

AMENDED PLAN OF MANAGEMENT



21 & 22 BURNHAM CLOSE
THORNTON

NEW GENERATION BOARDING HOUSE

PREPARED FOR
ZOE MAY PTY LTD

PREPARED BY



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DECEMBER 2021
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ABN 164 225 481 42






CONTROL PAGE ONLY



DOCUMENT CONTROL

DOCUMENT NAME	PLAN OF MANAGEMENT
AUTHOR (INITIAL & SIGN)	MJB 
RELEASE DATE	9 DECEMBER 2021

DOCUMENT CHANGE CONTROL

REVISION NO.	RELEASE DATE	AUTHOR/S SIGNATURE	DESCRIPTION OF AMENDMENT
0	15/1/21		DRAFT FOR CLIENT REVIEW
1	21/10/21		FINAL FOR S34
2	25/11/21		REVISED POST S34
3	27/11/21		GENERAL AMENDMENTS
4	9/12/21		FINAL POST S34

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1 IMPLEMENTATION

1.1 INTRODUCTION

This Amended Plan of Management (POM) has been prepared without prejudice for Zoe May Pty Ltd to accompany a Development Application (DA 18/1394) to Maitland City Council and updated following a Section 34 Conference held on 5 November 2021. It relates to the operation of a New Generation Boarding House (the boarding house) at the Site.

1.2 THE SITE

The Site is legally described as Lots 11 and 12 in DP 246016 and known as 21 and 22 Burnham Close, Thornton, respectively, as shown in Figure 1 below.

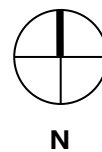
FIGURE 1: SITE AERIAL VIEW



SOURCE SIX MAPS 2021



AERIAL VIEW OF SUBJECT SITE



1.3 PURPOSE OF THIS DOCUMENT

The purpose of this POM is to outline the operational management controls that will apply to the boarding house on the Site. The POM is a working document to provide management, boarders and adjoining residents clarity regarding roles and responsibilities as well as overall operation of the boarding house.

This POM also seeks to minimise the environmental impacts associated with the ongoing use of the boarding house located on the Site, particularly the potential impacts on the surrounding residential properties.

The objectives of the POM are to:

- *Detail the responsibilities of the live-in boarding house manager.*
- *Ensure that an acceptable level of amenity is maintained to nearby residential properties.*
- *Ensure that appropriate measures are implemented to maximise the safety and security of residents.*
- *Ensure that the principles of Crime Prevention Through Environmental Design are implemented in the running of the boarding house.*
- *Detail the process for reporting, recording and management of complaints and incidents associated with the operation and management of the boarding house.*

1.4 COPIES OF THE POM

A copy of this POM is to be provided to each boarder upon signing the Occupancy Agreement and made available to all persons involved in the operation and management of the premises. The POM must also be available at all times for viewing in the communal living areas of the boarding house.

1.5 INDUCTION PROGRAM

- Prior to commencement of employment, all staff must undertake a Site induction program which identifies:
 - All areas on the Site associated with the New Generation Boarding House.
 - The movement and parking of vehicles.
 - Waste Management.
 - Complaint Management.
- The induction program is to provide clear direction and understanding to management and personnel regarding the carrying out of tasks and

responsibilities associated with the function of the boarding house. Those being inducted will have a clear understanding of what to do, where, when and how.

- The Site Manager/ Proprietor is responsible for organising and carrying out the induction.
- The induction involves the Site Manager/ Proprietor detailing the roles and responsibilities required for operation of the boarding house and stressing the importance of adhering to the POM.
- All inductees will be logged in a register confirming they have undertaken the induction by the Site Manager/ Proprietor. This register will be maintained and kept by the Site Manager and made available to Council on request.
- Each staff member/ contractor will receive their own copy of the POM for future reference.

1.6 THE DEVELOPMENT

The proposed development involves the demolition of the existing structures on the Site and construction of a New Generation Boarding House containing 31 boarding rooms, with associated communal facilities, parking and landscaped areas, as well as an on-site manager's residence.

In general, the proposed development will comprise:

- 31 x double boarding rooms, of which Rooms 11 and 31 are accessible rooms.
- A manager's residence.
- Two (2) communal laundries - one on each level.
- Communal gardens/ outdoor spaces on each level and a communal living room on the upper level.
- Pedestrian access points off both Burnham Close and Taylor Avenue.
- A stair well at the main entrance and a stair well and lift core located centrally and serving both levels plus the basement car park.
- 30 car parking spaces including two disabled spaces, one dedicated electric vehicle space, one car share space, a dedicated Manager's car space and three visitor spaces.
- 7 x motorcycle parking spaces and 8 x bicycle rack spaces.
- External and internal bin storage areas.
- A utility room.

- Landscaped open space areas for use by residents with provision for generous deep soil zones.

2 DEFINITIONS

In this POM:

- a) **Boarding House:** has the same meaning as defined in the Maitland Local Environmental Plan 2011
- b) **Building:** means the New Generation Boarding House at 21 and 22 Burnham Close, Thornton.
- c) **Business:** means the operation of the building as a 'New Generation Boarding House'.
- d) **Common Areas:** means the communal rooms/ areas, kitchen, laundry, bathrooms, toilets, hallways/ corridors, stairs, stores, decks, balconies, parking areas and private open spaces, as identified on the approved plans.
- e) **Communal Open Space Area:** means the external communal area including the front yard, side setbacks, rear yard and deck at ground floor level (as identified on the approved plans).
- f) **Council:** means Maitland City Council.
- g) **Boarder, Lodger:** means a person having the benefit of the use of a nominated boarding room and the common rooms/ areas within the building.
- h) **Manager:** means the Manager engaged by the business proprietor.
- i) **Owner:** means the registered proprietor/s of the Site.

3 MANAGEMENT

3.1 OVERVIEW

The boarding house is to be managed by an on-site Manager, who shall be contactable 24 hours/ day, 7 days/ week.

The Manager shall be responsible for the operation, administration, cleanliness and fire safety of the premises. This includes compliance with the conditions of this POM and any conditions of the Development Consent related to the operation of the boarding house.

Contact details for the Manager must be made available to all boarders and displayed on a notice board in the communal living room. A sign shall be located at each building entry point clearly indicating contact telephone number(s) of the Manager.

3.2 MANAGEMENT/ CARETAKER RESPONSIBILITIES

The proprietor shall engage a Manager whose responsibilities are (but not limited to) the following:

The Manager shall:

- a) Be contactable 24 hours/ day, 7 days/ week.
- b) Maintain an up to date 'Accommodation Register' providing the following details:
 - Name of occupant.
 - Photo ID (typically either passport or driver's license) of each boarder.
 - Allocated boarding room of occupant.
 - Length of stay.
 - Payment details.
 - Occupation (if applicable).
- c) Select and give priority to potential boarders on a very low to moderate income.
 - i.e. A potential boarder that has a gross income that is less than 120 per cent of the median household income for the time being for the Sydney Statistical Division (according to the Australian Bureau of Statistics) and pays no more than 30 per cent of that gross income in rent.

A potential boarder that is eligible to occupy rental accommodation under the National Rental Affordability Scheme and pays no more rent than that which would be charged if the accommodation were to occupy rental accommodation under that scheme.

The potential boarders will be requested to provide proof of any income or lack thereof, (e.g. any Centrelink/ study support documentation, tax return/group certificate details, current employee details and/ or a copy of a current payslip) to the Manager.

- d) Enforce the minimum occupancy period of not less than 3 months and house rules listed in this POM. At no time is any room to be advertised or made available for short term stay accommodation, such as that associated with backpacker hostels, motels, hotels, Air B'n'B or the like.
- e) Organise or undertake the cleaning and maintenance of the internal and external common areas and facilities.
- f) Carry out inspections of boarding rooms on a regular basis (at a minimum of once every 3 months) to ensure that they are maintained in a clean and tidy condition and that all facilities and fittings are appropriately maintained.
- g) Organise the waste collection and waste facilities needed for the Site, and the ongoing storage and collection of wastes, including the rotation of bins to prevent overflowing bins at either storage location, transfer of waste bins to and from collection points as required, and regular cleaning of bins/ waste storage areas and collection areas.
- h) Notify the Council in writing within one (1) month of any change in the management and provide contact details of the new Manager.
- i) Provide surrounding property owners with the contact number of the Manager. This will be done by way of a flyer and notice erected at the front entry of the main building.
- j) The Site Manager is responsible for any deliveries to the property, with such deliveries to be scheduled between the hours of 7 am to 5 pm Monday to Friday and 8 am to 12 noon Weekends and Public Holidays.
- k) Provide appropriate cleaning, sanitisation and social distancing measures as required by the relevant health authorities in relation to COVID-19 (and other health-related matters from time to time).

NB: Additional duties/ responsibilities of the Manager are prescribed in the sections below.

3.3 INCIDENT AND COMPLAINT MANAGEMENT

The following procedures are to be undertaken by the Manager to minimise the risk of antisocial activities and nuisance to adjoining neighbours and the general public:

- a) Provide a copy of the updated Accommodation Register to Council or the NSW Police upon request.
- b) Maintain an 'Incident Register', which includes the following information and is available to neighbouring residents, police, and/ or Council upon request:
 - Incident date and time.
 - Name, address and contact details of person reporting the incident.
 - Details of the incident.
 - Action undertaken by the Manager.
 - Follow up and outcome and/ or further action required.

An "incident" includes any breach of this POM or any event that may reasonably cause alarm or concern to residents, persons passing or in the vicinity of the premises, as a result of the conduct or act of any person identifiable as a client of the premises at that time.

- c) Maintain a 'Complaints Register', which includes the following information and is available to neighbouring residents, police, and/ or Council upon request:
 - Registration No. of complaint (as provided to the person at the time of lodging the complaint).
 - Complaint date and time.
 - Name, address and contact details of person making the complaint.
 - Nature of complaint.
 - Action undertaken to resolve the complaint.
 - Follow up on outcome and/ or further action required.

If a complaint relates to noise, the Manager must:

- Rectify the situation immediately.
- Contact the individual who reported the incident to verify that the problem has been addressed.

- Take all reasonable steps to stop or reduce the source of the noise to prevent future reoccurrences.
- d) The Manager must review the registers regularly and, where appropriate, amend operating procedures so as to eliminate the possibility of the Incident or Complaint recurring or to minimise the impacts should it recur.
- e) A 24-hour telephone number is to be available to neighbours who wish to register a complaint or incident. Suitable procedures will be implemented to ensure that complaints and issues of conflict, from surrounding developments and residents, are efficiently dealt with.
- f) The Manager will erect and maintain a clearly visible sign at each building entrance door, detailing the Manager's after-hours telephone number.
- g) When an incident or complaint is reported, the person reporting the details will be advised that the matter may be reported, on a confidential or non-confidential basis and that confidential records will be made available to the Council, the NSW Police and any other person required by law, as well as residents who live within 100 metres of the premises, who wish to inspect the Complaints Register and Incident Register.
- h) In the event that a number of complaints have been made without any corroborating evidence and/ or has been made by a vexatious complainant, Council and or the NSW Police will be informed for further action as appropriate under law.
- i) Enforce the 'House Rules' listed in this POM.
- j) Provide boarders with appropriate information prior to the commencement of occupation, as required under this POM. The Manager must ensure boarders are aware of the contents of this POM. A hard copy of this plan is to be provided to each new boarder upon arrival.

4 ACCOMMODATION REGISTRATION

- a) Each boarder is to sign an Occupancy Agreement (with a minimum term of 3 months) and House Rules Agreement. The House Rules Agreement must include a copy of the 'House Rules' as listed in this POM. Each page of the 'House Rules' must be read and signed by each boarder confirming they have read and are prepared to abide by the rules.
- b) Upon arrival all boarders are to be issued with an information sheet that provides a layout of the premises and available facilities, as well as a note that there is residential development in the vicinity and that boarders need to take neighbours' interests into account when using, leaving and entering the premises.
- c) Upon signing the Occupancy Agreement, each boarder must be provided with a printed copy of the following publications prepared by the Tenants' Union of NSW, as may be amended from time to time:
 - Factsheet 14: Boarders and Lodgers.
 - Factsheet 27: Boarding House Act 2012.
- d) A duplicate copy must be signed by the boarders as an acknowledgement that they have received the publications. The duplicate copy must be kept with the Occupancy Agreement held by the Manager to verify the materials have been issued. The publications will be updated every twelve months and where not available, similar information will be provided.
- e) Upon signing the Occupancy Agreement, each boarder must be provided with a copy of this POM. The Manager must ensure that each boarder is aware of the content, in particular the emergency procedures and house rules.
- f) A full copy of the approved POM is to be permanently displayed in each boarding room and each common area.

5 MAXIMUM NUMBER OF BOARDERS

The boarding house is restricted to the maximum number of boarders as indicated on the relevant development consent and this Plan of Management.

A maximum of two (2) boarders per double boarding room, as allocated in Schedule A of this POM.

It is the Manager's responsibility to ensure that these numbers are not exceeded.

6 HOUSE RULES

To minimise impacts upon the residents of adjoining premises, as well as residents of the building, the following rules are to apply.

- a) Music will be generally permissible during daylight hours but not after 10.30pm on Friday and Saturday nights or after 9pm on other weekdays and Sundays.
- b) No alcohol is permitted to be consumed in any external communal open spaces.
- c) The supply, use and storage of illegal substances on the Site is prohibited. Any boarders found to possess, supply or use illegal drugs will have their licence terminated and the matter will be referred to the police.
- d) No parties or gatherings are permitted upon the premises after 10.30pm.
- e) No visitors are permitted after 10.30pm.
- f) No live, or amplified music, is permitted in the communal open space areas.
- g) There shall only be one party at any one time. Management is to be notified 7 days in advance of any party, the number of persons attending and the reason for the party. Partygoers shall adhere to all house rules.
- h) The indoor laundries shall only be used from 8:00am till 10:30pm with no loads to be put in the dryers after 9.30pm. Clothing shall be removed prior to 10.30pm.
- i) No more than 2 boarders shall be permitted to occupy double rooms and 1 boarder in a single room. Any greater occupancy than those registered shall result in cessation of occupancy.
- j) Car parking, bicycle and motorcycle parking spaces are available on a first come, first use, basis, with the exception of the dedicated parking space for the Manager.
- k) The common walkways, stairwells, access ways and Site entry points are not to be used for congregating or as communal areas.
- l) No towels or clothing are to be hung on any external balcony railings.
- m) To minimise acoustic and privacy issues, the use of communal areas (including the outdoor ground level area and picnic table, the balcony adjacent to boarding rooms 1 and 20, the outdoor garden adjacent to boarding room 17, the roof garden adjacent to boarding room 21 and the balcony off the communal living room) are to be generally restricted between the hours of 7am and 10.30pm, 7 days a week, except with the approval or supervision of the Manager.
- n) Shared facilities shall be kept clean and tidy.

- o) No pets are to be kept on the premises without the prior approval of the Manager.
- p) Cleaning of boarding rooms is the responsibility of individual boarders. It is the boarder's responsibility to maintain cleanliness of their room to the satisfaction of the Manager.
- q) Boarders are responsible for taking the waste and recycling from their rooms to the communal bin storage areas.
- r) The incidents and complaints registers will be referred to prior to renewing any Occupancy Agreement.
- s) No smoking is permitted in rooms. In addition, no naked flames, candles or incense and the like shall be permitted in rooms.
- t) In the case of a fire or threat, the evacuation procedure provided by the Manager must be implemented. Refer to Section 7 below.
- u) Residents shall, at all times, consider the residential amenity of the area and the impact of their activities on the neighbours. The Manager will monitor all noise-generating activities and act appropriately if they occur in contravention of the House Rules, Council standards, or laws/ regulations relating to noise.
- v) Carrying out of activities likely to cause a nuisance to the Manager, neighbours or other residents will be taken seriously. Residents whose activities cause nuisance, shall be warned and if they re-offend, may have their Occupancy Agreement terminated.
- w) In the event that a boarder is the victim of theft or assault at the premises, Management shall assist the boarder to report and resolve the issue, i.e. by the completion of incident report forms, contacting the police, telephone calls, etc.
- x) Neither boarders or the Manager are to tamper with, redirect, obscure or cover any part of the closed-circuit security system or security lighting.
- y) Breaches to the rules and any cases of serious misconduct will be dealt with by the Manager and may result in termination of the boarder's Occupancy Agreement. Examples of serious misconduct include, but are not limited to, drug and alcohol abuse; sexual, gender, racial or religious harassment; theft or violence. Boarders are to advise the Manager if another boarder is conducting illegal activities on the property. The Manager shall call the Police in any such circumstance.
- z) All security cards/ keys/ devices allowing access to the building shall be returned to the Manager at the time the occupancy of the premises ends.

- aa) All boarders must ensure their vehicles are parked within the designated on-site parking area. No parking within Burnham Close or surrounding streets will be permitted.
- bb) The House Rules are to be displayed in each boarding room and indoor communal areas.

7 FIRE SAFETY

- a) A copy of the annual fire safety compliance statement and current fire safety schedule for the premises must be prominently displayed in the reception area. Annual certification is to be carried out by a fire safety consultant.
- b) Annual certification inspections must be organised by the Manager. The Manager is responsible for ensuring the required fire safety measures (including, but not limited to, an automatic fire detection and interconnected smoke alarm system, portable fire extinguishers, emergency lighting and signs) are maintained in a functional state.
- c) All residents will be provided with a copy of an approved Emergency Management and Evacuation Plan by the Manager. It must include the location of all fire safety measures; emergency egress from boarding rooms; assembly points; emergency contact details and evacuation procedures/ actions that boarders are to take in the event of a fire or fire threatening situation. In addition, a floor plan will be permanently fixed to the inside of the door of each boarding room to indicate the available emergency egress routes from the respective room. The Manager will be responsible for providing and maintaining the floor plan.
- d) The Manager is responsible for ensuring that all common egress pathways within the buildings are kept clear of all combustibles.
- e) All boarders must adhere to the 'No smoking' policy within the building. The Manager is responsible for strictly enforcing the policy.
- f) All boarders must ensure that items (wastes and combustible goods) are not accumulated adjacent to potential ignition sources and no naked flames are ignited and maintained within any parts of the building. The Manager is responsible for strictly enforcing this.
- g) The Manager must ensure that all electrical systems and appliances are regularly maintained and inspected in accordance with the relevant regulations.
- h) The Manager must ensure that the fire safety system is maintained in an operational state.
- i) The Manager must ensure that only minor storage of quantities of flammable and combustible liquids are permitted in the building, provided storage is in accordance with the minor storage requirements of the Australian Standards.

8 CLEANING, MAINTENANCE, WASTE MANAGEMENT

- a) The boarding house is to be maintained in a safe and healthy condition at all times. In this regard, all common areas, common rooms and communal open spaces are to be cleaned to a professional standard at least once a week.
- b) A contracted gardener shall be engaged to maintain the appearance and health of all landscaped areas at regular intervals and prevent the build-up of debris, garden waste and the like. This shall include the interface with all public roads, pathways and reserves.
- c) Pest control by a professional contractor shall be carried out at least once a year or when outbreaks of pests becomes evident.
- d) The external presentation of the premises is to be maintained to a high standard.
- e) All boarders shall be responsible for disposing of their waste into the relevant internal garbage bins. A sorting bin will be provided in each boarding room and communal area. It will include a separate compartment for general waste and recyclables. The bin must be capable of holding at least a single day's waste.
- f) The Manager shall be responsible for emptying the common room bins into the main external bins. Each boarder shall be responsible for emptying their boarding room bins into the main external bins.
- g) Each boarder shall permit the Manager access (as required) to check cleanliness, condition of furniture, and maintenance of services. The Manager is to give each boarder at least one day's notice of an inspection.
- h) Waste containers are to be located in every boarding room. Communal waste and recycling bins are to be located within the communal garbage area. The boarders are responsible for taking the waste and recycling from their rooms to the communal bin storage areas. The Manager is responsible for removing waste and recyclable items from the communal living area and disposing of it in the communal bins.
- i) All communal bin storage areas for the boarding house will be maintained by or on behalf of the Manager and will be washed down on a weekly basis in order to maintain cleanliness using the dedicated washing facilities. Bulky

wastes will not be allowed to accumulate in or around the bin enclosure areas, but may be stored temporarily in the Utility Room until collection.

- j) The Manager is responsible for wheeling the communal bins to and from the collection pads for collection by the Council and private contractors as required. The Manager will return all bins to the communal garbage storage areas within 2 hours of collection.
- k) Maintenance and servicing of lighting will be coordinated by the Site Manager to ensure the safety of all persons using the Site. Lighting shall be positioned so as not to cause nuisance light spill onto adjoining properties.
- l) All external pedestrian access doors and site entry gates are to be fitted with soft-closing devices to prevent doors and gates from slamming and creating a noise nuisance. The soft-closing devices are to be kept in working order.
- m) The linemarking and signage to designate general and specific parking areas (such as disabled parking and electric charging spaces) shall be maintained at all times. Only persons holding a Mobility Parking Scheme permit shall be permitted to park within the designated disabled parking areas.
- n) Trailers, RV's, camper-trailers, personal watercraft, caravans or the like shall not be permitted to be stored on the property and must not be stored within the local road network.

9 BOARDING HOUSE FURNITURE AND FACILITIES

- a) Each boarding room shall be provided with:
- One side table, single bed, mattress and mattress protector in the single rooms.
 - A washing machine and dryer in the case of the accessible rooms.
 - Either two single beds, mattresses and mattress protectors or a double bed, double mattress and mattress protector in the double rooms.
 - Suitable lighting, including at least one night light.
 - At least one wardrobe, one mirror, one linen cupboard, one lounge chair and a study desk.
 - A pantry, a refrigerator/ freezer combination, a stove and a sink for the storage, preparation and cooking of food.
 - A bathroom comprising of a shower, handbasin and toilet.
 - A waste bin that will include a separate compartment for general waste and recyclables. The bin must be capable of holding at least a single day's waste.
 - Curtains/ blinds or other privacy device.
- b) Each boarder shall advise the Manager of any broken furniture or faulty services. The Manager will be responsible for replacement of furniture, as required.
- c) Each laundry is to be provided with at least one energy efficient washing machine, dryer and tub.
- d) The communal living room is to be provided with a dining table and four chairs; and/ or one lounge and a television.
- e) A broom, bucket and mop are to be kept in the cleaner's room for use by lodgers as necessary.
- f) A closed-circuit security system is to be installed in the building and shall be maintained at all times.

10 SAFETY AND SECURITY

The following is to be provided within the property:

- Internal and external signage indicating the name and contact numbers of the Manager.
- Internal signage indicating emergency contact numbers for essential services including fire, ambulance, police and utilities such as gas, electricity, plumbing and the like.
- A landline telephone within a common area available for use by residents in the event of an emergency.

The boarding house is to be accessible 24 hours a day, 7 days per week to each registered boarder through the use of a security card/ key.

Access to each room shall be via a key lock or security card, with each boarder holding their own security card/ key and a spare card/ key being held with the Manager for emergencies.

11 PUBLIC LIABILITY INSURANCE

The owner will maintain a public liability cover.

12 DECLARATION

A signed declaration must be provided from the Manager and each boarder, indicating that they have read, understood and will ensure compliance with the approved POM.

13 REVIEW

This POM is to be reviewed on an annual basis. The Manager will be responsible for overseeing each annual review and making changes to the POM as necessary. The review will be commenced one month prior to the end of each financial year and will be completed by June 30 of each year.

The review process will include liaising with Council and incorporate any operational changes, which have been adopted throughout the preceding year. At the time of preparation of the review, consideration will also be given to the environmental controls in place to ensure that each is still relevant to the activities being conducted on the premises. The review will be informed by the Induction

Register, any complaints received and ongoing communication between staff, boarders and the community.

Where necessary, any draft changes to the POM will be forwarded to Council for comment. Any comments/ recommendations will be incorporated prior to formal adoption. Reasons for alterations to the POM will also be documented.

A review of the POM cannot amend the scope of the approved development under the consent without having obtained the prior consent from Council. Likewise, Council cannot impose requirements that exceed the terms of any development consent issued by the Consent Authority.

SCHEDULE A

OCCUPANCY CAPACITY OF BOARDING HOUSE ROOMS

BOARDING HOUSE ROOM	MAXIMUM NUMBER OF RESIDENTS
GROUND FLOOR	
Manager's Residence	Double
BR 1	Double
BR 2	Double
BR 3	Double
BR 4	Double
BR 5	Double
BR 6	Double
BR 7	Double
BR 8	Double
BR 9	Double
BR 10	Double
BR 11	Double (accessible)
BR 12	Double
BR 13	Double
BR 14	Double
BR 15	Double
BR 16	Double
BR 17	Double
BR 18	Double
BR 19	Double
BR 20	Double
LEVEL 01	
BR 21	Double
BR 22	Double
BR 23	Double
BR 24	Double
BR 25	Double
BR 26	Double
BR 27	Double
BR 28	Double

BOARDING HOUSE ROOM	MAXIMUM NUMBER OF RESIDENTS
BR 29	Double
BR 30	Double
BR 31	Double (accessible)