



ROOMING HOUSE INFORMATION KIT

City of Ballarat
Environmental Health Unit
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The following information is designed as a guide to assist in understanding the minimum statutory obligations that must be met prior to commencing the operation of a Rooming House.

What is a Rooming House?

The Residential Tenancies Act 1997 describes a Rooming House as a building where:

- One or more rooms are available for rent; and
- The total number of people who may occupy those rooms is four or more; and
- Each resident pays rent.

Legislation and Legal Requirements

The establishment and ongoing management of rooming houses is covered by the following legislation:

- Public Health and Wellbeing Act 2008
- Public Health and Wellbeing (Prescribed Accommodation) Regulations 2020
- Rooming House Operators Act 2016
- Building Regulations 2018
- Building Act 1993
- Planning and Environment Act 1987, and
- Residential Tenancies Act 1997.

Approval Process for New Businesses

Before opening a Rooming House, you need to meet legal requirements associated with the Council Statutory Planning, Statutory Building and Environmental Health Departments. This may include obtaining a Planning Permit, Building Permit, Occupancy Permit and registering as "Prescribed Accommodation".

The process generally consists of obtaining approval from each area commencing with Planning, followed by Building and concluding with the Environmental Health Department.

NOTE: This guide only covers the requirements to register a Rooming/Boarding house as Prescribed Accommodation under the Public Health and Wellbeing Act 2008.

Prior to applying to register with the

Environmental Health unit, contact should be made with the following additional departments to ensure all other approvals and permits are obtained:

Within Council:

- **Statutory Planning**
For planning requirements.
- **Building**
For building permit requirements and occupancy permits.

For all departments call City of Ballarat on 5320 5500.

External to Council:

- **Consumer Affairs Victoria**
For information regarding the rooming house operators licensing scheme and minimum standards for rooming houses

Phone: 1300 55 81 81

Web: <https://www.consumer.vic.gov.au/>

Rooming House Operators Licensing Scheme

The rooming house operators licensing scheme, established under the Rooming House Operators Act 2016, came into effect on 26 April 2017.

All rooming house operators (except those that are registered housing associations or housing providers under the Housing Act 1983) must apply for a licence to legally operate their rooming house(s).

The Business Licensing Authority (BLA) is responsible for granting licences to applicants who are 'fit and proper persons'. Further information can be obtained by contacting Consumer Affairs Victoria.

Note: You will be required to provide your Rooming House Operator's Licence Number when submitting your application to register to Council.

Registration Requirements

Under the Public Health and Wellbeing Act 2008, an operator must register a rooming house with the Council if they want to rent out rooms to four or more people.

Rooming houses must also comply with the Public Health and Wellbeing (Prescribed Accommodation) Regulations 2020 which aim to prevent overcrowding, ensure reasonable standards of hygiene, sanitation and maintenance, and reduce the risk of spreading communicable disease.

General requirements include:

- Toilet and bathing facilities – at least one toilet, one bath (or shower) and one wash basin must be provided for every 10 persons accommodated.
- Minimum room sizes – the regulations set out the maximum number of people permitted to reside in each bedroom. Note that a room must not be used as a bedroom if it has a floor area of less than 7.5m².
- Water supply – a continuous and adequate supply of hot and cold water to all bathing, laundry, and kitchen facilities.
- Register of occupants – a register recording the names and addresses of persons occupying the accommodation must be maintained.

Additionally, the premises must be kept:

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

Registration Process

An application must be lodged with Council and must include the following:

- A completed 'Application to Register a Rooming House' (or complete the online application form at <https://forms.ballarat.vic.gov.au/RegistrarHealthPremises>)
- A detailed floor plan of the proposed interior layout.

A schedule of fees will be emailed to you once your application has been received by the Environmental Health Unit. Note: When starting a new business, the application fee is initially higher, this takes into account the approval of plans, including inspections and administrative costs associated with the application.

Your application will be processed once all required information and full payment is received. An Environmental Health Officer will assess your plans and respond in writing, detailing proposed alterations and

amendments within 5-7 working days.

A copy of the assessed plans will be returned for your records. **Please note:** Council is unable to assess plans that fail to provide all necessary information.

Once you have received your assessed plan from Council's Environmental Health Unit, you can commence any required work on the premises.

Final Inspection

A final inspection is required before the registration certificate will be issued. Please contact the Environmental Health Unit to arrange a final inspection date and time.

Note:

- All works must be finalised;
- The premises must be clean and ready to commence trading.

Registration commences once the inspection has been completed and the registration certificate issued.

Once registered, our Environmental Health Unit will undertake annual inspections of the property to ensure standards within the rooming house are being appropriately maintained.

Registration Renewal

Registration under the *Public Health and Wellbeing Act 2008* must be renewed annually.

Renewal paperwork will be sent to the licensee prior to the expiration of their current registration certificate. The Environmental Health Unit request that proprietors make application to renew their registration approximately two weeks prior to the expiration of their current registration as this allows the Unit to process your renewal prior to certificates expiring.

Rooming House Operator Register

A public register of all current rooming house operators is available to access at <https://registers.consumer.vic.gov.au/rhosearch>