
- prior to eviction, except in the case of serious matters, the caretaker is to provide a written Notice of Intent to Evict letter to the boarder. The wording of that letter will be provided by the owner. The owner, in preparing the standard wording of that letter, will consult with a lawyer to ensure that it is legally correct. The format and wording of the standard letter will allow the caretaker to alter such wording to reflect the particular circumstances of the case.
- The wording of the Notice of Intent to Evict letter will provide the boarder with the opportunity to modify their behaviour so as to avoid eviction.
- If the boarder does not modify their behaviour in response to the Notice of Intent letter, the caretaker is to contact the owner who will engage a security firm to implement the eviction.

#### 0.9 Use of common areas

The caretaker will assume the following operational responsibilities with regards to the use of the common areas:

- to ensure that the use of the outdoor communal area by the boarders will be restricted between 8:00 am to 10:00pm daily
- to ensure that the common room and external communal open spaces are used in strict compliance with the house rules

#### 0.10 Cleaning of common areas

The caretaker will assume the following operational responsibilities with regards to the cleaning of the common areas:

- to ensure that the common room is kept in a clean and tidy state, including daily vacuuming/mopping.
- to clean the common room, common areas and facilities to a professional standard at least once a week
- to ensure that waste and recyclables are properly contained within the bins within the waste area. Bins are to be taken to the street for collection as required
- to ensure that any rubbish left around the site is properly disposed of
- to clean and maintain the outdoor communal open space (terrace) at least once a week

#### 0.11 Attending to resident complaint

The caretaker will assume the following operational responsibilities with regards to internal complaints:

- when the caretaker receives complaints or enquiries, his responsibilities is to listen to and address those complaints or enquiries. If required, the caretaker will liaise with owner of the property to address those complaints or enquiries
- complaints register shall be made available for inspection by Council if requested

#### 0.12 Attending to neighbours' complaint

The caretaker will assume the following operational responsibilities with regards to external complaints:

- when the caretaker receives complaints or enquiries from neighbours or authorities , his responsibilities is to immediately report those complaints to the owner. The caretaker will liaise with owner of the property to address the enquiries and resolve the complaints
- properties located adjacent to the boarding house premise are to be provided with a 24 hour telephone number of the caretaker
- to provide Council with the details of the caretaker who is contactable 24 hours per day, 7 days a week. Any changes to the contact details are to be notified to Council immediately
- complaints register shall be made available for inspection by Council if requested
- a clearly visible sign with the name and telephone number of the caretaker will be displayed externally at the front entrance of the boarding house and internally in the common area

#### 0.13 Complaint management

In carrying on with his responsibilities, the caretaker will manage complaints as follows:

- to provide a letter to the boarders with the following information:
  - a. name of the caretaker
  - b. a current telephone number for the caretaker
  - c. the letter shall advise that in the event of a disturbance, the boarders may contact the caretaker at the time of the disturbance

- to record all complaints, including who made the complaint, the time of the complaint, the nature of the complaint, and the action take to resolve the complaint, in a boarding house register
- to immediately contact the NSW Police Service when any boarder is behaving in ways that potentially put at risk the life or safety of any person (boarder or neighbour)

Note: If the contact number for the caretaker changes, the caretaker is to provide a letter to boarders advising of the new telephone number within 24 hours.

#### 0.14 Bullying and Ant- discrimination

In carrying on with his responsibilities, the caretaker will ensure that he does not discriminate against boarders on the grounds of the following:

- their race
- religious beliefs
- ethnicity
- gender
- sexual orientation or
- age

The caretaker must treat all boarders in a respectful manner and must under no circumstances use physical violence other than in self-defence or defence of another person if required.

#### 0.15 Preparation of rooms for new residents

When a room becomes vacant, the caretaker will assume the following operational responsibilities with regards to preparing a room for new boarders:

- to ensure that the belongings of the previous boarders occupying the room are removed
- to clean that room to a professional standards
- to ensure that the fixtures, fittings and furniture are in good order
- to replace or repair items as required

#### 0.16 General Maintenance

The caretaker will assume the following operational responsibilities for basic repairs:

- to replace a dead light bulb with a new light bulbs as required
- to request quotations from approved tradies to attend to the fixing of damaged fixtures, fitting or furniture
- to report and liaise with the owner to attend to serious repair issues

#### 0.17 Fire Safety & Security

In carrying on with his responsibilities, the caretaker will maintain the compliance with the regulations regarding the fire safety & security as follows:

- to displayed a copy of the annual fire safety compliance statement within the foyer in a highly visible location
- to ensure that the premises at all times comply with the fire safety provisions of the NSW Environmental Planning and Assessment Regulation 2000
- to displayed in each boarding room and in the foyer the emergency evacuation plan prepared by a competent person; and the emergency evacuation plan shall clearly display the contact phone number of the caretaker
- to provide a list of emergency telephone numbers (plumbers, electricians, police, fire, ambulance) within each boarding room
- Annual certification of fire safety equipment is to be carried out by the operator of the boarding house
- To ensure that the doors to all boarding rooms and external doors to the Boarding House are lockable. The doors to the Boarding House shall be self- closing and lockable from the outside but openable from within the Boarding House without the need for a key. All doors to the boarding rooms shall be self-closing and shall be lockable but shall be openable from the inside without the need for a key.



## 0.18 House Rules

In signing the Occupancy Agreement, the boarder will assume the responsibilities to follow the boarding House Rules as follows:

- only the boarder and no other person shall occupy a Boarding House room
- no pets allowed in boarding rooms
- boarders are to ensure that they do not generate significant noise affecting surrounding residents. The volume of music being played, televisions, radios and of people talking is to be such as is appropriate to being audible within the room and no louder than that.
- after 10:00pm every night, expectations of reduced noise levels are heightened. Music, television and the like is to be lowered in volume so that it is not audible from outside the room. If the neighbouring boarders complain that the noise is audible from their rooms, the noise generating activity is to be ceased
- boarders must treat one another with respect. Boarders may not make comments to one another that are of a derogatory nature on the basis of the other person's appearance, race, gender, sexual orientation, religion or ethnicity
- boarders must ensure that they do not damage or remove fixtures, fittings and furniture within their rooms and elsewhere within the site
- boarders must follow instructions to be provided by the caretaker concerning the operation and cleaning of fixtures and fittings
- boarders are to keep their room clean and tidy
- boarders must sweep or vacuum their floors on a regular basis to prevent the excessive accumulation of dust, so as to avoid health impacts to other residents.
- boarders must ensure that their kitchenettes and bathrooms are kept in a hygienic condition
- boarders are not to consume such an amount of alcohol within their own rooms as will cause them to be incapable of behaving in accordance with these rules
- boarders must not consume any illegal drugs within the site and must not engage in illegal activities within the site
- boarders have the use of the designated car, motorcycle and bicycle parking spaces available and sign marked in the basement. If no spaces are available, residents are to park their car/motorcycle in the street. If no bicycle spaces are available, residents are to keep their bicycle in a place identified by the caretaker as being suitable.
- boarders are to contain their general rubbish within a liner within the bins provided. When full or as required, the liners are to be tied and disposed of in the bins within the waste room on the round floor
- boarders are to contain recycling, including recyclable containers and clean paper, within the recycling bin provided. For reasons of hygiene, containers should be lightly washed before disposal, as no liners may be used
- boarders are to ensure that showers are not to be used for more than 10 minutes per day
- boarders may not store their goods in common areas of the site and must ensure to leave the common area in a cleanly state

Note: **No smoking is permitted anywhere on the site**