

# Guidelines and Application for Lodging Houses

## 1. Introduction

These basic guidelines are designed to provide a summary of the Health legislation and Local Government requirements for Lodging Houses.

It should be noted that this Guideline is provided as a summary of all legislative requirements. However, not all aspects and requirements may apply to your business operations. Prior to alterations or installations taking place an onsite meeting with an Environmental Health Officer is required in order to discuss your proposal in detail so that any potential problems areas can be identified.

## Council Requirements

**Lodging house** means any building used for lodging or boarding of more than 6 persons, exclusive of the family of the keeper thereof, for hire or reward; but the term does not include:

- a) premises licensed under a publican's general licence, limited hotel licence, or wayside-house licence, granted under the Licensing Act 1911; or
- b) residential accommodation for students in a non-government school within the meaning of the School Education Act 1999; or
- c) any building comprising residential flats.

**Short term hostel** means a lodging house where the period of occupancy of any lodger is not more than 14 consecutive days and shall include youth hostels and backpacker hostels.

**Holiday accommodation** excludes buildings on a caravan park, excludes lodging houses, and means a building where the period of occupancy of any lodger is not more than 14 consecutive days and includes a bed and breakfast, chalet, cottage or holiday house.

All short stay accommodation requires registration. Short stay means temporary accommodation provided either continuously or from time to time with no guest accommodated for periods totalling more than 3 months in any 12 month period. Generally commercial accommodation can be classified using the definitions for lodging house or holiday accommodation above.

Holiday accommodation is registered with the Department of Energy, Mines, Industry Regulation and Safety (DMIRS), refer to short term rental accommodation (STRA) on their website. Lodging Houses are registered with the Shire of Murray, using the attached forms.

As well as compliance with health requirements, you will first need to obtain approval for a lodging house from the Shire's Planning Services and Building Services Departments.

Planning Services will assess the suitability of your proposed business in your chosen location, in relation to zoning, parking, amenity and other details.

Building Services will assess your proposal in relation to general compliance with the Building Code of Australia.

## State Government Requirements

### Office of Racing, Gaming and Liquor

If alcohol is to be sold to the public, it is necessary to obtain the relevant licence from the Office of Racing, Gaming and Liquor.

### The Water Corporation

All plumbing is to be carried out by a licensed plumber, in accordance with the Water Corporation requirements, Australian Standards and the Shire of Murray Health Local Laws. The Industrial Waste Section of the Water Corporation should be consulted to determine if a grease trap is required.

### Department of Environmental Protection

Sound levels created shall not exceed the provision of the Environmental Protection (Noise) Regulations 1997.

### Alinta Gas & Western Power

All electrical and gas fitting equipment should be approved by the relevant Authorities and installed in accordance with the relevant regulations.

## 2. Health Legislation

Requirements are outlined in the Health (Miscellaneous Provisions) Act 1911, the Building Code of Australia and the Shire of Murray Health Local Law 2018.

## 3. Registration

- i The Lodging House must be registered with the Shire of Murray prior to occupancy.
- ii The name of the person “keeping” the premises must be listed in the register of keepers.
- iii The keeper must reside, or intend to reside continuously in the lodging house.
- iv An application form to register the lodging house must be completed and signed by the keeper and returned to Council. A copy of this form is attached to these guidelines. The application form must be accompanied by:
  - Fees as detailed in the Shire of Murray schedule of fees & charges.
  - Detailed plans and specifications of the lodging house/ accommodation.
- v When your application has been approved a certificate will be issued to you.
- vi You must apply to Council for your registration to be renewed each year in June. Fees must be paid annually at this time.
- vii Council must be notified within 14 days if the premises is sold or transferred. Refer to attached form.
- viii Council may revoke the registration of an lodging house at any time.

## 4. Construction and Use

- i The general construction of the lodging house must comply with the Building Code of Australia.

## ii Sanitary Conveniences

- A keeper must maintain in good working order and condition toilets and bathrooms, fitted with shower, bath and wash basin.
- Sanitary conveniences must be provided in accordance with the requirements of the Building Code of Australia.
- There must be an adequate supply of hot and cold water.
- The walls of each shower and bath must be of an impervious nature and to a minimum height of 1.8 metres above floor level.
- All toilets and bathrooms must:
  - be separated and screened for privacy;
  - be apportioned to each sex;
  - display a sign in a prominent position denoting the sex for which the toilet or bathroom is provided; and
  - be provided with adequate electric lighting.

## iii Laundry

- A laundry shall be provided for the use of each 15 lodgers.
- The laundry is to be maintained in a good working and sanitary condition at all times.
- Hot and cold water must be supplied to each wash trough, sink, copper and washing machine.
- The floor area must be properly surfaced with a fall to the floor waste.

## iv Kitchen

- The kitchen must have a minimum floor area:
  - where lodgers prepare their own meals – 0.65 m<sup>2</sup> per person
  - where meals are provided by keeper – 0.125 m<sup>2</sup> per person
  - where a kitchen and dining room combined - 1 m<sup>2</sup> per person

But in any case not less than 16 m<sup>2</sup>

- The kitchen must have adequate storage space and refrigerator space.
- The kitchen must comply with the Food Act 2008 and the Food Regulations 2009.
- Stoves and ovens are to be provided in accordance with the following table:

Number of Lodgers	Ovens	4 Burner Stoves
1 – 15	1	1
16 – 30	1	2
31 – 45	2	3
46 – 60	2	4
Over 60	2	4 + 1 for each additional 15 lodgers (or part thereof) over 60

- If the keeper of a lodging house has approval for more than 15 lodgers, then a mechanical exhaust system that complies with AS 1668.2 The use of mechanical ventilation and air conditioning in buildings must be installed over the cooking equipment.

**v Dining Room**

- A dining room must be provided near the kitchen. The dining room must have:
  - a floor area of not less than 0.5 m<sup>2</sup> per person
  - a floor area not less than 10 m<sup>2</sup>
  - adequate furnishing and suitable floor covering

**vi Lounge Room**

- The lounge room must have:
  - A floor area of not less than 0.6 m<sup>2</sup> per person or where the lounge and dining room are combined, not less than 1.2 m<sup>2</sup> per person.
  - A floor area not less than 13 m<sup>2</sup>
  - Adequate furnishing and suitable floor covering.

**vii Bin Enclosure**

- A suitable enclosure shall be provided for the storage and cleaning of receptacles.
- The enclosure shall have a tap connected to water.
- The enclosure must:
  - be of sufficient size to accommodate all receptacles;
  - be constructed of brick, concrete, corrugated compressed fibre cement sheeting or other suitable material;
  - have walls not less than 1.5 metres in height and having an access way of not less than 1 metre in width and fitted with a self closing gate;
  - contain a smooth and impervious floor of not less than 75 millimetres in thickness and which is evenly graded to an approved liquid refuse disposal system; and
  - be easily accessible to allow for the removal of receptacles.

**viii Fire Prevention & Control**

- An emergency light must be provided in each passageway and kept illuminated during the hours of darkness. This emergency light must be kept separate from the general lighting system.
- A fire blanket is to be provided in cooking areas.
- All exit signs and fire fighting equipment are to be maintained in good working order at all times.

**ix Obstruction of Passages and Stairways**

- Furniture, fitting and other items are not to be placed in passageways, stair landings, windows, fire escapes or any other common use area.

**x Fitting of Locks**

- Locking devices that prevent doors from being opened within the lodging house are not to be fitted to exit doors.

**xi Restrictions on Use of Rooms for Sleeping**

- A room in a lodging house is not to be used as a sleeping apartment if:
  - it contains food;
  - it is fitted with a cooking appliance or kitchen sink;
  - it is used as a kitchen, store room, dining room, lounge room;
  - it is not reasonably accessible without passing through another sleeping room;
  - it contains less than 5.5 m<sup>2</sup> clear space for each lodger in the room;
  - it has inadequate lighting or ventilation;
  - it is not free from internal dampness;
  - the floor covering is inadequate.

**xii Sleeping Accommodation for Short-Term Hostels**

- The sleeping accommodation in a short-term hostel must have:-
  - a clear floor space of not less than 4 m<sup>2</sup> per person in each dormitory utilising beds; or a clear floor space of not less than 2.5 m<sup>2</sup> in dormitories utilising bunks.
  - beds at least 800 mm x 1.9 m.
  - storage space for personal items.
  - adequate ventilation.
  - fire retardant materials and fire equipment in accordance with the Fire & Rescue Service requirements.
  - emergency lighting.
  - no smoking.
  - Mattress protectors.

**xiii Furnishings for Sleeping Apartments**

- There must be a sufficient number of beds provided with good quality bedding.
- Each bed must be provided with a bed head, mattress, pillow, pillow case, two sheets and two blankets or rugs.
- Storage facilities for these items must be provided for each bedroom.

**xiv Numbers on Doors**

- Identification numbers must be permanently fixed or painted on all lodge doors in sequential order.

**5. Management and Care**

**i Keeper or Manager to Reside in Lodging House**

- The keeper must not be absent for longer than 48 hours at any one time.

**ii Register of Lodgers**

- A register of lodgers must be kept on site and available for inspection by an Environmental Health Officer at all times.

**iii Sleeping Accommodation Certificate**

- An Environmental Health Officer may issue a certificate to the keeper of the lodging house specifying the maximum number of persons who shall be permitted to occupy each room at any one time.

**iv Duplicate Keys and Inspection**

- A duplicate key to the door of each room is to be retained by the keeper.

**v Maintenance of Rooms**

- A keeper may permit the lodgers to clean their rooms and may inspect the room on a weekly basis to ensure that it is being maintained in a clean condition.

**vi Cleaning & Maintenance Requirements**

- A keeper of a lodging house shall maintain in a clean, undamaged and good working order:
  - the floor, walls, ceilings, woodwork and painted surfaces;
  - floor coverings and window treatments;
  - fixtures and fittings;
  - windows, doors and door furniture;
  - laundry;
  - yard
- A keeper shall ensure that:
  - all bed linen, towels and house linen in use is washed at least once a week;
  - within a reasonable time of a bed having been vacated by a lodger or resident, the bed linen is removed and washed;
  - a person does not occupy a bed that has been used by another person unless that bed has been provided with clean linen;
  - all beds, bedsteads, blankets, covers, linen and towels are kept clean, in good repair and free from vectors of disease;
  - when any pests/vectors of disease are found in a bed, furniture, room or sleeping apartment, that immediate effective action is taken to eradicate the vectors of disease.
  - a room that is not free from vectors of disease and insects is not used as a sleeping apartment.
  - adequate lighting is provided.
  - food is not stored within a sleeping apartment unless approval is obtained from the Principal Environmental Health Office.

**Should you require any further information please do not hesitate to contact the Shire of Murray's Environmental Health Services Officers on (08) 531 7777 (or email [mailbag@murray.wa.gov.au](mailto:mailbag@murray.wa.gov.au))**

# Application for Registration of Lodging House

*Health (Miscellaneous Provisions) Act 1911*

I/We \_\_\_\_\_  
(Full name of applicant/s)

of \_\_\_\_\_  
(Postal address of applicant/s)

Email address: \_\_\_\_\_

Phone: \_\_\_\_\_

apply for the registration of premises situated (or to be situated) at \_\_\_\_\_  
\_\_\_\_\_

ABN Number : \_\_\_\_\_

as accommodation to be classified as –

- a lodging house
- a short term hostel
- serviced apartments
- a recreational campsite
- other (specify \_\_\_\_\_)

and for my/our name(s) to be entered in the Register as the Keeper/s of the Accommodation.

Name of Accommodation: \_\_\_\_\_

Description of Accommodation: \_\_\_\_\_

Number of storeys: \_\_\_\_\_

**Rooms for lodging (ie excluding private rooms for the keeper):**

Same as previous application                      Yes         No  

(if marking yes proceed to next section, if no complete this section)

	Number	Area
Bedrooms	_____	_____
Laundries/toilets/bathrooms	_____	_____
Dining Rooms	_____	_____
Kitchens	_____	_____
Sitting Rooms	_____	_____
Toilets	_____	_____
Urinals	_____	_____
Baths	_____	_____
Showers	_____	_____
Hand wash basins	_____	_____

**Additional Details—**

Lodgers' meals will be provided by the manager/keeper/lodgers      Yes         No  

The keeper will not reside continuously on the premises              Yes         No  

Name and occupation of proposed manager if keeper resides elsewhere—

\_\_\_\_\_

There will be \_\_\_\_\_ family members residing on the premises with the keeper/manager.

**Note: The application fee payable is \$200.00 in respect of a lodging house. The same fees apply for annual renewal of a licence.**

Signature of Applicant/s: \_\_\_\_\_

\_\_\_\_\_  
Date