Submission on behalf of:

• Carinya Lodge Arncliffe; and
• Carinya Lodge Marrickville,

in response to the Regulatory Impact Statement for the proposed Boarding House Regulation 2013

To:
Boarding House Reform
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1. About the Carinya Lodges

1.1. Carinya Lodge Arncliffe – A Licensed Residential Centre for Handicapped Persons

Carinya Lodge Arncliffe is owned by the C & A Baker Family Trust. The Directors of the Trust are Craig Baker and Alexandra Baker.

C & A Baker Family Trust purchased Carinya Lodge in 2006

Carinya Lodge Arncliffe is licensed under the Youth and Community Services Act 1973 (Act) as a Residential Centre for Handicapped Persons (Licence No: B-09-1109). There are three (3) persons (licensed managers) authorised to have the conduct of Carinya Lodge under the Act. Those persons are:

1. Beverley Savage (who is the live-in Licensee/Manager);
2. Alexandra Baker; and
3. Craig Baker.

Carinya Lodge is licensed to accommodate a maximum number of 26 persons (including staff) at any one time.

1.2. Carinya Lodge Marrickville – A Licensed Residential Centre for Handicapped Persons

Carinya Lodge Marrickville is owned by the Rommit Pty Ltd. The Directors of the company are Jackie Baker and John Baker.

Rommit Pty Ltd purchased Carinya Lodge in 1993.

Carinya Lodge Marrickville is licensed under the Youth and Community Services Act 1973 (Act) as a Residential Centre for Handicapped Persons (Licence No: B-09-1109). There are three (3) persons (licensed managers) authorised to have the conduct of Carinya Lodge under the Act. Those persons are:

1. Shaikira Savage (who is the live-in Licensee/Manager);
2. Alexandra Baker; and
3. Craig Baker.

Carinya Lodge is licensed to accommodate a maximum number of 23 persons (including staff) at any one time.

1.3. Carinya Lodge Boarding Houses Generally
Carinya Lodge Arncliffe and Carinya Lodge Marrickville have operated for a combined period of over thirty five (35) years licensed Residential Centres for Handicapped Persons.

The Carinya Lodge boarding houses typically accommodate residents with various “additional needs” as defined in section 36 of the BH Act.

For the above reason, the Carinya Lodge Boarding Houses are classified by the BH Act as “assisted boarding houses”.

Both Carinya Lodge Boarding Houses are the subject of audits on a regular basis (on average every six (6) weeks). Each Carinya Lodge Boarding House has complied with the legislative requirements overseen and monitored by DADHC (now ADHC) and has complied with all instructions and directions over the years. The owners and licensee’s of both Carinya Lodges consider they have developed a very good, open and viable working relationship with ADHC during that time.

1.4. Carinya Lodge Arncliffe – The Location and General Demographic

Carinya Lodge is located at 89-91 Fairview Street, Arncliffe NSW.

Arncliffe is a suburb located within the Local Government Area of the City of Rockdale and in the St George district. It is about ten (10) kilometres from the Sydney CBD.

The 2011 Census resulted in the following general demographical statistics about Arncliffe:

- the population of Arncliffe is 8,420 and is comprised of 50.3% males and 49.7% females
- The median/average age of the Arncliffe population is 36 years of age, 1 year below the Australian average.
- 48.3% of people are married, 34.1% have never married and 7.6% are separated or divorced. There are 397 widowed people living in Arncliffe.
- 59.7% of the people living in Arncliffe are employed full time, 27% are working on a part time basis.
- The main occupations of people from Arncliffe are:
  - Professionals 20.1%,
  - Clerical and Administrative Workers 16%,
  - Technicians and Trades Workers 12.4%,
  - Labourers 11.5%,
  - Managers 10.7%,
o Sales Workers 9.6%,

o Community and Personal Service Workers 9.1%,

o Machinery Operators And Drivers 8.6%.

Arncliffe typically comprises a cross section of low, medium and high density housing. Property Investment Magazine reports Arncliffe as comprising the following:

• 71.9% - separate house

• 18.5% - flat, unit or apartment

• 9.4% - semi detached, row or terrace house, townhouse.

Arncliffe also comprises a small area of commercial factory and warehousing facilities.

Carinya Lodge Arncliffe is located about one (1) kilometer from Arncliffe's main shopping centre which is centered around Arncliffe railway station. It is approximately 3 kilometres from the commercial hub of Rockdale.

Banksia railway station and Arncliffe railway station are within walking distance from Carinya Lodge. Both railway stations are on the Illawarra line of the City Rail network. Both railway stations are serviced by 'all stations' services:

• from Hurstville to the Sydney CBD, terminating at Bondi Junction; and

• to Cronulla and Waterfall in the Sutherland Shire of Sydney.

The immediate vicinity of Carinya Lodge is serviced by the 473 and 492 government bus routes which run to Banksia railway station, Arncliffe railway station and Rockdale railway station. Buses also run to the nearby suburbs of Bexley, Earlwood, Canterbury, Ashfield, and on to Five Dock.

Carinya Lodge Arncliffe is also located within close proximity to the major medical facility of St George Hospital. Of course St Vincent’s Hospital in Darlinghurst is also within close proximity of Carinya Lodge.

Having regard to the above location and demographic details, residents of Carinya Lodge Arncliffe are well suited to the community comprising Arncliffe and the surrounding suburbs and have all the facilities and amenities required of standard living within easy access to their place of residence.

1.5. Carinya Lodge Marrickville – The Location and General Demographic

Carinya Lodge is located at 117 Livingstone Rd, Marrickville NSW 2204.

Marrickville is a suburb located within the Local Government Area of Marrickville, an inner western area of Sydney. It is about seven (7) kilometres from the Sydney CBD.
The 2011 Census resulted in the following general demographical statistics about Arncliffe:

• Has a population of about 24,613 and is comprised of 49.5% males and 50.5% females.

• The median/average age of the Marrickville population is 37 years of age which is the average age of Australians.

• 38.1% of people are married, 45.9% have never married and 8.3% are separated or divorced. There are 983 widowed people living in Marrickville.

• 62% of the people living in Marrickville are employed full time, 26.1% are working on a part time basis.

• The main occupations of people from Marrickville are:
  
  o Professionals 30.7%,
  o Clerical and Administrative Workers 14.3%,
  o Managers 12.5%,
  o Technicians and Trades Workers 11.8%,
  o Community and Personal Service Workers 9%,
  o Labourers 8.1%,
  o Sales Workers 7.6%,
  o Machinery Operators And Drivers 4.3%.

Marrickville typically comprises a cross section of low, medium and high density housing. Property Investment Magazine reports Marrickville as comprising the following:

• 49.8% - separate house

• 31.2% - flat, unit or apartment

• 18.1% - semi detached, row or terrace house, townhouse.

Marrickville also comprises a small area of commercial factory and warehousing facilities.

Carinya Lodge **Marrickville** is located about half (.5) kilometer from the commercial hub of Marrickville’s main shopping centre.

It is also located about one (1) kilometre from Marrickville railway station. Marrickville railway station and Sydenham railway station are within walking distance from Carinya Lodge Marrickville.

Marrickville railway station is on the Bankstown line and is serviced by trains

• to the Sydney CBD, terminating at Town Hall; and
• to Liverpool and Lidcombe in the west.

Sydenham railway station is on the:

• Bankstown line;
• East Hills/Airport line; and
• Illawarra line.

The immediate vicinity of Carinya Lodge Marrickville is serviced by the 418 and 412 government bus routes which run to Marrickville railway station, Sydenham railway station and Newtown railway station.

Carinya Lodge Marrickville is also located within close proximity to the major medical facility of Royal Prince Alfred Hospital.

Having regard to the above location and demographic details, residents of Carinya Lodge Marrickville are well suited to the community comprising Marrickville and the surrounding suburbs and have all the facilities and amenities required of standard living within easy access to their place of residence.

2. Background

On 10 May 2012, the NSW Government announced proposed reforms to the Boarding House sector within NSW.

The objective of the proposed reforms was to deliver greater protections to some of the state’s most vulnerable residents.

The proposed reforms were stated by the Minister for Disability Services, Andrew Constance, to be for reasons including:

• Ageing, Disability and Home Care (ADHC) has an obligation to license and regulate boarding houses that accommodate people with a disability; and

• The current legislation is fundamentally flawed because:
  o the regulatory powers are unclear;
  o the penalties for non-compliance are totally inadequate; and
  o it doesn't provide clear rights for the residents.

• Appropriate legislation need to be put in place to protect and uphold the rights of vulnerable residents.

In a press release dated 10 May 2012, the Minister stated that the proposed reforms would include:
• The introduction of a registration system for NSW boarding houses
• Occupancy rights for residents
• Standards for boarding houses
• Increased penalties for non-compliance with the regulations
• Increased powers of entry

The press release included statements from the Minister for Fair Trading, Anthony Roberts. Mr Roberts stated that a registration system will be put in place and a website developed containing information on occupancy rights and standards for operators. Mr Roberts is quoted as saying:

"There are currently no occupancy rights for residents living in boarding houses, such as the right to live in clean premises and be given notice of eviction, nor are there clear responsibilities for operators or residents on how the property should be maintained. Our reforms will address these areas. The introduction of a registration system for NSW boarding houses will ensure vulnerable people are no longer living in unlicensed facilities where they have no rights."

On 17 October 2012, the Boarding Houses Bill 2012 (Bill) was introduced to the NSW Parliament.

The Minister, in the second reading speech, made particular reference to the integral role Boarding houses play in the provision of low-cost, affordable housing, particularly for people who may otherwise struggle to afford private accommodation. The Minister acknowledged that people living in boarding houses are some of the most disadvantaged in our society, being people who often:

• are reliant on low incomes or pensions; or
• suffer mental health issues or an intellectual disability;
• are aged and frail;
• have multiple and complex health needs; and
• are socially isolated.

As operators of Carinya Lodge Arncliffe and Carinya Lodge Marrickville boarding houses, we acknowledge that our boarding houses provide facilities to a number of residents that experience the above disadvantages (and often a number of the disadvantages), as outlined above by the Minister.

The Minister acknowledged that an estimated 750 boarding houses operate in NSW with the majority being located in the Sydney metropolitan area. However, and in our view most importantly, the Minister stated:
“Today there are only 23 boarding houses, providing 526 beds, licensed under [the Youth and Community Services Act]. The unlicensed sector, on the other hand, is only partially regulated. It is estimated that around 7,000 people live in unlicensed boarding houses.”

I confirm that Carinya Lodge Arncliffe and Carinya Lodge Marrickville are both boarding houses licensed as Residential Centres for Handicapped Persons under the Youth and Community Services Act 1973. Carinya Arncliffe is licensed for accommodate 26 and Carinya Marrickville is licensed for accommodate 24 (including staff), 2 residents per room.

Whilst the Minister stated that residents commonly face problems with inadequate security and concerns for their personal safety, in the 20 years we have been licensed to conduct a residential centre at Carinya Arncliffe and Carinya Marrickville, we are not aware of any “fears for safety” of the residents of Carinya Lodge.

Further, the Minister referred to the significant impact on the quality of life for some residents arising from their struggle to access health, social, legal and financial support services. Again, both Carinya Lodges, as licensed residential centres, have existing legal and moral obligations to assist its residents with access to health, social, legal and financial support. The licensees take their legal and moral responsibilities extremely seriously when requested to assist residents with access to those vital services. Indeed the licensees have developed a professional relationship with a medical practitioner conducting practice within close proximity to the Carinya Lodges. The medical practitioner has agreed to provide visitation services to the Carinya Lodges where requested by the licensees.

The Carinya Lodges take great pride in the fact that their residents receive a very high quality of accommodation, food, assistance and support in all aspects of their lives.

It is against the Background outlined above that the Carinya Lodges make the below comments on the Public Consultation Draft of the Boarding House Regulation 2013.

3. Comments on the Draft Regulation

3.1. Prescribed Conditions of Boarding House Authorisations

Section 43 of the Boarding Houses Act 2012 sets out general provisions relating to a boarding house authorisation granted under the Act and provides that:

(1) A boarding house authorisation is subject to the following conditions:

(a) any condition imposed on the authorisation by this Act or prescribed by the regulations,

(b) any condition imposed on the authorisation by the Director-General under this Act.

(2) The Director-General may impose conditions on a boarding house authorisation:
(a) at the time of the grant of the authorisation, or

(b) subsequent to the grant of the authorisation by variation of the authorisation.

(3) The Director-General may impose or vary conditions on a boarding house authorisation for such reasons, and in such circumstances, as the Director-General considers appropriate or necessary.

(4) Without limiting subsections (1) and (3), the conditions prescribed by the regulations or imposed by the Director-General may include conditions relating to any or both of the following:

(a) standards for services provided to residents (including, but not limited to, standards concerning the physical and mental welfare, education, social activities, personal protection and meals of residents),

(b) standards for accommodation provided to residents (including, but not limited to, standards concerning bedrooms, bathrooms and other rooms that are occupied or used by residents).

(5) An authorised operator of an assisted boarding house must not contravene a condition of the boarding house authorisation for the boarding house.

Maximum penalty:

(a) in the case of a corporation—40 penalty units and in addition, for a continuing offence, 10 penalty units for each day the offence continues, and

(b) in any other case—20 penalty units and in addition, for a continuing offence, 5 penalty units for each day the offence continues.

Division 4, clauses 11 and 12 of the draft Regulation make reference to the section 43 of the Act. Clause 11 and 12 of the draft Regulation state:

11 Conditions prescribed for the purposes of section 43(1)(a) of Act

The conditions specified in this Division are prescribed for the purposes of section 43 (1) (a) of the Act as conditions of boarding house authorisations.

12 Condition relating to standards for authorised boarding houses

It is a condition of a boarding house authorisation that the authorized operator ensures that accommodation, staffing and services provided by or at the authorised boarding house are provided in accordance with the standards specified in Schedule 1 that are applicable to the authorized boarding house.

Schedule 1 of the draft Regulation sets out the Standards for authorized boarding houses. Standard 7 provides:
7 Sleeping arrangements

(1) The maximum number of residents that may occupy the same bedroom in an authorised boarding house is:

(a) the maximum number specified in a condition of the boarding house authorisation imposed (or taken to have been imposed) by the Director-General, or

(b) if no maximum number is specified by such a condition:

(i) in the case where the residents know each other and have requested a shared bedroom—2 residents, or

(ii) in any other case—one resident.

(2) Each bedroom must be capable of being locked to ensure the privacy of the occupants.

(3) Any master key that would enable a bedroom to be unlocked by someone other than an occupant of the bedroom must be kept in a secure place by the manager of the authorised boarding house.

(4) Provision must be made in relation to additional needs residents to ensure that:

(a) mattresses and other bedding are clean and comfortable, and

(b) bed clothing is appropriate to the climate, and

(c) all bed clothing is kept clean and in good repair, and

(d) bed linen used by one resident is washed before it is used by another resident, and

(e) absorbent or waterproof bed sheets are provided to residents who require them.

Note. Clause 46 of the Public Health Regulation 2012 makes it an offence for an occupier of premises to allow any room or cubicle in the premises to be used for the purposes of sleeping accommodation unless:

(a) the room or cubicle has a floor area of 5.5 square metres or more for each person sleeping in it (in the case of long-term sleeping accommodation) or 2 square metres or more for each person sleeping in it (in any other case), or

(b) the room or cubicle has been exempted by the Minister for Health under that clause and complies with any conditions attached to the exemption, or

(c) the premises are private domestic premises.
This provision also applies in relation to authorised boarding houses. See section 6 of the Act.

In the Executive Summary on page 2, the Regulatory Impact Statement states:

“Analysis...indicates that draft Regulation is preferred over the other options. It provides significant benefits to residents of assisted boarding houses by improving privacy and amenity and reducing risks to residents’ safety, welfare and wellbeing. The benefits would be for residents of all assisted boarding houses (new or existing), although some benefits would only be realised once all existing assisted boarding houses transitioned over the next 5 years to single occupancy rooms, the new staffing requirements, and a proposed maximum limit of 30 residents. This transition period provides scope for operators to plan for and adjust to the new requirements over time...

The new requirements will impose costs on the operators of assisted boarding houses. The most substantial are:

1. capital costs if they choose to modify their existing premises (e.g. to create more single occupancy rooms), and

2. reduced revenue if the changes mean they can accommodate fewer residents.

It is possible that these costs will mean more operators of existing assisted boarding houses exit the industry compared to the status quo. A proportion of residents would then be displaced and need alternative accommodation, which is likely to be provided at relatively high cost to the NSW Government. Some assisted boarding house operators may elect to convert their premises to a general boarding house (since these are not subject to the higher accommodation and service standards) or exit the industry altogether. Conversely, the new registration and inspection requirements may help to identify currently unlicensed boarding houses that should be categorised as assisted boarding houses. This could result in an increase in the number of assisted boarding houses, but would depend on the effective implementation of compliance and enforcement mechanisms.”

Carinya Lodge strongly disagrees with the proposal to require boarding houses to offer single occupancy rooms for residents.

Some residents of the Carinya Lodges have resided in dual occupancy rooming environments for more than 10 years. I have spoken personally with some of those residents and I have been informed that none of them have been asked for their views on the proposed amendments by any representative of Aging Disability and Home Care.

As an operator of a boarding house that currently comprises only twin share rooms, Carinya Lodge understands, from its residents, that dual occupancy rooming arrangements meet all of our residents’ requirements, both in relation to privacy and security.

Carinya Lodge residents have informed us that living in dual occupancy rooms has many benefits that far outweigh those that single room occupancy may offer. One real (and regularly overlooked) issue is that in many cases, people come to rely on the type of accommodation that Carinya Lodge offers simply because:

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• they have minimal understanding of the many variables associated with rental accommodation; eg bond, utility connections etc

• they have no relatives to assist in providing appropriate accommodation;

• they are unable to care for themselves and often require a significant level of daily care and supervision (particularly with medical requirements)

• in less fortunate cases, relatives may consider that they have ceased to be able to offer the appropriate level of care and supervision that the person requires.

In the Boarding House Reform Discussion Paper - NSW Interdepartmental Committee on Reform of Shared Private Residential Services (IDC), Sector Development Ageing, Disability and Home Care Department of Family and Community Services NSW, August 2011 at page 1, a very shallow synopsis of the profile of a boarding house residents based on the 2006 ABS Census. It stated that:

The profile of boarding house residents is varied. According to the 2006 ABS Census, residents were mostly unemployed (24% compared with the NSW average of 5.9%), male (72%), earn a weekly income of under $250 (31%), with 54% born in Australia. Boarding houses cater to a diverse population of people on low incomes and nationally house over one fifth of Australia’s homeless.

It should not be underestimated by Departmental decision and policy makers that boarding house residents are often extremely complex individuals with an extremely complex range of issues. There is a myriad of reasons why someone may find themselves living in a boarding house. In some instances the person has made a conscious decision and in other instances they may not have – it may be the last option. What is common ground is that there tends to be a strong relationship between the general “complexity” behind the reasons a person becomes a boarding house resident and the continuing needs of that boarding house resident.

At page 7 of the paper titled: “Needs of Residents in Unlicensed Boarding Houses” - A joint project conducted by Baptist Community Services NSW & ACT – LifeCare and the University of Wollongong - Funded by NSW Health and supported by the Mental Health Coordinating Council (see http://www.bcs.org.au/site/DefaultSite/filesystem/documents/About%20BCS/Research/BCS%20Boarding%20House%20Research%20Full%20Report.pdf) (BCS Report), there are findings and recommendations on the complex needs of boarding house residents.

The authors of the paper interviewed boarding house residents.

Of particular note from the paper is the absence of any adverse comment in relation to the requirement in most boarding houses to “share” a room with another resident.

Indeed, the on-site managers of Carinya Lodge Arncliffe and Carinya Lodge Marrickville conduct regular meetings with residents to discuss issues within the boarding house. They both inform me that the requirement of sharing a room has never been an issue raised by any resident.
Between both Carinya Lodge Arncliffe and Carinya Lodge Marrickville, there has only been one experience with a prospective resident who indicated that he wished to have his own room. This was at Carinya Lodge Arncliffe. We offered this to him and set the room up to accommodate him in that manner. After one week of living alone, he approached the on-site manager and indicated that he had changed his mind and that he would prefer to share a room.

Room sharing assists new residents “break the ice” with other residents. It serves to help new residents feel comfortable within the house and assists them to become familiar and “fit in” to the routine of the house. Both Carinya Lodge boarding houses have a policy of ensuring that residents are always put into a room with someone of the same sex and, where possible, approximately the same age. Accommodation arrangements are not settled without thorough consideration of the individual residents and such decisions are always undertaken in full consultation with the Manager and residents concerned.

Carinya Lodge believes that room sharing actually increases the safety of a resident in relation to health/personal/psychological issues, as there is always a person close at hand to watch out for them. There are many residents of both Carinya Houses who have indicated to us that they would be disappointed if they were put into a room by themselves, especially those who have been sharing for many years.

We have found that residents when sharing a room encourage each other to try the many activities that are offered and provided by Aftercare and other community organisations. These include activities within the community such as shopping, going for coffee or lunch, bingo and dancing.

An economic benefit arising from shared accommodation is that residents who have attained employment tend to encourage their room-mates to attempt to find employment also. Not surprisingly this has resulted in a number of residents learning (some for the first time) about the sense of achievement and worth that employment can bestow on the individual. Regular employment is often a positive for the mental and physical wellbeing of residents, manifesting itself in changes to personality and behaviours including confidence and happiness. In addition to those matters, those residents are now active members of the community and feel far better placed in society generally. Many would never have attempted to gain employment if they were not sharing a room with another employed resident.

Carinya Lodge Arncliffe and Carinya Lodge Marrickville appreciate the concern the policy makers have about privacy for residents of boarding houses. However, it is naïve to conclude that the sharing of a room with another resident means that there is no privacy.

It is common for residents to have “time alone” in their rooms. It is rare that residents will be in their rooms at the same time all the time. Residents also use both Carinya Lodges’ substantial recreational areas at various/different times and attend various activities at their own leisure. Each room at Carinya Lodge Arncliffe and Carinya Lodge Marrickville comply with all the requirements of the Youth and Community Services Act 1973 Act and can easily accommodate two people comfortably.

At Carinya Lodge, most residents are showered and dressed separately in the bathroom facilities by Home care and/or other similar service provider. All showers and toilets have individual locks so as to ensure complete privacy.
Insofar as security of personal property, each resident has lockable cupboards and draws for their personal property. Any photos, pictures or personal items (including furniture that they may have) is accommodated into their room.

Each Carinya Lodge also has a private meeting room to assist with any private issues/meetings that a resident may require. We encourage residents to use the private meeting room.

It is a cliché, however, for those residents who do not have relatives or friends, or who have very little contact with relatives and/or friends, the boarding house residents (including staff) are often regarded as their “family”.

It is Carinya Lodge’s submission that, for many residents, the requirement to place these residents in a room by themselves is likely to threaten their wellbeing. In some cases the requirement is simply unsafe and, in some cases, dangerous.

3.2. **Likely impact of requirement for individual rooms**

Carinya Lodge Arncliffe currently comprises thirteen (13) rooms and is approved to accommodate 26 persons. Carinya Lodge Marrickville comprises twelve (12) rooms and is approved to accommodate 24 persons.

Both Carinya Lodges request Government to seriously consider its proposed requirement for individual resident rooms in the following terms:

- The proposal, if implemented, will halve the number of residents in each Carinya Lodge (unless significant capital expenditure is considered appropriate to comply).
- That means that 12-13 residents of Carinya Lodge will be required to find alternate accommodation.
- If there were another 60 (currently licensed boarding houses) in NSW it is also likely each one would be required to halve resident numbers also.
- If, on average each boarding house needs to cut resident numbers by 10 to comply with the legislation, that means that approximately 600 resident places will need to be found.
- This figure does not include the huge number of unlicensed boarding houses that will need to comply with the room requirements also.
- Where are 600+ people going to be accommodated and who is going to look after these residents if appropriate accommodation cannot be sourced?

Reducing numbers in boarding houses to one resident per room will obviously result in a significant loss of revenue for boarding house operators. Many current operators have loans and mortgages over the boarding house premises and, in some cases, the actual business.
It is Carinya Lodge’s view that such a reduction in revenue will necessarily have a significant impact on the financial viability of many existing boarding houses and a negative impact on the prospects of growing the boarding house industry and thus the number of residential places available in the sector.

With such a significant decrease in revenue, operators are likely to wind back on property maintenance, repairs and upkeep. The costs associated with employing suitably qualified staff (on-site managers) will likely become prohibitive and have a “flow-on” effect on the wellbeing of residents generally. Essential services such as heating and food quality will likely be affected.

In essence it is likely that many boarding houses simply will not survive.


> The growing lack of affordable housing is a growing concern across Australia, particularly for people living on very low, low and moderate incomes. Inner city Councils in Sydney, including Marrickville, are under pressure to respond to the gentrification, development and demolition of low cost accommodation which is a result of a growing city and the movement of people in higher income groups to inner city areas...

> Boarding houses, if strategically planned and managed, potentially provide much needed low-cost accommodation in the local area. Residents of boarding houses are from diverse backgrounds. Generalisations and stereotypes about the character of boarding house residents and the standard of boarding house facilities and management are common, even though many boarding houses in Marrickville provide shelter for people who are in need of low cost housing, support, advocacy and protection.

The provision of low cost accommodation is becoming harder to substantiate. Nevertheless, it is something that Government at all levels have acknowledged is a necessary part of the community. As operators of two licensed Boarding Houses that comply with all legislative requirements, we pride ourselves on the level of care we provide to our residents, whilst maintaining a significantly low cost of living for those residents. As noted by Marrickville Council, the area of Marrickville is becoming gentrified. In an environment where the revenue of our boarding houses are likely to significantly decrease, or the cost is likely to significantly increase (both as a result of compliance with legislative requirements), we may be forced to consider alternative uses for the properties of both Carinya Boarding houses. The worst case scenario is that the we decide to cease operating the premises as boarding houses.

The BCS Report at pages 4 (Executive Summary) and 28 (Mental Health) states respectively:

> …any legislation must not reduce the amount of accommodation available to this vulnerable group.

and
It is clear however that any regulation must not reduce the amount of accommodation available to this vulnerable group.

It is the view of Carinya Lodge Arncliffe and Carinya Lodge Marrickville that the Regulation, if implemented in the current draft form, even in five years, must necessarily result in a reduction in the amount of accommodation available to this vulnerable group of boarding house residents.

It is well accepted that there are three (3) basic human needs:

1. Food
2. Water
3. Shelter

With respect, the proposed draft Regulation will have the effect of removing the basic human need of shelter from any number of vulnerable boarding house residents in NSW.

4. Conclusion

We provide the following response to specific consultation on the costs of compliance with the proposed regulatory requirements:

1. To what extent will the additional administrative costs be a burden on operators? How much, if any, additional staff time will be required?

   Answer: As income is likely to be substantially less, services and staff are likely to be reduced.

2. Should current and/or future assisted boarding houses be required to provide a minimum of 7.5 square metres for a single occupancy room in line with previous licence conditions, or 5.5 square metres consistent with the NSW Public Health Regulation 2012?

   Answer: Either

3. What should be the minimum size for a room two residents elect to share?

   Answer: 7.5 to 11 square metres

4. What potential do operators have to reconfigure their properties to create more single rooms?

   Answer: For structural reasons we are informed that a couple of rooms in each Carinya Lodge boarding house can be done. To provide any more will require major capital expenditure. Will government consider providing funding and planning/approval assistance to permit the creation of additional rooms?
5. What additional costs would operators incur for installing call bells in hallways/common areas, kitchens, bathrooms, and elsewhere? How would residents’ use of call bells affect operations?

Answer: As residents currently share rooms, call bells are not considered necessary. We have no residents who are bed bound...I would suggest $300 approx per room.

6. What capacity do operators have to reconfigure existing rooms into single occupancy rooms that meet space requirements?

Answer: Carinya Lodges understand that perhaps two rooms in each boarding house could be reconfigured without significant capital expenditure.

7. To what extent do operators expect these requirements to reduce revenue?

Answer: Unless we charge single residents double current charges, we believe that the there is likely to be a minimum of 50% revenue reduction.

8. What expenses are likely to decrease in line with fewer residents?

Answer: Food and washing costs would reduce slightly, but not in line with 50% reduction in revenue. 

Fire compliance, security, administration, staffing, electricity and insurance costs are likely to increase. It is difficult to estimate at this time but estimate 40% – 50%.

Mortgage and Council costs are fixed costs and will remain exactly the same as current.

We provide the following response to specific consultation questions on the benefits of the new regulatory requirements:

9. Are the proposed requirements adequate in meeting the privacy needs of residents?

Answer: I believe that privacy needs are adequately addressed in the current operations and set-up of the boarding houses.

10. Are the provisions likely to be effective in improving the protection of residents’ health and safety?

Answer: Carinya Lodges are of the view that many people, if alone in a single room, will increase the likelihood of depression and self harm - mentally residents need interaction, other people be able to “keep an eye” on them, other people encouraging them, they need to be in a collegiate environment (with “friends”). Single lockable rooms will likely have a negative impact on all of those requirements and result in more harm than good.
The level of danger would increase to other residents as many are smokers and with lockable doors the ability to smoke behind the closed door would be high. This becomes a real danger. At present all smoking is in the outdoor common area.

11. How should a resident’s preference for a shared room in an assisted boarding house be assessed?

Answer:

They should be asked if they are comfortable with the current accommodation arrangement they are in.

Their families (if any) should be asked whether they are comfortable with the current accommodation arrangement they are in. Their case worker (if any) should be asked whether they believe shared accommodation is appropriate for the resident and whether there have been any issues with living in a shared room. The on-site managers of boarding houses should be asked whether they believe shared accommodation is appropriate for the resident and whether there have been any issues with living in a shared room.

The assessment of a resident’s preference for a shared room should be undertaken by those people who know the resident and who know the boarding house and its environment.

12. Is the proposed maximum number of 30 residents appropriate? Why or why not?

Answer:

Really should depend on the property size and the proposed number of staff.

We would be surprised if there were many houses wishing to accommodate more than 30 residents. However, such determination should be assessed on a case by case basis.

We provide the following response to the specific consultation question on the assessment of options:

13. Based on the analysis, which is your preferred option? Why?

Answer:

Current licensed boarding houses should be permitted to operate in accordance with current approvals. Those boarding houses should continue to be strictly audited and monitored by ADHC.

The capital expenditure required to convert existing licensed boarding house premises to accommodate single room occupation is significant for many reasons including the actual cost of the works and the additional cost of compliance with additional fire safety requirements.

In this regard, question what a boarding house will do with its residents whilst it is in the process of undertaking significant renovations to convert to single rooms. Residents will necessarily need to be displaced for periods of time to permit the construction works required.
New entrants to the sector should be monitored for strict adherence to the relevant legislation.