

# Holiday House Information Pack



# Introduction

This information pack has been developed to help you register your holiday house in the Bass Coast Shire.

*The Public Health and Wellbeing Act 2008* provides the legal framework for the registration process. The Public Health and Wellbeing Regulations provide the legislative requirements for the establishment and registration of a prescribed accommodation to ensure that basic health and hygiene requirements are met.

## What is Prescribed Accommodation?

A dwelling that is likely to accommodate in excess of five (5) persons at any one time that is not the subject of a tenancy agreement, is required to be registered with the Bass Coast Shire as a Prescribed Accommodation premises.

Prescribed accommodation premises are generally used for overnight, intermittent and/or holiday accommodation. These would include Bed & Breakfast's, serviced apartments and/or houses.

The following classes of accommodation are all required to be registered under the *Public Health and Wellbeing Act*:

- 'Residential accommodation' meaning any house, building, or other structure used as a place of abode where a person or persons can live on payment of consideration to the proprietor but does not include a hotel or motel; or a hostel; or a student dormitory; or a holiday camp; or a rooming house.
- 'Hotels and Motels' includes a residential hotel and any residential premises in respect of which a general licence or on-premises licence is granted under the *Liquor Control Reform Act 1998*.
- 'Hostels' meaning any house, building or structure, whether temporary or permanent, which is used primarily for the accommodation of travellers.
- 'Student Dormitories' meaning any dormitory, student hostel, hall of residence or residential college for the accommodation of students which is controlled by or operated under an arrangement with or affiliated with –
  - a) An institution providing educational services for children of compulsory school age within the meaning of section 1.13(1) of the *Education and Training Reform Act 2006*; or
  - b) Adult, community and further education services; or
  - c) An autonomous college or adult education institution within the meaning of those definitions in section 1.1.3(1) of the *Education and Training Reform Act 2006*.
- '**Holiday Camp**' meaning any house, building or structure, whether temporary or permanent, which is used for the accommodation of student groups, youth groups or family groups for holiday or recreational purposes.

- **‘Rooming Houses’** meaning a building in which there is one or more rooms available for occupancy on payment of rent in which the total number of people who may occupy those rooms is not less than four (4).

## Registration

If you are considering purchasing and/or constructing a prescribed accommodation premise, it is important that you read this information pack in its entirety at the beginning of the process so that you understand your responsibilities and compliance with the relevant legislation.

Before any building / structural works commence, you should consult with Council’s Planning, Building and Health teams to obtain all relevant approvals.

Prescribed accommodation premises are registered annually from 1 January to December 31 and any prescribed accommodation premises found to be operating without a current registration will be subject to enforcement action.

Before opening or operating as a business you are required to register with the Bass Coast Shire Council. To do so you will need to lodge the following documents with the Council’s Environmental Health team:

1. *Public Health and Wellbeing Act* Plans Submission / Holiday House Application Form, along with a drawn floor plan including dimensions/measurements of the rooms, showing the proposed use of each room and the number of people accommodated in each sleeping area
2. *Public Health and Wellbeing Act* Prescribed Accommodation / Holiday House Registration Form
3. Applicable registration fee
4. If you wish to apply for the 50 per cent registration fee discount you must also submit a management plan using the ‘Management Plan Template’ demonstrating how you will meet the prescribed accommodation standards as set out below

Single property owners, owners of multiple properties and holiday letting agents who use a Council endorsed management plan may be eligible to receive a 50 per cent discount on registration fees.

If you are transferring the registration of already established premises, you must apply to transfer the registration to the new proprietor and pay all applicable fees before settlement. **This is the responsibility of both parties.**

# Prescribed Accommodation Standards

## Overcrowding

Rooms are not to be used as bedrooms if they have a floor area of less than 7.5m<sup>2</sup>. Please use the following tables as a guide when establishing room allocation.

Used for 31 days or less

Floor Area of Bedroom	Maximum Number of persons permitted to occupy Bedroom
Between 7.5m <sup>2</sup> and 10m <sup>2</sup>	2
10m <sup>2</sup> or more	3 persons and an additional person for every 2 square metres of floor area that exceeds 10 square metres

Used for more than 31 days

Floor Area of Bedroom	Maximum Number of persons permitted to occupy Bedroom
Between 7.5m <sup>2</sup> and 12m <sup>2</sup>	1
12m <sup>2</sup> or more	2 persons and an additional person for every 4 square metres of floor area that exceeds 12 square metres

Rooms for Holiday Camps should not be less than 7.5m<sup>2</sup> and at least 2m<sup>2</sup> of floor area in the bedroom for each additional person accommodated for a period of 31 days or less.

## Maintenance

All bedrooms, toilets, bathrooms, laundries, kitchens, living rooms and any common areas provided within the accommodation must be kept in good working order and state of repair, and in a clean, sanitary and hygienic condition.

## Cleanliness

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. All bed linen within the accommodation premises must be changed with clean linen at least once

weekly and after the accommodation is vacated and before its re-use by another occupier.

If you provide kitchen facilities, any utensils or equipment provided to the occupant for use (cutlery, crockery, toaster etc) must be thoroughly cleaned after the occupant vacates the accommodation.

## ***Waste Storage and Collection***

An adequate number of vermin proof receptacles are to be provided for collection and storage of all rubbish. All refuse at the accommodation is regularly removed by means of a refuse collection service provided by Council or a private contractor engaged by the proprietor. They must not be left in the streets following collection, and must also be regularly cleaned.

If Council waste collection service is deemed to be insufficient due to the volume of waste generated, then a private contractor must be engaged.

## ***Toilet and bathing facilities***

At least one (1) toilet, one (1) bath or shower and one (1) wash basin must be provided for every 10 persons or fraction of that number of persons occupying the accommodation.

Bathrooms are to be designed to ensure that the materials used in the construction are suitable for wet areas and can be maintained in a clean and hygienic state.

These facilities must be adequately ventilated and constructed in accordance with the Building Code of Australia. For information regarding ventilation and construction, please contact Council's Building Surveyor.

## ***Water Supply***

A continuous and adequate supply of running water must be provided to all bathroom, toilet, laundry, kitchen and drinking water facilities.

A continuous supply of hot running water must be supplied to all bathing, laundry and kitchen facilities.

## ***Drinking Water***

Water intended for drinking must comply with the Australian Drinking Water Standards and be fit for human consumption. If the drinking water is not obtained from a water supplier but from a private water supply, it is recommended that your water is tested by an analyst on an annual basis. For a list of analysts, please contact Council's Environmental Health team.

# Wastewater Disposal

All sewage and wastewater must be discharged to either a reticulated sewerage system or a septic tank system permitted under the *Environment Protection Act 1970*.

# Fire Safety

Each accommodation structure must be provided with:

1. Portable Fire Extinguishers must be installed (including signage) and be maintained to the appropriate standard and be fit for the purpose
2. Fire Blankets must be installed (including signage) and maintained to the appropriate standard and be fit for the purpose
3. Smoke alarms should be maintained to the appropriate standard and be fit for the purpose

# Register of Occupants

A register must be kept for a minimum of 12 months and must contain the names and addresses of all persons occupying the accommodation plus specify the dates of their arrival and departure.

# Food

Under the Food Act 1984 the sale of food also includes those businesses that do not charge a fee directly for the food, but include a fee indirectly as part of another service, for example a Bed & Breakfast.

In Victoria, you cannot operate a food business unless the business is registered under the Food Act with the relevant local Council. Failure to register your premises is a contravention of the *Food Act*.

If you would like to provide food as part of your accommodation services, please contact Council's Environmental Health team for registration requirements.

# Swimming Pool / Spa

If the premises have a swimming pool and/or a spa, it must be operated in accordance with the Public Health and Wellbeing Regulations. The Pool Operators' Handbook is a guide to operating and managing swimming pools and spas. This handbook will specify the cleaning, maintenance and sampling requirements. For a copy of this handbook, please visit

<http://www.health.vic.gov.au/environment/water/pooloperators.htm>,

or contact Council's Environmental Health team on 1300 BCOAST (226 278).

**Please note that failure to register your premises as prescribed accommodation will result in enforcement action being taken. Prosecution may result in a maximum penalty of 60 penalty units for an individual (natural person) and 600 penalty units for a corporation; where by each penalty unit is equal to \$122.14 in 2011/12.**