

SUBORDINATE LOCAL LAW No. 14
(RENTAL ACCOMMODATION)

SUMMARY OF PROVISIONS

PART 1 – PRELIMINARY

1. Citation
2. Object
3. Definitions

PART 2 – PERMITS

4. Application for Permit
5. Conditions of a Permit

PART 1 – PRELIMINARY

Citation

1. This subordinate local law may be cited as Warwick Shire Council Subordinate Local Law No.14 (Rental Accommodation).

Object

2. The object of this subordinate local law is to provide the detailed matters called upon by Local Law No.14 (Rental Accommodation) in order to ensure that short and long term rental accommodation within the Area provides high standards of public health and safety for human habitation.

Definitions

3. All terms have the same meaning as those provided for in Local Law No.14 (Rental Accommodation).

PART 2 – PERMITS

Application for a Permit (Local Law Section 7)

4. For the purposes of section 7 of the Local Law, an application for a permit authorising the provision of accommodation to which this local law applies must include or be accompanied by the following:-
 - (a) the name, location and real property description of the premises;
 - (b) a plan of the proposed premises drawn to a scale of 1:100 and showing:-
 - (1) the location of the building on site including location of vehicle accesses and parking, areas for clothes drying and open recreation areas;
 - (2) the internal layout of the building showing all rooms, showers and WC's, the proposed function of each room and in the case of the bedrooms and dormitories – the maximum number of beds proposed;
 - (3) the facilities to be provided for the use of the residents, details of emergency exits and fire fighting appliances; and
 - (4) all other details, specifications and information considered relevant to the application; and
 - (c) details of shared facilities including:-
 - (1) number of toilets;
 - (2) number of bathrooms and showers;
 - (3) laundry facilities;
 - (4) dining facilities; and
 - (5) cooking facilities; and
 - (d) when required by the local government – a report from an appropriately qualified person in relation to the fire safety of the building.

Conditions of Permit (Local Law Section 12)

5. For the purpose of section 12 of the Local Law, the following conditions will ordinarily be imposed on a permit in so far as they are applicable to a particular class of accommodation:-

Bedrooms and Dormitories

- (1) sleeping accommodation and beds are not to be provided in any room or space except those rooms designated on the plan accompanying the application as bedrooms or dormitories;
- (2) every person accommodated on the premises is to be provided with a clean and comfortable bed;
- (3) all sleeping accommodation, beds, mattresses, bedding and linen are to be maintained in a clean and hygienic condition at all times;
- (4) all bed linen is to be changed immediately after each occupancy, with a maximum use period of seven (7) days;
- (5) each bedroom or dormitory shall have:-
 - (a) adequate cupboard space provided; and
 - (b) one (1) towel rail per person;
- (6) no beds are to be more than two (2) tiers in height and the clearance between the upper and lower beds is to be at least 870 mm with a clearance of one (1) metre between the upper bed and the ceiling, light fittings or any other projection from the ceiling;
- (7) every person accommodated on the premises shall be designated a room and bed number which shall be recorded in the accommodation register.

Kitchen Facilities

- (1) At premises where a kitchen is provided, it shall meet with the following requirements:
 - (a) it shall be separate from all other rooms;
 - (b) it shall be kept in a clean and hygienic condition at all times.
- (2) Where food is prepared by the occupant, the following shall apply:-
 - (a) cooking appliances are to be provided at the rate of at least four (4) burners or hotplates and one (1) oven for each 15 people;
 - (b) refrigeration space is to be provided at a rate of not less than 15 litres per person;
 - (c) dishwashing facilities are to be provided at a rate of one (1) stainless steel sink for each 15 people;
 - (d) adequate crockery, cutlery and cooking utensils shall be provided and maintained in a clean and sound condition;
 - (e) adequate kitchen cupboard space shall be provided for the storage of all food and appliances, equipment and utensils in the kitchen.
- (3) No pets or other animals are permitted to enter the kitchen.

Dining Room

- (1) Where a dining room is provided on the premises, such dining room shall be capable of seating at least 50% of the maximum number of persons residing at the premises.

Common Living Rooms

- (1) All hostels and backpacker accommodation are to be provided with one or more common living rooms.
- (2) Common living rooms shall have a minimum floor area of two (2) square metres per person, which may include the area of the dining room but which shall not include:-
 - (a) a passage way;
 - (b) a fire access way; or
 - (c) a non-habitable room.

Toilets and Ablution Facilities

- (1) The provision of toilet and ablution facilities is to be in accordance with the Building Code of Australia.
- (2) In any accommodation where common bathroom and toilet facilities are provided, the following shall apply:-
 - (a) toilet facilities shall be in a room separate to the bathroom;
 - (b) bathroom and toilet facilities shall be clearly and legibly designated.
- (3) At premises where clean towels are provided for the residents, these are to be replaced on a daily basis.
- (4) All bathroom and toilet facilities are to be cleaned on a daily basis or as otherwise directed by an Authorised Person.

Laundry Facilities

In any rental accommodation where a common laundry is provided for the residents, the following shall apply:-

- (1) laundry facilities are to be provided in the ratio of one (1) washing machine and one (1) wash tub for each 15 residents.
- (2) drying facilities are to be provided in the ratio of one (1) mechanical drier or fifty (50) linear metres of clothes line for each 15 residents.

Office

- (1) Every premise, with the exception of flats and bed and breakfast accommodation, is to have a clearly designated office.
- (2) An emergency telephone service is to be available at these premises when the office is closed.

Refuse Disposal

- (1) All refuse is to be disposed of in an approved manner at least once every week.
- (2) Refuse storage is to be provided at the rate of one (1) 240 litre bin per six (6) people or appropriate alternate storage to the satisfaction of an Authorised Person.

Example: An authorised person may permit the use of an industrial bin at premises where the number of persons accommodated is consistently high and where the use of 240 litre domestic bins is impractical both cost and time wise.

Maintenance

- (1) The premises are to be treated for the control of vermin at least once each year.
- (2) The premises, including the grounds around the building, are to be maintained in a good state of repair and in a clean and sanitary condition free from accumulated refuse and other matter at all times.
- (3) All fixtures, fittings, appliances and other equipment within the premises are to be maintained in a good state of repair at all times.

Storage

- (1) At all hostels and backpacker accommodation:-
 - (a) a secure, fire proof safe is to be provided for the keeping of the occupants valuables and papers; and
 - (b) a security lock-up for bulky packs and luggage is to be provided which is not accessible other than by the permission of the operator.

Fire Safety

Fire detection and control devices are to be installed to provide a reasonable level of fire safety.

Accommodation Register

- (1) At all premises other than flats, a register is to be kept which details:-
 - (a) the full name of the occupant;
 - (b) the permanent residential address of the occupant;
 - (c) the occupants signature;
 - (d) the dates the occupant checked in and out; and
 - (e) the room and bed number allocated to the occupant.
- (2) The operator may not allow a bed to be occupied by any person who has failed to register their name and address in the accommodation register.

General

- (1) Any play ground equipment installed for the use of residents is to be installed, sited and maintained in accordance with the relevant Australian Standard.
- (2) Any water supply, other than a reticulated town supply, is to comply with the National Health and Medical Research Council (NH & MRC) "Guidelines for Drinking Water Quality in Australia" 1987.
- (3) Any swimming pools and associated fencing shall be maintained in accordance with the relevant Australian Standard and kept in a clean and sanitary condition at all times.
- (4) Adequate artificial lighting is to be provided to both the interior and exterior of the premises.
- (5) The operator of any premises registered under this Local Law shall not cause or allow any furniture, fittings or other matter or thing to be placed either temporarily or permanently in or on any stairway, landing, passage, or fire escape in such a manner to cause or form any obstruction to any person on the premises.