

# Plan of Management

## Boarding House

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**ADDRESS:**

**31 Santley Crs & 2A Bringelly Road Kingswood NSW**

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**Date: 5 October 2021**

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**Architects: Gus Fares Architect Pty Ltd**

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Issue A

## 1. INTRODUCTION

This Plan of Management (PoM) provides directions and controls on the use and management of the Boarding House. The directions and controls are to be strictly adhered to in the operation of the Boarding House, to ensure compliance with the conditions of Development Consent and health and amenity requirements for both the occupants and surrounding residents.

The Plan of Management refers to the plans prepared by Gus Fares Architects Pty Ltd for The Development Application for the proposed Boarding House at 31 Santley Crescent and 2A Bringelly Road Kingswood NSW.

The Boarding House is to be managed by an On-site Manager who will be familiar with the content of this Plan of Management.

## 2. PURPOSE

The primary purpose of this Plan of Management (PoM) is to ensure the proposed boarding house maintains a high level of amenity for the neighbouring properties and for all residents living in the premises. Its objectives are:

- a. To minimise disturbance to residents and neighbours.
- b. To provide a procedure to receive and resolve complaints.
- c. To maintain the internal and external appearance and cleanliness of the premises.
- d. To ensure a person (being the manager) is readily contactable to assist in the ongoing implementation of this Plan of Management.
- e. To ensure the use of the premises will be controlled by the PoM, and that the PoM is enforceable.
- f. To ensure that the premises will be operated in strict accordance with the conditions of development consent.
- g. To give effect to the occupancy principles under the Boarding House Act.

h. To make provision for this plan to be amended from time to time with the approval of the Council in order to facilitate timely and responsive operational changes that will improve residential amenity within and external to the site.

### 3. DEFINITIONS

- a. **Building:** means the building or buildings erected on the land known as 31 Santley Crescent & 2A Bringelly Road Kingswood in the State of NSW
- b. **Business:** means the operation of the building/s as a Boarding House.
- c. **Common Room:** means the room identified as the common living room on the approved plans.
- d. **Common Areas:** means the hallways and stairs as identified on the approved plans.
- e. **Common Open Space Area:** means the external communal area as identified on the approved plans.
- f. **Council:** means Penrith City Council
- g. **Boarder/Lodger:** means a person having the benefit of the use a nominated bedroom and common rooms/area within the building.
- h. **Manager:** means the Resident Manager engaged by the business proprietors who resides on the premises 24/7 as his/her primary residence during his/her employment.
- i. **Owner:** means the registered proprietor/s of the building.
- j. **Room:** means that part of the building occupied and used by a border/lodger.
- k. **House Rules:** means an attached insertion to the lease for internal boarding house rules that govern the occupation of the premises.

### 4. THE MANAGER'S ROLE DUTY & QUALIFICATIONS

4.1 The proprietor/s shall engage an in-house Resident Manager.

4.2 The Manager shall:

- a. Be contactable between the hours of 8am and 6pm Monday to Saturday inclusive; (and on Emergency Calls Only after hours)

- b. Oversee all Lodgers' concerns
- c. Enforce the minimum occupancy period
- d. Organise the cleaning and maintenance of the common areas and common open space areas.
- e. Enforce the maximum occupancy levels
- f. Provide lodgers with appropriate information prior to the commencement of occupation
- g. Carry out inspections on a regular basis at a minimum of once every 3 months to ensure that the building is maintained in a clean and tidy condition and that all facilities and fittings are appropriately maintained
- h. Record all inspections in a log book which must be made available to Council upon request
- i. Organise the waste collection and the facility need for the site, and the ongoing storage and collection of waste on-site including transfer of waste to and from collection points for the waste collection services as required, and regular cleaning of bins/waste storage areas/rooms
- j. Maintain an incident register
- k. Maintain the electrical circuits to a safe standard
- l. Notify the Council in writing within 1 month of any change in the management and provide contact details for the new management.
- m. Prepare and maintain complaints register of neighbouring residents
- n. Inform Council and Police for any illegal activities or complaints

- o. Provide a sign that contains the phone number to be displayed at the front of the premises, any entry points to the site, common areas and office areas for emergency services and others.
- p. Provide contact details to Police and Council
- q. Make sure that the Boarding House internal rules known as “House Rules” are adhered to by all occupants.
- r. the Manager’s duty is to check the fire safety equipment and features to in good order and within the expiry dates and call the fire professionals for a regular periodic check.

#### 4.2 The Manager qualifications:

The Manager should have enough education and knowledge and training to oversee the signing of the lease agreements, the social and know how skill to deal with the tenants in a positive way and able to resolve any conflicts between the tenants and/or the neighbours.

## 5. MAXIMUM NUMBER OF LODGERS

5.1 The maximum number of lodgers in the building at any time is strictly 184 including 1 manager

5.2 The Boarding room are divided into the followings:

-All Rooms with a living area of 16-25 sqm are suitable for 2 persons:  
(88 Rooms x2) =176 Persons (including 1 manager)

-All Rooms with a living area of 12-15.9sqm are suitable for 1 person:  
(8 Rooms x1) =8 Persons

It is the Manager’s responsibility is to ensure that the number of lodgers is not exceeded at any given time.

## 6. MINIMISING IMPACT ON RESIDENTS

So, as to minimise impact on the residents of adjoining premises as well as residents of the building, The following rules are to apply:

- a. Lodgers are required to sign an agreement upon commencement of their stay to abide by the “House Rules” including the consequences of breaking the rules
- b. No loud music or television noise or any noise of any sort is permitted after 10pm
- c. No parties are to be held on-site at any time; however small gathering is permitted as long as all visitors leave before 10pm (noise rule applies)
- d. No visitors permitted after 10pm
- e. No Illegal activities of any sort will be tolerated on the premises; The police will be called immediately if caught; leases will be terminated if charged and found guilty.
- f. All visitors should be required to sign in and out of the boarding house
- g. No use of the outdoor areas is permitted after 10pm on Sunday to Thursdays and after 11pm on Friday and Saturday
- h. No smoking within the premises or in areas which may affect the amenity of other residents of the boarding house or of residents of neighbouring properties.
- i. Lodgers are required to provide management with personal details, including next of kin details, for emergency purposes. These details are to be kept in the management office for the duration of lodger’s stay.

## 7. DISPLAY OF THE “HOUSE RULES”

The “House Rules” are to be attached to all leases and signed by all occupants and a copy is displayed on the premises and a copy is retained by the Manager; The Manager’s duty is to enforce the House Rules

### The House Rules details the followings:

- a. **Smoking:** No smoking is strictly not permitted in any Boarding Room and common areas; Smoking could trigger the smoke alarm and could cause harm to other lodgers.
- b. **Visitors Policy:** No visitors in boarding Rooms after 10pm; All visitors should leave the premises before 10pm.
- c. **Signing In/out:** All visitors are required to sign in and out of the boarding house
- d. **Parties:** No parties are to be held on-site at any time
- e. **Disruption:** To minimise disruption to other residents or other residents of neighbouring properties use of common open space area is not permitted after 10pm and noise level is to be kept to a minimum
- f. **Time of Usage of Common Areas:** Common rooms and areas are not to be used after 10pm on Sunday to Thursday and 11pm on Friday and Saturday. Lodgers to be considerate to adjoining neighbours and other residents of the boarding house and to keep noise levels to a minimum.
- g. **Emergency:** Emergency contact numbers, including essential services, fire, ambulance, police and utilities such as gas, electricity, plumbing and the like to be displayed on the premises
- h. **Drinking:** Alcohol is permitted within the premises as long as the Lodgers adhere to responsible drinking policy and take precautions whilst drinking with others and not leave any drinks unattended

- i. **Drugs:** Illegal drugs are not permitted within the premises. If caught with illegal drugs, responsible Lodgers will be reported to the police and lease agreement could be terminated with no compensation if charged and found guilty.
- j. **Smoke Alarms:** Rules relating to smoke alarms and the responsibility of the lodgers to pay costs if they trigger a false alarm and due to smoking inside the premises or due to negligence that causes the fire brigade to attend the premises.

The “House rules” will be updated regularly to consider any emerging situation.

The “House Rules” will be attached to all leases and should be signed by all Lodgers to confirm understanding of these rules before entering any lease.

The House rules are enforceable by the Boarding Houses; Lodgers who do not adhere to the House Rules can have their leases terminated and are liable to any damages caused to the premises and other Lodgers.

## 8. FIRE SAFETY

Due to Fire hazards and health hazards; The No Smoking Policy applies to all the premises including rooms and common areas.

All fire safety features within the building are to be regularly maintained in accordance with any statutory requirements; the Manager’s duty is to organise the fire safety equipment’s and features in good order and within the expiry dates.

A copy of the annual fire safety statement and current fire safety schedule for the premises must be prominently displayed in the reception area.

A floor plan must be permanently fixed to the inside of the door of each sleeping room to indicate the available emergency egress routes from the respective sleeping room.



All residents are to be made aware of the fire safety features of the building and what to do in the event of an emergency.

The Manager should explain to all Lodgers the procedures and the safe evacuation of the building in case of a fire alarm and not to return to the building until the Fire Brigade gives them clearance.

## **9. CLEANING AND MAINTENANCE**

The subject premises are to be maintained in a safe and healthy condition.

The manager should engage a professional cleaning team to maintain the common areas.

In addition all boarders are to be made aware, upon their entering into an agreement to occupy, of their responsibilities in relation to the maintenance and cleaning of their rooms.

Further, the common open space areas are to be maintained in a neat and orderly manner. This will require twice/month garden maintenance during spring and summer and once/month garden maintenance during autumn and winter.

## **10. BOARDER/LODGER INFORMATION**

All boarders are to be made aware of the contents and their obligations under approved Plan of Management. In this regard:

- A full copy of the approved Plan of Management is to be permanently supplied and retained in each boarding room and each common area.
- A copy of the approved Plan of Management is to be made available to every boarder.

- The House Rules will be signed upon signing the lease and will be displayed/or a copy retained by the Manager and every boarder should agree to abide by the rules.

## 11. REGISTRATION OF THE BOARDING HOUSE

The boarding house will be registered by the owners with the NSW Fair Trading within the first month of occupation in accordance with the Laws, and all leases are to comply with the NSW Fair Trading regulations in regards of terms and conditions, conflict resolution, tribunal, and bonds etc...

For more information, the owners need to contact the NSW Fair Trading on 143220 or check information on the website [www.fairtrading.nsw.gov.au](http://www.fairtrading.nsw.gov.au)

## 12. BOARDING HOUSE FURNITURE AND FACILITIES

Supply of furniture to the private rooms is not essential; however, if the owners decided to furnish the rooms the furniture will consist of the followings:

Each boarding room will be provided with:

- one double bed (no mattress)
- One desk/table & 1 or 2 chairs

The following facilities will be provided to lodgers in every room:

- Clothes storage facility of 1m<sup>3</sup> or greater
- Window furnishing/blind
- Phone line (not including access to provider)
- Internet/data line (not including access to provider)

The followings are not supplied by owner:

- Kitchen utensils
- Mattresses
- Bed sheets, bed covers and pillows/pillow cases
- Detergents, cleaning agents
- Cleaning equipment such as brooms; buckets and vacuum cleaner etc...

The Furniture of the common rooms is essential; the followings apply to common rooms:

- a. The common living room is to be provided with sofas, a kitchenette with a sink, water kettle and a microwave, a dining table with chairs.
- b. Available stackable 180 chairs in storage to be used in case of lodgers/manager's meetings.
- c. A broom, bucket and mop are to be kept in the laundry for use by lodgers as necessary.

### **13. WASTE MANAGEMENT & RECYCLING**

Residents of the facility are to be encouraged where possible to take advantage of Council's waste and recycling facilities. It is the responsibility of the boarder to sort garbage and place it in the appropriate receptacles.

The Boarding House is equipped with 2 garbage shuts (separating general waste and recyclables)

The manager is responsible for the collection arrangements, including making sure that the waste containers are placed adjacent to the kerb on the day of collection and removed back onto the property promptly after collection, and including the servicing of special waste such as "sharps" and/or sanitary napkin receptacles. Where receptacles are provided for the disposal of sanitary napkins, these are to be serviced and readily cleaned on a regular basis.

Collection responsibilities of the manager include all regular garbage, recycling, and green waste collection services, as well as household cleanup collection, ensuring goods for collection are managed in accordance with Council's collection requirements (information available on Council's website).

## 14. SAFETY & SECURITY

The following matters are to be provided within the property:

- Internal signage indicating the manager and emergency contact numbers such plumbers and electricians and emergency 000 calls.
- Contact details of the manager of the premises should be provided to police and Council; these details also need to be placed at the front of the premises; any entry points to the site, common areas and office areas for emergency services and others
- A Contact number for external complaints should be provided to nearby residents. This number should also be placed on all entry points to the site
- Emergency contact numbers for essential services including fire, ambulance, police and utilities such as gas, electricity, plumbing and the like.
- Perimeter lighting.
- The entrance door, doors from boarding rooms to balconies and each boarding room shall be fitted with keylocks
- Individual room keys (a master key is to be maintained by the manager and made available to the fire brigade).
- CCTV with 24 hours recording (with record up to 28days) in all common areas.

## 15. DISPUTES, COMPLAINTS AND RESOLUTIONS

The boarding house encourages active participation from the community in the ongoing operation of the business. A Complaint Management System will be developed to support a positive relationship between the Boarding House and its surrounding community.

The Resident Manager will be available, either in person or by phone, to deal with any complaints as to the operation and management of the premises. Phone contact details for the Resident Manager are to be displayed at the entrance to the boarding house, on a sign that can be clearly read from the adjacent footpath.

The details of the contact person in respect of all inquiries or complaints in relation to the premises is the Resident Manager.

The Resident Manager is responsible for recording all complaints, including complaints from residents, in a Complaints Register.

When receiving any complaints from community members the Resident Manager will provide advice that the complaint may also be reported to Penrith City Council and the NSW Police department.

Complaints about noise will be attended to immediately. The Resident Manager will rectify the situation immediately and take all reasonable steps to prevent future occurrences. The Resident Manager will follow up by contacting the individual who made the complaint about noise to verify that the problem has been resolved.

The Complaints Register will contain:

- a. Complaint date and time
- b. Name of person/Police/Council officer making the complaint
- c. Contact details
- d. Nature of the complaint
- e. Action taken (by whom and when)
- f. Outcome and/or further action required

The Complaint Register must be updated within 24 hours of a complaint being made.

All complaints will be addressed by the management within 24 hours of notification.

The Complaints Register will be made available for inspection by the Police and/or Council upon request.

Management of the Boarding House will regularly review the Complaints Register and where appropriate amend the operating procedures to minimise any negative impacts of the boarding house residents and members of the surrounding community.

The Boarding house will be registered with the NSW Department of Fair Trading prior to occupation of the premises.

All tenants will be provided with a Tenancy Agreement with a minimum lease of 6 months; the Tenants will pay the minimum of 4 weeks Bond to be deposited in Bond Board as per the Residential Tenancies Act 2010

In any unresolved dispute between tenants and the landlords/operators can be referred to The NSW Civil and Administrative Tribunal (NCAT) which is the main forum for resolving residential tenancy disputes between landlords and tenants

The tenants' and owners' rights and duties are reserved under the Residential Tenancies Act 2010.

Any complaint should be given in writing to the manager.

The manager should attend to resolve any issue the tenant have in a timely manner within reasons.

The manager should respond to any complaints from neighbours or Council immediately and without delay.

The Resident Manager will convene at least quarterly meetings with residents to discuss any issues or problems that may need to be resolved. These meetings will be recorded in a Residents' Meeting Minutes Register and all issues raised by these meetings will be recorded in the Minutes.

In the event of a dispute between residents, the Resident Manager will attempt to negotiate a resolution between the involved residents. If the dispute cannot be resolved, then the Resident Manager will make an interim determination regarding the dispute, and this resolution will be binding on the residents.

If any resident is not satisfied with the Resident Manager's interim determination, the matter can be referred to Community Justice Centre for mediation or arbitration. The Resident Manager will amend the interim determination in line with the recommendations of the Community Justice Centre.

Disputes in relation to the Occupancy Agreement will be resolved in accordance with Clause 9 of the Standard Occupancy Agreement which states that either party may apply to the NSW Civil and Administrative Tribunal (NCAT) to resolve a dispute about the Occupancy Agreement.

In the event of a dispute with an external party, the Resident Manager will initially attempt to resolve the dispute. If the dispute cannot be resolved, then the matter will be referred to the owner. If the dispute still cannot be resolved, the owner will refer the matter to the Community Justice Centre for mediation or arbitration.

The Manager will be trained to resolve any disputes with the residents and between the residents; the manager will follow the following procedure to resolve disputes:

- a) Actively listen to the complaints
- b) Try to find a reasonable solution to resolve the issue with the residents or between the residents
- c) Actively try to stop any action that could lead to violence
- d) Act very calmly without aggression to dissipate any aggressive reaction
- e) Refer the matter to the Police in case of any aggressive behaviour

## 16. Vehicles/Bikes/Motorbikes Parking's

Bicycles and motor bikes parking are available.

A Go Get Car (or any Car Share facility) will be available on site.

Vehicles shall be always parked legally and within the marked spaces and as specified by the manager.

Spaces will remain common and will not be allocated to individual bedrooms  
There is no overnight visitor's parking.

Disabled parking is to remain exclusively for any disabled person who lives in any of the Adaptable Rooms. The manager could allow any other residents to use disabled parking only in case no disabled person occupy any of the accessible Rooms.

## 17. Liaison with Neighbours

The Boarding house will have a Policy of "Living in Harmony with the neighbours"

Neighbours' complaints will be taking very seriously by the manager/owners

The management will address to any neighbours' complaints immediately to mitigate any impact on them.

The residents will always be reminded to adhere to the "House Rules" in this Plan of management to maintain a good relationship with the neighbour; residents who ignore the House Rules will be given only 1 warning, repeat of the same offence by the same residents will result in evacuation order.

Any misconduct that affects the neighbouring properties and their tenants will not be tolerated.



The manager will display on the notice board at the main entry of building any news or orders and any complaints from neighbours or council or from other tenants within the boarding house.

Offenders will be warned directly verbally and in writing.

This Boarding House Management Plan will be provided to Council and the Department of Fair Trading at request.

**[END OF PLAN OF MANAGEMENT]**