

## Development Guide – Prescribed accommodation

### Public Health & Wellbeing Act

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The City of Whittlesea Public Health Department welcomes your interest in developing a premises to be registered under the Public Health and Wellbeing Act 2008, in the municipality and we hope you find this guide useful. This guide will help you design your Prescribed Accommodation premises efficiently and effectively to comply with the current Victorian legislation. We encourage you to read this guide before discussing your proposal with one of Council's Environmental Health Officers (EHO's).

#### Application of guide

This guide is to be used by proposed prescribed accommodation developers. It should be read in conjunction with the Public Health and Wellbeing Act 2008 and Public Health and Wellbeing Regulations.

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[www.whittlesea.vic.gov.au](http://www.whittlesea.vic.gov.au)

#### Free Telephone Interpreter Service

عربي	9679 9871	Hrvatski	9679 9872
廣東話	9679 9857	Ελληνικά	9679 9873
Italiano	9679 9874	Türkçe	9679 9877
Македонски	9679 9875	Việt-ngữ	9679 9878
普通话	9679 9876	Other	9679 9879

## What is prescribed accommodation?

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

- 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.
- Rooming Houses: A building where there is one or more rooms available for rent, where the total number of occupants is not less than 4 (i.e. 4 or more occupants).
- Hotels and Motels: Residential hotel or residential premises where an on-premises license or general license is granted under the Liquor Control reform Act 1998.
- Hostels: A house, building or structure used primarily for the accommodation of travellers.
- Student dormitory: accommodation for students, which is controlled by or operated under an agreement with a school or tertiary institution.
- Holiday Camps: A house, building or structure used for accommodation of groups for recreational and holiday purposes.

The proprietor of prescribed accommodation must register with Council's Health Department under the Public Health and Wellbeing Act 2008.

**Note: Before Council's Health Department will approve any Prescribed Accommodation application, a copy of an approved Building permit and plan, issued by either Council's Building Department or a private building surveyor must accompany the application.**

## Setting up a new prescribed accommodation premises?

### Step 1 - Discussion of Proposal

Before undertaking any works, prospective operators are advised to discuss the proposal with one of Council's Environmental Health Officers. A rough sketch layout of your proposal accompanied with room dimensions will assist in this preliminary process. You are also advised to discuss the proposal with Council's Planning and Building Department.

### Step 2 – Submit Plans for Approval

Before undertaking any works, plans and specifications must be submitted to the Public Health Department for approval. The process for plan approval is as follows:

- Provide Council's Public Health Department with two (2) copies of detailed plans drawn to a scale not less than 1:100. The plans must clearly indicate:

- The proposed use of each room, including the location of bed/s and other major fixtures such as laundry, toilets, baths, showers, kitchens, living room and hand wash basins etc; and
- Location of windows, doors, emergency lights and smoke detectors; and
- The maximum number of persons which will be residing in each room and the size of the floor area measured in square meter.
- A plans approval form is required to be completed with the submission of all floor plans for the proposed prescribed accommodation premises.

### **Step 3 – Plan and Specifications approved**

- Plans will be processed and approved within 14 working days from the date of submission. This is assuming that all information is provided and that the plans comply with current regulations. A copy of the approved plan and plan approval letter will be mailed to the applicant and it is recommended that this copy be on site during construction phase of the premises.
- If required you may request to consult with the Environmental Health Officer who approved your plan to organize progress inspection of the construction phase of your premises.
- A final inspection is required prior to rooms being occupied and leased out. If the Environmental Health Officer is satisfied with the construction of your premises and the current regulations are complied with, a Public Health and Wellbeing Act application for registration will be issued.
- The Public Health and Wellbeing Act Registration form needs to be completed and submitted to Council together with the required fee prior to rooms being occupied and leased out.

### **What happens next**

Registration of your business is required annually; the registration period is from 1 January to 31 December each year. Application for renewal of registration is sent out at the end of each year subject to satisfactory compliance during a routine Public Health & Wellbeing Act inspection conducted by Council's Environmental Health Officers per annum. Upon granting registration, the business is provided with a Certificate of Registration. This certificate must remain at the premises at all times.

## **Buying an existing prescribed accommodation premises**

Before you purchase a prescribed accommodation business you should:

1. Check with Council's Health Department to determine if the business has current registration and;
2. Request a pre-transfer inspection of the business.

In order to legally operate the business the current registration must be transferred from the name of the existing licence to the name of the proposed purchaser.

### **Step 1 - Pre-transfer inspection**

A pre-transfer inspection of an existing prescribed accommodation premises will ensure that the premises complies with the requirements of the Public Health and Wellbeing Act 2008 and Public Health and Wellbeing Regulations.

Once an Environmental Health Officer has conducted the inspection, you will be issued with a report that will identify any works required to ensure that the business complies with applicable regulations.

An application for pre-transfer inspection must be completed and returned to Council's Health Department with the prescribe fee along with a signed consent form from the current applicant prior to the inspection.

### **Step 2 - Transfer of registration**

Once the business has been purchased, a transfer application form must be completed and returned to Council's Health Department.

Upon receipt Council shall issue a Certificate of Registration in the name of the purchaser.

The current proprietor and purchaser can negotiate who will take responsibility for undertaking any necessary works.

## **Undertaking alterations to an existing prescribed accommodation premises**

Prior to undertaking alterations to an existing Prescribed Accommodation, the following should be addressed.

1. Consult with Council's Health Department and discuss the proposal with an Environmental Health Officer on 9217 2277.
2. Consult with Council's Building Department on 9217 2258 and discuss the proposal to ensure a new Building Permit is required.
3. Submit detailed plans of the proposed layout to Council's Health Department.

4. Obtain approval from Council’s Health Department prior to works beginning.
5. Obtain approval from Council’s Health Department once works are complete and prior to rooms being occupied and leased out.

## Additional requirements for prescribed accommodation premises

### Food Act registration and Liquor Licence

To sell and serve food as 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 Department on 9217 2277.

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 9217 2236.

### Prevention of overcrowding

#### Bedroom sizes and occupancy

Please note that under the Public Health and Wellbeing Regulations, the number of persons that can be accommodated is determined by the floor area of the room and varies depending on the length of stay.

The minimum bedroom size for all classes of accommodation is 7.5 square meters.

**Table 1 - Premises providing accommodation for more than 31 days**

Floor area of bedroom	Maximum number of persons permitted to occupy bedroom
7.5 – 11 square meters	1
12 square meters or more	2
12 square meters plus 4 square meters for each additional person	>2

**Table 2 - Premises providing accommodation for 31 days or less**

Floor area of bedroom	Maximum number of persons permitted to occupy bedroom
7.5 – 9 square meters	2
10 square meters or more	3
10 square meters plus 2 square meters for each additional person	>3

**Note:** A single child under the age of 3 is not counted as a person, where as 2 children under 3 years are counted as a person.

In addition to the above requirements further consideration for the maximum number of person permitted in a prescribed accommodation is limited by the type of Building Classification and the number of toilet facilities.

## **Maintenance and cleanliness**

### **Maintenance**

- Bedrooms, toilets, bathrooms, laundries, kitchens, living rooms and any common areas must be maintained in good working order, in a clean, sanitary, hygienic condition and in a good state of repair.

### **Cleanliness**

- Each Bedroom (and any bath and toilet attached to a bedroom) must be cleaned when vacated and before re-use; and
- All bed linen to be changed at least weekly or when vacated and before re-use by another occupier.

### **Water supply**

- The proprietor must a continuous and adequate supply of hot and cold water to all facilities; and
- ensure that water intended for drinking is fit for human consumption.

### **Waste disposal**

- The proprietor must ensure that all sewage and waste water is discharged into a reticulated sewage system or an approved septic tank system.

### **Refuse receptacles**

- The proprietor must provide sufficient vermin proof receptacles for collection and storage of all rubbish and ensure these receptacles are regularly emptied and cleaned.

### **Toilet and bathing facilities**

- The proprietor must provide one toilet, one bath or shower and one wash basin for every ten persons or fraction of that number of persons occupying the premises. All facilities are to be maintained in a clean and hygienic condition and in a good state of repair.

## **General Regulations applying to prescribed accommodation**

### **Registration of Occupants**

- The proprietor must keep a register with the following information for a period of 12 months;
  - names and addresses of occupants; and
  - dates of arrival and departure of occupants.
- Upon request this register or an extract must be provided to Council to confirm the number of occupants.
- The entire accommodation, including all rooms, fixtures and fittings such as floors, walls, ceilings and any furnishings shall be;
  - a. Capable of being readily cleaned
  - b. Unable to provide harbourage for pests.
  - c. In good working order.
  - d. In a good state of repair.

Note: Council officers are authorised to enter any prescribed accommodation at any reasonable hour and conduct a minimum of one inspection per year and or investigate any complaint received.

## **Appendix 1: Council Departments**

### **City of Whittlesea's Building Department**

Further information and consultation can be provided in relation to:

#### **Building permits:**

A building permit is required when constructing a building and may be required when renovating/altering an existing building. Contact Council's Building Department to determine what is needed for your proposal.

#### **Toilets:**

Details on the number of hand wash basins, toilets and urinals.

#### **Fire safety:**

Details on emergency lighting, smoke detectors, emergency exits, type and location of fire extinguishers/fire fighting equipment.

#### **Contact**

City of Whittlesea's Building Department on Phone: 9217 2259

### **City of Whittlesea's Town Planning Services**

Further information and consultation can be obtained in regard to:

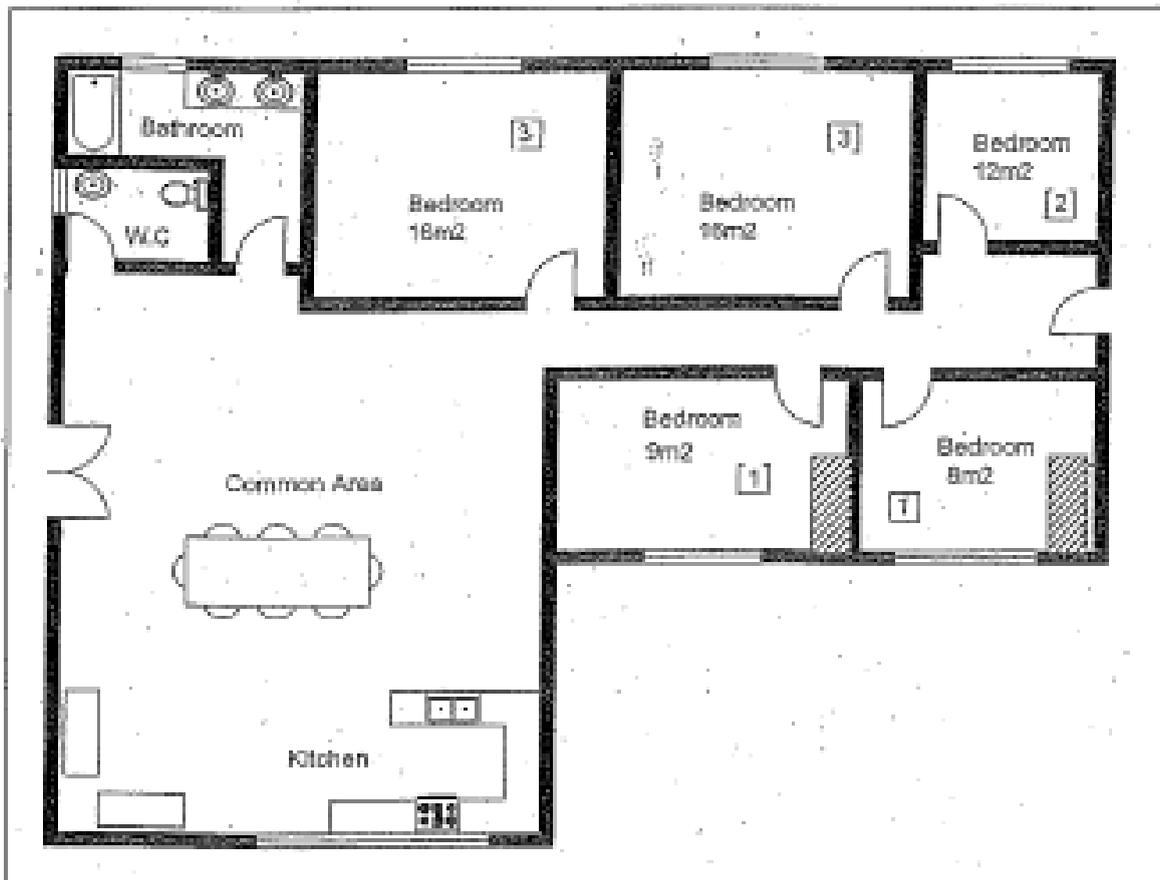
- Signage
- Obtaining a permit for any proposed building works; and
- Obtaining a permit for a proposed use of building/area.

#### **Contact**

City of Whittlesea's Town Planning Department on Phone: 9217 2236

## Appendix 2: Example of floor plan

### Example of a Proposed Accommodation Floor Plan



#### KEY



Maximum number of persons in each bedroom



Wardrobe

The above plan is an example of how a proposed accommodation layout should be submitted to Council's Health Department. The plan must include the type and location of all fittings and fixtures and be drawn to scale (1:100). Ensure to submit 2 copies of the plan.