

BANYULE CITY COUNCIL

HEALTH SERVICES

PRESCRIBED ACCOMMODATION PREMISES GUIDELINES

BANYULE CITY COUNCIL HEALTH SERVICES

Telephone (03) 9457 9965

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PRESCRIBED ACCOMMODATION CONSTRUCTION, REGISTRATION AND OPERATIONAL RESPONSIBILITIES

What is a Prescribed Accommodation premises*?

Prescribed Accommodation premises include any of the following classes of accommodation:

1. **Residential Accommodation** – Any house or building where a person can live on payment to the proprietor, but does not include rooming houses, hotels and motels, hostels, student dormitories or holiday camps.
2. **Rooming Houses** – A building where there is one or more rooms available for rent, where the total number of people who may occupy those rooms is not less than 4 (*i.e. where at least 4 people may rent those rooms*).
3. **Hotels and Motels** – Residential hotel or residential premises where an on-premises licence or general licence is granted under the Liquor Control Reform Act 1998.
4. **Hostels** – A building used primarily for the accommodation of travellers.
5. **Student Dormitories** – Accommodation for students, which is controlled by or operated under an arrangement with a school or tertiary institution.
6. **Holiday Camps** – Used for accommodation for groups for recreational and holiday purposes.

When setting up a new *Prescribed Accommodation premises*, taking over an existing *Prescribed Accommodation premises*, or making alterations to an existing *Prescribed Accommodation premises*, there are a number of matters that must be addressed in order to satisfy the *Public Health and Wellbeing Act 2008* and the requirements of the *Public Health and Wellbeing Regulations 2009*. The following information outlines the legislative requirements that apply to *Prescribed Accommodation premises*. Please note that it is an offence for a proprietor to operate an unregistered *Prescribed Accommodation premises*.

*Refer to the *Public Health and Wellbeing Regulations 2009* for legal definitions and exemptions to the Regulations. These regulations can be viewed at <http://www.legislation.vic.gov.au/>

Please read the section (1, 2 or 3) below, which applies to you.

1. STARTING UP A PRESCRIBED ACCOMMODATION

Prior to setting up a Prescribed Accommodation premises, there are a number of matters that you should attend to and include:

- a) Contacting Council on **9490 4222** and discussing your proposal with the following departments:
 - Health Services Unit (direct number **9457 9965**).
 - Planning Department (direct number **9457 9806**).
 - Building Department (direct number **9432 3422**).
- b) Contacting the *Business Licence Centre* at *Consumer Affairs Victoria* for information.
- c) Contacting *Small Business Victoria* at the Department of Innovation, Industry and Regional Development for business advice and information.
- d) Contacting the appropriate industry association for advice.
- e) Submitting detailed plans of the interior layout of the proposed premises to Council's Health Services Unit (*See over-page, Plans & Specifications*).
- f) Obtaining plans approval from Council's Health Services Unit before commencing work on the premises
- g) Obtaining final approval from Council once works are completed, and lodging an application for registration with Council's Health Services Unit. Once registration has been granted, you can then open the business to the public.

Note: *Before Council's Health Services unit will approve any Prescribed Accommodation application, a copy of an approved Occupancy Permit issued by a registered building surveyor, specifying the premises has undergone conversion from a Class 1a dwelling to a Class 1b boarding house, must be supplied.*

2. TAKING OVER AN EXISTING PRESCRIBED ACCOMMODATION

Prior to taking over a Prescribed Accommodation premises, there are a number of matters that you should attend to and include:

- a) Consult with *Council's Health Services* unit on **9457 9965** to establish whether the premises has current registration.
- b) Organise with the current proprietor and *Council's Health Services* unit for a 'Pre purchase Inspection' to be carried out by one of Council's Health Officers. This shall ensure any non-conformances with the *Public Health and Wellbeing Regulations 2009* are identified prior to purchase.
- c) Apply to transfer the registration of the premises before taking over its operation.

3. UNDERTAKING ALTERATIONS TO AN EXISTING PRESCRIBED ACCOMMODATION

Prior to undertaking alterations to an existing Prescribed Accommodation premises, there are a number of matters that you should attend to and include:

- a) Consult with Council's Health Services Unit and discuss the proposal on **9457 9965**.
- b) Consult with Council's Building Department on **9432 3422** and discuss the proposal.
- c) Submit detailed plans of the proposed layout to Council's Health Services Unit. (See *below, Plans and Specifications*).
- d) Obtain plans approval from Council's Health Services Unit before commencing any alteration works.
- e) Obtain approval from Council once works are complete, prior to recommencing operation.

PLANS AND SPECIFICATIONS

Prior to commencing any construction works, approval from *Council's Health Services* unit must be obtained. To commence the approval process, submit 2 copies of the proposed plans showing the following details:

- Drawn accurately to a scale of not less than 1:100.
- Showing the proposed use of each room, including the location of fixtures including the laundry, toilet(s), bath(s)/shower(s) and hand basin(s).
- Identifying each bedroom with a number.

The plans need to demonstrate compliance with the '*Structural Requirements*' listed below, and be accompanied by a completed *Plans Submission for Approval* form (attached to the back of this document), along with the prescribed fee nominated on the form.

STRUCTURAL REQUIREMENTS

The following structural requirements must be adhered to when undertaking works at a Prescribed Accommodation premises:

1. CONSTRUCTION AND FINISH

The entire accommodation, including all rooms, fixtures and fittings such as floors, walls, ceilings and any furnishings shall be:

- Capable of being readily cleaned.
- Unable to provide harbourage for pests.
- In good working order.
- In a good state of repair.

2. BEDROOM DESIGN AND OCCUPANCY

The minimum floor area permitted for a bedroom is 7.5 square metres.

Note: Floor area includes the area occupied by a cupboard or other built in furniture, fixtures or fitting, but does not include any area occupied by any bathroom or toilet in or attached to the bedroom.

- a) The maximum number of persons permitted to occupy a bedroom for a period of **more than 31 days** is as follows:
- Less than 12 square metres - **1 Person**
 - 12 square metres or more - **2 Persons**

Note: It is acceptable to add an additional person for every 4 square metres of floor area that exceeds 12 square metres.

- b) The maximum number of persons permitted to occupy a bedroom for a period of **31 days or less** is as follows:
- Less than 10 square metres - **2 Persons**
 - 10 square metres or more - **3 Persons**

Note: it is acceptable to add an additional person for every 2 square metres of floor area that exceeds 10 square metres.

- c) A proprietor of a holiday camp must ensure each room is not less than 7.5 metres and provide at least 2 square metres of floor area in a bedroom for each person who is accommodated for a period of **31 days or less**.

Note: A single child under 3 years is not counted as a person, whereas 2 children under 3 years are counted as a person.

3. FACILITIES TO OCCUPANTS RATIO

For every ten persons (*or fraction of that number*) occupying the accommodation, the following minimum number of facilities must be provided:

- One toilet; and
- One bath or shower, supplied with a continuous supply of hot and cold water; and
- One hand wash basin, supplied with a continuous supply of hot and cold water.

4. REFUSE STORAGE

An adequate number of vermin proof receptacles must be provided for the collection and storage of putrescible rubbish.

5. SEWERAGE AND WASTE WATER DISPOSAL

All sewerage and wastewater must be discharged:

- to a reticulated sewerage system; or
- a septic tank system permitted under the *Environment Protection Act 1970*.

6. WATER SUPPLY

A continuous and adequate supply of running water must be provided to all toilet, bathing, kitchen, laundry and drinking water facilities. Furthermore, a continuous and adequate supply of hot water must also be provided to all bathing, kitchen, and laundry facilities.

Note: Water intended for drinking purposes must be potable (safe for drinking).

OPERATIONAL REQUIREMENTS

1. MAINTENANCE & CLEANLINESS

The entire accommodation including all bedrooms, toilets, bathrooms, laundries, kitchens, living rooms and any common areas provided with the accommodation must be maintained:

- In good working order; and
- In a clean, sanitary and hygienic condition; and
- In a good state of repair.

Note: Each bedroom, and any toilet or bathroom attached to the bedroom, must be cleaned after the bedroom is vacated and before its re-use by another occupier. It is also a requirement that all bed linen provided with the accommodation is changed with clean linen:

- *At least weekly; and*
- *After the accommodation is vacated and before its re-use by another occupier.*

2. REFUSE DISPOSAL

Refuse generated at the accommodation premises must be regularly removed using either services provided by Council, or a private contractor engaged by the proprietor. Receptacles used for refuse storage must be maintained in a clean condition. Receptacles used for refuse storage must be maintained in a clean condition.

3. REGISTER OF OCCUPANTS

A register for the recording of names and addresses of persons occupying the accommodation, and the dates of their arrival and departure must be maintained by the proprietor of the accommodation

Note that the register must be retained by the proprietor for a minimum of 12 months after the date of the last entry within the register.

4. ADVERTISING

Any advertising, notice or sign relating to the prescribed accommodation must not be inconsistent with the class of accommodation that it was originally registered or approved for.

FOOD ACT REGISTRATION AND LIQUOR LICENCE

To sell and serve food (*including liquor*) as a part of your business, you must apply for registration under the *Food Act 1984*. For details about *Food Act 1984* registration requirements, contact Council's Health Services unit on **9457 9965**.

*Note that in order to sell liquor you will also be required to apply for a Liquor Licence. For further information about a Liquor Licence, contact the Liquor Licensing Commission at Consumer Affairs Victoria and Council's Planning Department on **9457 9806**.*