

# Vehicle and Parking Policy

## 1. Purpose

This policy document sets out the approach HOME in PLACE will adopt in respect of the use of car parking space, abandoned and nuisance vehicles. *(Vehicles include cars, motorbikes, caravans, trailers, boats and remains of vehicles including parts and accessories.)*

## 2. Scope

This policy applies to all properties owned and/or managed by HOME in PLACE.

## 3. Policy Statement

HOME in PLACE owns and manages various types of properties. To ensure that parking and vehicles are managed appropriately the following applies.

### Single dwelling properties

Single dwelling properties may have off street parking, a garage or carport available for tenants

### Multi- unit dwellings – allocated parking

Some complexes have allocated parking for tenants. Where there is allocated parking, this will be clearly stated on the residential tenancy agreement between HOME in PLACE and the tenant, this parking is for the use of the tenant occupying the property.

### Multi-unit dwellings no allocated parking

Where there are fewer parking spaces or garages than dwellings or no parking provisions at all, the use of a vacant parking space will be on a first come first serve basis, no one tenant, or other household member, will have exclusive use of the space. If there is no car parking available with the tenancy, this will be clearly noted in the residential tenancy agreement.

### Parking for emergency vehicles

Some properties will have designated parking for emergency vehicles. Tenant, other household members and visitors are not permitted to park in these spaces. Parking in emergency vehicle spaces will be viewed as unauthorised parking and a breach of the residential tenancy agreement.

Some dwellings/complexes will have designated emergency and/or visitor parking, tenants and other household members are not permitted to park in emergency vehicle spaces or visitors parking spaces and this will be viewed as unauthorised parking and a breach of the residential tenancy agreement.

## Parking for visitors

Some complexes may have designated visitor parking. This parking is specifically for visitors and not for tenants or other household members. Use of these parking spaces by tenants or other household members will be viewed as unauthorised parking and a breach of the residential tenancy agreement.

## Designated disabled parking

Designated disabled parking spaces are specifically for those tenants who have mobility and/or health issues. Unauthorised use of these spaces will be viewed as a breach of the residential tenancy agreement.

HOME in PLACE will consider requests for designated disabled parking such requests must be supported by medical evidence and will be assessed by HOME in PLACE. There will be circumstances where such requests cannot be approved due to the lack of parking.

## Abandoned vehicles & vehicles causing a nuisance

Tenants and HOME in PLACE are responsible for taking reasonable precautions to prevent vehicles from being left, stored or abandoned on HOME in PLACE properties.

A tenant will be in breach of their tenancy agreement if they, or a member of their household, stores or abandons a vehicle on common property.

HOME in PLACE will investigate the ownership of abandoned vehicles on HOME in PLACE properties, every effort will be made to identify and contact the owner of the vehicle and provide them with an opportunity to remove the vehicle, if the vehicle is not removed, where appropriate, HOME in PLACE may:

- Seek an order from the NSW Civil & Administrative Tribunal (NCAT) to remove and/or dispose of the vehicle, or for the tenant to remove it;

HOME in PLACE will treat a vehicle as abandoned if:

- It is causing a health or safety hazard;
- It is left by a current or former tenant;
- the owner cannot be found and HOME in PLACE has made every reasonable effort to establish the owner's identity and location.

## When a vehicle may cause a breach of the tenancy agreement

A tenant will be in breach of their tenancy agreement where a vehicle

- causes a nuisance to other residents because it is blocking access to common areas, including derelict vehicles left in resident car park spaces;
- interferes with the comfort of surrounding neighbours because it is occupying car spaces allocated to visitors;
- represents a hazard because it is in a state of disrepair and has been left in a common area or resident car space

## Review of Decisions

If a tenant is dissatisfied with a decision made by HOME in PLACE, they should first discuss this with a Tenancy Relations Officer. If the tenant is still dissatisfied, they may seek a review of the decision or lodge an application with the NSW Civil & Administrative Tribunal (NCAT) or Queensland Civil & Administrative Tribunal (QCAT)

## 4. Responsibilities

All HOME in PLACE workers have an obligation to:

- familiarise themselves with and ensure they have a clear understanding of HOME in PLACE policies and procedures,
- observe and implement such policies, and associated procedures in delivering services to HOME in PLACE clients,
- inform HOME in PLACE's clients of the impact of this policy on them and assist them to understand their rights and obligations, as required,
- identify issues that require amendment to this policy document and complete the relevant documentation to propose any amendments, and
- report breaches of HOME in PLACE's policies or procedures.

The relevant Group Executive Manager is ultimately responsible to:

- ensure all stakeholders within their area of responsibility are informed about HOME in PLACE Policies and Procedures,
- ensure appropriate processes and controls are implemented to enable the correct application of and adherence to relevant policies and procedures, and
- ensure appropriate processes and controls are implemented to enable breaches of approved HOME in PLACE's Policy and Procedures to be reported and managed.

## 5. Implementation and Review

This policy is listed on HOME in PLACE's Controlled Documents Register and is a controlled document requiring approval of any changes. It may not be amended or shared outside HOME in PLACE without approval. The policy is reviewed regularly and published on HOME in PLACE's SharePoint intranet once approved. Employees receive communications and training on new and reviewed policies and procedures.

HOME in PLACE complies with relevant contractual compliance obligations and jurisdictional laws and regulations when implementing this policy. Confirmation of internal compliance with this policy is undertaken regularly.

It is the responsibility of HOME in PLACE Group Executive Services ([GESAdmin@homeinplace.org](mailto:GESAdmin@homeinplace.org)) to maintain and update the HOME in PLACE's Master Policy Document, Policy Directory and the Policy Review Register, administer the review and approval process and inform and distribute new and amended policies and procedures once approved (refer PROC-011 Policy and Procedure Development Approval).

HOME in PLACE Workers should refer to [SharePoint Company Documents Policy and Procedure site](#) for the latest version which takes precedent over any uncontrolled version. If this document is printed, downloaded, or saved elsewhere from this site it becomes an uncontrolled version.

For further information contact the Responsible Officer listed under Document Information.

## 6. Resources and related documents

### *Related documents*

- None

### *Related legislation/standards*

- Residential Tenancies Act 2010 (NSW)
- Residential Tenancies Regulation 2008
- Residential Tenancies and Rooming Accommodation Act 2008 (QLD)
- The Housing Act 2001

## 7. Definitions

Please refer to HOME in PLACE Glossary of Definitions for Policies and Procedures. Terms and definitions identified below are specific to this policy and are critical to its effectiveness:

Term	Definition
<b>Appeals</b>	A Community housing appeal is defined as ‘any expression of dissatisfaction with a decision made by a social housing provider to provide or not provide a service (such as housing, transfer or priority on the housing register) or, a decision relating to a tenant or service user’s dissatisfaction of a decision made by the organisation.’ An application for a decision to be reversed or overturned. Includes but is not limited to: <ul style="list-style-type: none"> <li>• Allocation decisions;</li> <li>• Level of rent or rent subsidy;</li> <li>• Eligibility for a housing transfer;</li> <li>• Permission to undertake modifications;</li> <li>• Permission to keep pets;</li> <li>• Calculation of water charges;</li> </ul>
<b>Compass</b>	Compass Housing Services Co. Ltd. Trading as HOME in PLACE and includes its related body corporate (as defined by section 9 of the <i>Corporations Act 2001</i> (Cth)) and as a charity with the <a href="#">Australian Charities and Not-for-profit Commission (ACNC)</a> .
<b>Complainant</b>	Person with a Complaint ongoing with HOME in PLACE.
<b>Complaints</b>	An expression of dissatisfaction with an aspect of the services provided by [Organisation], where the complainant is unhappy with the standard or type of service. Types of Complaint include: <ul style="list-style-type: none"> <li>• Where HOME in PLACE have failed to provide or there has been a delay or problem in providing a service;</li> <li>• Where HOME in PLACE have failed to follow or have been unfair or inconsistent in applying our policies or procedures.</li> <li>• Where HOME in PLACE have failed to keep Tenants informed, through lack of or insufficient information</li> <li>• Where there has been inappropriate behaviour or attitude from a HOME in PLACE Employee or contractor.</li> </ul>
<b>Director</b>	Has the same meaning as defined in the <a href="#">Corporations Act 2001 Part 1.2 Division 1 Section 9 Dictionary</a> in Australia and as defined in the <a href="#">Companies Act 1992 Part 1 Section 2 Interpretation</a> .
<b>Employee</b>	A person engaged under an employment agreement or award by any company in the HOME in PLACE Group.
<b>Executive Manager</b>	Many positions within HOME in PLACE include the title “Executive Manager”. Regardless of whether an Executive Manager heads a Business Unit, the delegated authority of each Executive Manager depends on the functions and reporting relationship of the Business Unit for which the Executive Manager is responsible. Executive Managers should refer to the document HOME in PLACE Organisational Chart in Terms of Levels of Delegated Authority for confirmation of the band of authority they hold.
<b>HOME in PLACE</b>	Compass Housing Services Co. Ltd. Trading as HOME in PLACE and includes its related body corporate (as defined by section 9 of the <i>Corporations Act 2001</i> (Cth)). This includes Compass Housing Services Co (Queensland) Ltd Trading as HOME in PLACE and Compass Housing Services Co (Victoria) Ltd Trading as HOME in PLACE both of which are a wholly owned subsidiary of Compass registered in Australia.
<b>HOME in PLACE (New Zealand)</b>	HOME IN PLACE (NEW ZEALAND) LIMITED (formerly Compass Housing Services (NZ) Co Ltd) is registered in New Zealand under the Companies Act and as a charity registered with Charities NZ under the Charities Act

Term	Definition
<b>HOME in PLACE Group</b>	The corporate structure that includes HOME in PLACE (as the Parent Company) and the boards of Subsidiary Companies, Governance Committees and advisory groups as created from time to time.
<b>Independent contractor</b>	means a party engaged directly by HOME in PLACE pursuant to a contract for services. In the context of workforce engagements, this includes sole traders, companies, or partnerships with whom HOME in PLACE enters into an agreement for the provision of specified individuals to supply specific skills, services, or consultancy arrangements. It does not include individuals engaged through labour hire agencies. Independent contractors are not employees of HOME in PLACE.
<b>Officer</b>	Has the same meaning as defined in the <a href="#">Corporations Act 2001 Part 1.2 Division 1 Section 9 Dictionary</a> in Australia and as defined in the <a href="#">Companies Act 1992 Part 1 Section 2 Interpretation</a> in New Zealand
<b>Parent Board</b>	The current directors of HOME in PLACE.
<b>Parent Company</b>	HOME in PLACE
<b>Stakeholder</b>	person or organisation that can affect, be affected by, or perceive themselves to be affected by a decision or activity, may also be called 'interested party'.
<b>Subsidiary Boards</b>	The appointed board of directors of a Subsidiary Company.
<b>Subsidiary Company</b>	A company in which HOME in PLACE owns all or at least a majority of the shares.
<b>User</b>	any person or entity that use HOME in PLACE Information or ICT Assets.
<b>Worker (HOME in PLACE)</b>	has the same meaning as defined in the <a href="#">NSW Work Health and Safety Act 2011 No 10 Subdivision 2 Part 7 Meaning of 'worker' (1)</a> A person is a worker if the person carries out work in any capacity for a person conducting a business or undertaking, including work as: <ul style="list-style-type: none"> <li>• an employee, or</li> <li>• an independent contractor or subcontractor, or</li> <li>• an employee of a contractor or subcontractor, or</li> <li>• an employee of a labour hire company who has been assigned to work in the person's business or undertaking, or</li> <li>• an outworker, or</li> <li>• an apprentice or trainee, or</li> <li>• a student gaining work experience, or</li> <li>• a volunteer, or</li> <li>• a person of a prescribed class.</li> </ul>
<b>Worker (HOME in PLACE QLD)</b>	is 'a person who works under a contract and, in relation to the work, is an employee for the purpose of assessment for PAYG withholding under the Taxation Administration Act 1953 (Cwlth), schedule 1, part 2-5'. This applies to a person for whom PAYG tax instalments are required or would be required to be withheld by their employer.
<b>Worker (HOME in PLACE VIC)</b>	A worker is defined as an individual: <ul style="list-style-type: none"> <li>• who <ul style="list-style-type: none"> <li>– performs work for an employer or</li> <li>– agrees with an employer to perform work</li> </ul> </li> <li>• at the employer's direction, instruction or request, whether under a contract of employment (whether express, implied, oral or in writing) or otherwise or</li> <li>• who is deemed to be a worker by the legislation.</li> </ul>

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