HE311

HEALTH ACT 1911

MODEL BY-LAWS - SERIES “A” AMENDMENT BY-LAWS 1994

Made by His Excellency the Governor in Executive Council.

Citation

1. These by-laws may be cited as the Model By-laws - Series “A” Amendment By-laws 1994.

Principal by-laws

2. In these by-laws the Model By-laws - Series “A” are referred to as the principal by-laws.

[† Reprinted in the Gazette of 17 July 1963 at pp. 1967-2042. For amendments to 10 October 1994 see 1993 Index to Legislation of Western Australia, Table 4, pp. 115-117.]

Part V repealed and a Part substituted

3. Part V of the principal by-laws is repealed and the following Part substituted —

PART V — LODGING-HOUSES

Division 1 — Registration

Interpretation

1. (1) In this Part, unless the context otherwise requires —

“bed” means a single sleeping berth only, and a double bed provided for the use of couples has the same floor space requirements as 2 single beds;

“Building Code” means the Building Code of Australia 1990 published by or on behalf of the Australian Uniform Building Regulations Coordinating Council;

“bunk” means a sleeping berth comprising one of 2 arranged vertically;

“dormitory” means a building or room utilised for sleeping purposes at a short term hostel or a recreational campsite;

“keeper” means a person whose name appears on the register of keepers, in respect of a lodging-house, as the keeper of that lodging-house;

“lodger” means a person who obtains, for hire or reward, board or lodging in a lodging-house;

“lodging-house” includes a recreational campsite, a serviced apartment and a short term hostel;

“manager” means a person duly appointed by the keeper in accordance with this Division to reside in, and have the care and management of, a lodging-house;

“recreational campsite” means a lodging-house —

(a) situated on a campsite principally used for —

(i) recreational, sporting, religious, ethnic or educational pursuits; or

(ii) conferences or conventions;

and
(b) where the period of occupancy of any lodger is not more than 14 consecutive days,

and includes youth camps, youth education camps, church camps and riding schools;

“register of lodgers” means the register kept in accordance with section 157 of the Act and this Part;

“resident” means a person, other than a lodger, who resides in a lodging-house;

“serviced apartment” means a lodging-house in which each sleeping apartment, or group of sleeping apartments in common occupancy, is provided with its own sanitary conveniences and may have its own cooking facilities;

“short term hostel” means a lodging-house where the period of occupancy of any lodger is not more than 14 consecutive days and includes a youth hostel or a backpacker hostel;

“vectors of disease” means an arthropod or rodent that transmits, by biological or mechanical means, an infectious agent from a source or reservoir to a person, and includes fleas, bedbugs, crab louse, body louse and head louse.

(2) Where in this Part an act is required to be done or forbidden to be done in relation to any lodging-house, the keeper of the lodging-house has, unless the contrary intention appears, the duty of causing the act to be done, or of preventing the act so forbidden from being done, as the case may be.

Lodging-house not to be kept unless registered

2. A person shall not keep or cause, suffer or permit to be kept, a lodging-house unless —

(a) the lodging-house is constructed in accordance with the requirements of this Part;

(b) the lodging-house is registered by the local authority under by-law 3;

(c) the name of the person keeping or proposing to keep the lodging-house is entered in the register of keepers; and

(d) either —

(i) the keeper; or

(ii) a manager who, with the written approval of the ...(complete as appropriate)... Clerk, has been appointed by the keeper to have the care and management of the lodging-house,

resides, or intends to reside, continuously in the lodging-house whenever there is one or more lodgers in the lodging-house.

Application for registration

3. An application for registration of a lodging-house shall be —

(a) in the form prescribed in Schedule 1;

(b) duly completed and signed by the proposed keeper; and
(c) accompanied by —

(i) the fee prescribed in Schedule 8; and

(ii) detailed plans and specifications of the lodging-house.

Approval of application

4. The local authority may approve, with or without conditions, an application under by-law 3 by issuing to the applicant a certificate in the form of Schedule 2.

Renewal of registration

5. A person who keeps a lodging-house which is registered under this Part shall —

(a) during the month of June in each year apply to the local authority for the renewal of the registration of the lodging-house; and

(b) pay the fee prescribed in Schedule 8 at the time of making each application for renewal.

Notification upon sale or transfer

6. If the owner of a lodging-house sells or transfers or agrees to sell or transfer the lodging-house to another person, he or she shall, within 14 days of the date of sale, transfer or agreement, give to the ... complete as appropriate ... Clerk, in the form of Schedule 3, written notice of the full name, address and occupation of the person to whom the lodging-house has been, or is to be, sold or transferred.

Revocation of registration

7. (1) Subject to sub-bylaw (3), the local authority may, at any time, revoke the registration of a lodging-house for any reason which, in the opinion of the local authority, justifies the revocation.

(2) Without limiting the generality of sub-bylaw (1), the local authority may revoke a registration upon any one or more of the following grounds —

(a) that the lodging-house has not, to the satisfaction of the local authority, been kept free from vectors of disease or in a clean, wholesome and sanitary condition;

(b) that the keeper has —

(i) been convicted of an offence under this Part in respect of the lodging-house;

(ii) not complied with a requirement of this Part; or

(iii) not complied with a condition of registration;

(c) that the local authority, having regard to a report from the Police Department, is satisfied that the keeper or manager is not a fit and proper person;

(d) that, by reason of alterations or additions or neglect to repair and renovate, the condition of the lodging-house is such as to render it, in the opinion of the Principal Environmental Health Officer, unfit to remain registered.
(3) Before revoking the registration of a lodging-house under this by-law, the local authority shall give notice to the keeper requiring him or her, within a time specified in the notice, to show cause why the registration should not be revoked.

(4) Whenever the local authority revokes the registration of a lodging-house, it shall give the keeper notice of the revocation and the registration is revoked as from the date on which the notice is served on the keeper.

Division 2 — Construction and Use Requirements

General construction requirements

8. The general construction requirements of a lodging-house shall comply with the Building Code.

Sanitary conveniences

9. (1) A keeper shall maintain in good working order and condition and in convenient positions on the premises —

(a) toilets; and

(b) bathrooms, each fitted with a shower, bath and wash basin,

in accordance with the requirements of the Building Code.

(2) A bathroom or toilet which is used as a private bathroom or toilet to the exclusion of other lodgers or residents does not fall under the provisions of sub-by-law (1).

(3) Each bath, shower and hand wash basin shall be provided with an adequate supply of hot and cold water.

(4) The walls of each shower and bath shall be of an impervious material to a minimum height of 1.8 metres above the floor level.

(5) Each toilet and bathroom shall —

(a) be so situated, separated and screened as to ensure privacy;

(b) be apportioned to each sex;

(c) have a distinct sign displayed in a prominent position denoting the sex for which the toilet or bathroom is provided; and

(d) be provided with adequate electric lighting.

Laundry

10. (1) A keeper shall —

(a) subject to sub-by-law (2) —

(i) in the case of a recreational campsite, provide on the premises a laundry consisting of at least one 45 litre stainless steel trough; and

(ii) in any other case, provide on the premises a laundry unit for each 15 lodgers;

(b) at all times maintain each laundry or laundry unit in a proper sanitary condition and in good repair;
(c) provide an adequate supply of hot and cold water to each wash trough, sink, copper or washing machine; and

(d) ensure that the floor area of each laundry or laundry unit is properly surfaced with an even fall to a floor waste.

(2) The Principal Environmental Health Officer may approve the provision of a reduced number of laundry units if suitable equipment of a commercial type is installed.

(3) In this by-law —

“laundry unit” means a group of facilities consisting of —

(a) a washing machine with a capacity of not less than 4 kilograms weight of dry clothing;

(b) one wash trough of not less than 36 litres capacity, connected to both hot and cold water; and

(c) either an electric drying cabinet or not less than 30 metres of clothes line,

and for which a hot water system is provided that —

(d) is capable of delivering 136 litres of water per hour at a temperature of at least 75°C for each washing machine provided with the communal facilities; and

(e) has a delivery rate of not less than 18 litres per minute to each washing machine.

Kitchen

11. (1) The keeper of a lodging-house shall provide in that lodging-house a kitchen which —

(a) has a minimum floor area of —

(i) where lodgers prepare their own meals — 0.65 square metres per person;

(ii) where meals are provided by the keeper or manager — 0.125 square metres per person; or

(iii) where a kitchen and dining room are combined — 1 square metre per person,

but in any case not less than 16 square metres;

(b) has adequate —

(i) food storage facilities and cupboards to prevent contamination of food, or cooking or eating utensils, by dirt, dust, flies or vectors of disease; and

(ii) refrigerator space for storage of perishable goods;

(c) complies with the requirements of the Health (Food Hygiene) Regulations 1993;

(d) has a wash hand basin and a double bowl sink, each provided with an adequate supply of hot and cold water; and

(e) has the walls behind each stove and cooking appliance tiled to a height of not less than 1.8 metres above the floor.
Cooking facilities

12. (1) The keeper of a lodging-house where lodgers prepare their own meals shall provide a kitchen with electrical, gas or other stoves and ovens approved by the Principal Environmental Health Officer in accordance with the following table —

<table>
<thead>
<tr>
<th>NO. OF LODGERS</th>
<th>OVENS</th>
<th>4 BURNER STOVES</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 - 15</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>16 - 30</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>31 - 45</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>46 - 60</td>
<td>2</td>
<td>4</td>
</tr>
<tr>
<td>Over 60</td>
<td>2</td>
<td>4 + 1 for each additional 15 lodgers (or part thereof) over 60</td>
</tr>
</tbody>
</table>

(2) The keeper of a lodging-house where meals are provided by the keeper or manager shall provide a kitchen with cooking appliances of a number and type approved by the Principal Environmental Health Officer.

(3) The keeper of a lodging-house which has, or has approval to have, 15 or more lodgers shall provide, maintain and clean a hood or mechanical exhaust system, in accordance with the Health (Food Hygiene) Regulations 1993, over each stove, oven and cooking appliance.

Dining room

13. The keeper of a lodging-house shall provide in that lodging-house a dining room —

(a) located in close proximity to, or combined with, the kitchen;

(b) the floor area of which shall be not less than the greater of —

(i) 0.5 square metres per person; or

(ii) 10 square metres; and

(c) which shall be —

(i) adequately furnished to accommodate, at any one time, half of the number of lodgers; and

(ii) provided with a suitable floor covering.

Lounge room

14. The keeper of a lodging-house shall provide in that lodging-house a lounge room —

(a) with a floor area of —

(i) where the lounge is not combined with the dining room — not less than 0.6 square metres per person;

(ii) where the lounge room is combined with a dining room — not less than 1.2 square metres per person,

but in either case having a minimum of 13 square metres; and
(b) which shall be --

(i) adequately furnished to accommodate, at any one time, half of the number of lodgers; and

(ii) provided with a suitable floor covering.

Fire prevention and control

15. (1) A keeper shall —

(a) in each passage in the lodging-house, provide an emergency light —

(i) in such a position, and of such a pattern, as is approved by the Principal Environmental Health Officer; and

(ii) which shall be kept separate from the general lighting system and kept illuminated during the hours of darkness;

(b) ensure a fire blanket, of a type approved by the Principal Environmental Health Officer, is positioned within 2 metres of the cooking area in each kitchen; and

(c) ensure that each exit sign and fire fighting appliance is clearly visible, accessible and maintained in good working order at all times.

(2) A keeper shall ensure that all buildings comprising the lodging house are fitted with fire protection equipment as advised by the Western Australian Fire Brigades Board and approved by the local authority.

Obstruction of passages and stairways

16. A keeper shall not cause, suffer or permit furniture, fittings or other things to be placed either temporarily or permanently in or on —

(a) a stairway, stair landing, fire-escape, window or common passageway; or

(b) part of the lodging-house in common use or intended or adapted for common use,

in such a manner as to form an obstruction to the free passage of lodgers, residents or persons in or occupying the lodging-house.

Fitting of locks

17. A person shall not fit, or cause or permit to be fitted, to an exit door, a lock or other device which prevents the door being opened from within a lodging-house.

Restriction on use of rooms for sleeping

18. (1) Subject to sub-bylaw (3) and by-law 32, a keeper shall not use or permit to be used as a sleeping apartment a room in a lodging-house —

(a) which contains food;

(b) which contains or is fitted with a cooking appliance or kitchen sink;

(c) which is used as a kitchen, scullery, store room, dining room, general sitting room or lounge room, or for the preparation or storage of food;
(d) which is not reasonably accessible without passing through a sleeping or other room in the private occupation of another person;

(e) which, except in the case of a short term hostel or a recreational campsite, contains less than 5.5 square metres of clear space for each lodger occupying the room;

(f) which is naturally illuminated by windows having a ratio of less than 0.1 square metre of unobstructed glass to every 1.0 square metre of floor area;

(g) which is ventilated at a ratio of less than 0.5 square metre of unobstructed ventilating area to every 10 square metres of floor area;

(h) in which the lighting or ventilation referred to in paragraphs (f) and (g) is obstructed or is not in good and efficient order;

(i) which is not free from internal dampness;

(j) of which any part of the floor is below the level of the adjoining ground; or

(k) the floor of which is not fitted with an approved carpet or vinyl floor covering or other floor treatment approved by the Principal Environmental Health Officer.

(2) For the purposes of this by-law, 2 children under the age of 10 years are counted as one lodger.

(3) Paragraphs (a), (b) and (c) of sub-bylaw (1) do not apply to a serviced apartment.

Sleeping accommodation — short term hostel and recreational campsite

19. (1) A keeper of a short term hostel or recreational campsite shall provide clear floor space of not less than —

(a) 4 square metres per person in each dormitory utilising beds;

(b) 2.5 square metres per person in dormitories utilising bunks.

(2) The calculation of floor space in sub-bylaw (1) excludes the area occupied by any large items of furniture, such as wardrobes, but may include the area occupied by beds.

(3) The minimum height of any ceiling in a short term hostel or recreational campsite is 2.4 metres in any dormitory utilising beds, and 2.7 metres in any dormitory utilising bunks.

(4) The minimum floor area requirements in sub-bylaw (1) will only apply if there is ventilation, separation distances, fire egress and other safety requirements in accordance with the Building Code.

(5) The keeper of any short term hostel or recreational campsite shall provide —

(a) fixed outlet ventilation at a ratio of 0.15 square metres to each 10 square metres of floor area of the dormitories, and shall ensure that dormitories are provided with direct ventilation to the open air from a point within 230 millimetres of the ceiling level through a fixed open window or vents, carried as direct to the open air as is practicable;
(b) mechanical ventilation in lieu of fixed ventilation, subject to the local authorities approval.

(6) The keeper of any short term hostel shall provide —

(a) beds with a minimum size of 800 millimetres x 1.9 metres;

(b) storage space for personal effects, including backpacks, so that cleaning operations are not hindered and access spaces are not obstructed.

(7) The keeper of a recreational campsite shall provide beds with a minimum size of 750 millimetres by 1.85 metres.

(8) The keeper of any short term hostel or recreational campsite shall —

(a) arrange at all times a distance of 750 millimetres between beds, and a distance of 900 millimetres between bunks;

(b) ensure that, where bed or bunk heads are placed against the wall on either side of a dormitory, there is a passageway of at least 1.35 metres between each row of beds and a passageway of at least 2 metres between each row of bunks, and shall ensure that the passageway is kept clear of obstruction at all times; and

(c) ensure all doors, windows and ventilators are kept free of obstruction.

(9) The keeper of a short term hostel or recreational campsite shall ensure that —

(a) materials used in dormitory areas comply with AS 1530.2 and AS 1530.3 as follows —

Drapes, curtains, blinds and bed covers — a maximum Flammability Index of 6;

Upholstery & bedding — a maximum Spread of Flame Index of 6;
— a maximum Smoke Developed Index of 5;

Floor coverings — a maximum Spread of Flame Index of 7;
— a maximum Smoke Developed Index of 5;

Fire retardant coatings used to make a material comply with these indices must be —

(i) certified by the manufacturer as approved for use with the fabric to achieve the required indices; and

(ii) certified by the manufacturer to retain its fire retardative effect after a minimum of 5 commercial dry cleaning or laundering operations carried out in accordance with AS 2001.5.4-1987, Procedure 7A, using ECE reference detergent; and

(iii) certified by the applicator as having been carried out in accordance with the manufacturer’s specification,
(b) emergency lighting is provided in accordance with the Building Code;

(c) a lodger or other person does not smoke in any dormitory, kitchen, or dining room, within a short term hostel or recreational campsite, but the keeper may permit smoking in a meeting or assembly hall area, within a short term hostel or recreational campsite;

(d) all mattresses in a short term hostel or recreational campsite are fitted with a mattress protector.

Furnishing etc. of sleeping apartments

20. (1) A keeper shall —

(a) furnish each sleeping apartment with a sufficient number of beds and sufficient bedding of good quality;

(b) ensure that each bed —

(i) has a bed head, mattress and pillow; and

(ii) is provided with a pillow case, 2 sheets, a blanket or rug and, from the 1st day of May to the 30th day of September, not less than one additional blanket or rug; and

(c) furnish each bedroom so that there are adequate storage facilities for belongings within the room.

(2) A keeper shall not cause, suffer or permit any tiered beds or bunks to be used in a sleeping apartment other than in a lodging-house used exclusively as a short term hostel or a recreational campsite.

Ventilation

21. (1) If, in the opinion of an Environmental Health Officer, a kitchen, bathroom, toilet, laundry or habitable room is not adequately or properly ventilated, he or she may direct the keeper to provide a different or additional method of ventilation.

(2) The keeper shall comply with any direction given under sub-by-law (1) within such time as directed.

Numbers to be placed on doors

22. (1) A keeper shall place or cause to be placed on the outside of the doors of all rooms available to lodgers in the lodging-house, serial numbers so that —

(a) the number "1" is placed on the outside of the door of the room nearest to the front or main entry door of the lodging-house; and

(b) the numbers continue in sequence throughout each floor (if there is more than one) of the lodging-house.

(2) The numbers to be placed on the doors under sub-by-law (1) shall be —

(a) not less than 50 millimetres in height;

(b) 1.5 metres from the floor; and

(c) permanently fixed either by being painted on the doors or shown by other legible means.
Division 3 — Management and Care

Keeper or manager to reside in the lodging-house

23. Whenever there is one or more lodgers in a lodging-house, a keeper or manager shall —
   (a) reside continuously in the lodging-house; and
   (b) not be absent from the lodging-house for more than 48 consecutive hours unless he or she arranges for a reputable person to have the care and management of the lodging-house.

Register of lodgers

24. (1) A keeper shall keep a register of lodgers in the form of Schedule 4.

   (2) The keeper shall ensure that the register of lodgers is —
       (a) kept in the lodging-house; and
       (b) open to inspection at any time on demand by any member of the Police Force or by an Environmental Health Officer.

Keeper report

25. A keeper shall, whenever required by the local authority, report to the local authority, in the form of Schedule 5, the name of each lodger who lodged in the lodging-house during the preceding day or night.

Certificate in respect of sleeping accommodation

26. (1) An Environmental Health Officer may issue to a keeper a certificate, in respect of each room, which shall be in the form of Schedule 6 or 7.

   (2) The certificate issued under sub-bylaw (1) shall specify the maximum number of persons permitted to occupy each room of a sleeping apartment at any one time.

   (3) When required by the Principal Environmental Health Officer, a keeper shall exhibit the certificate issued under this by-law in a conspicuous place in the room to which the certificate refers.

   (4) A person shall not cause, suffer or permit a greater number of persons than is specified on a certificate issued under this by-law to occupy the room to which it refers.

Duplicate keys and inspection

27. Each keeper and manager of a lodging-house shall —
   (a) retain possession of a duplicate key to the door of each room; and
   (b) when required by an Environmental Health Officer, open the door of any room for the purposes of inspection by the Officer.
Room occupancy

28. (1) A keeper shall not —

(a) cause, suffer or permit more than the maximum number of persons permitted by the Certificate of Registration of the lodging-house to be lodged at any one time in the lodging-house;

(b) cause, suffer or permit to be placed or kept in any sleeping apartments —

(i) a larger number of beds; or
(ii) a larger quantity of bedding,

than is required to accommodate and provide for the maximum number of persons permitted to occupy the sleeping apartment at any one time; and

(c) use or cause, suffer or permit to be used for sleeping purposes, a room that —

(i) has not been certified for that purpose; or
(ii) the local authority or the Medical Officer has forbidden to be used as a sleeping apartment.

(2) For the purpose of this by-law, 2 children under 10 years of age are counted as one lodger.

Maintenance of a room by a lodger or resident

29. (1) A keeper may permit, or contract with, a lodger or resident to service, clean or maintain the room or rooms occupied by the lodger or resident.

(2) Where permission is given or a contract entered into under sub-by-law (1), the keeper shall —

(a) inspect each room the subject of the permission or agreement at least once a week; and

(b) ensure that each room is being maintained in a clean condition.

(3) A lodger or resident who contracts with a keeper to service, clean or maintain a room occupied by him or her, shall maintain the room in a clean condition.

Cleaning and maintenance requirements

30. (1) A keeper of a lodging-house shall —

(a) maintain in a clean, sound and undamaged condition —

(i) the floor, walls, ceilings, woodwork and painted surfaces;
(ii) the floor coverings and window treatments; and
(iii) the toilet seats;

(b) maintain in a clean condition and in good working order —

(i) all fixtures and fittings; and
(ii) windows, doors and door furniture;
(c) ensure that the internal walls of each bathroom and toilet are painted so as to maintain a smooth impervious washable surface;

(d) whenever there is one or more lodgers in a lodging-house, ensure that the laundry floor is cleaned daily;

(e) ensure that —
   
   (i) all bed linen, towels, and house linen in use is washed at least once a week;
   
   (ii) within a reasonable time of a bed having been vacated by a lodger or resident, the bed linen is removed and washed;
   
   (iii) a person does not occupy a bed which has been used by another person unless the bed has been provided with clean bed linen;
   
   (iv) all beds, bedsteads, blankets, rugs, covers, bed linen, towels and house linen are kept clean, in good repair and free from vectors of disease;
   
   (v) when any 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; and
   
   (vi) a room which is not free from vectors of disease and insects is not used as a sleeping apartment;

(f) when so directed by the Principal Environmental Health Officer, ensure that —
   
   (i) a room, together with its contents, and any other part of the lodging-house, is cleaned and disinfected; and
   
   (ii) a bed or other article of furniture is removed from the lodging-house and properly disposed of;

(g) ensure that the yard is kept clean at all times;

(h) provide all bedrooms, passages, common areas, toilets, bathrooms and laundries with adequate lighting; and

(i) comply with any direction, whether orally or in writing, given by the Principal Environmental Health Officer or an Environmental Health Officer.

(2) In this by-law —

“bed linen” includes sheets and pillow cases and, in the case of a short term hostel or a recreational campsite, mattress protectors.

Responsibilities of lodgers and residents

31. A lodger or resident shall not —

   (a) use any room available to lodgers —
       
       (i) as a shop, store or factory; or
       
       (ii) for manufacturing or trading services;

   
   (b) keep or store in or on the lodging-house any goods or materials that are inflammable, obnoxious or offensive;
(c) use a bath or wash hand basin other than for ablutionary purposes;

(d) use a bathroom facility or fitting for laundry purposes;

(e) use a sink installed in a kitchen or scullery for any purpose other than the washing and cleaning of cooking and eating utensils, other kitchenware and culinary purposes;

(f) deposit rubbish or waste food other than into a proper rubbish receptacle;

(g) in a kitchen or other place where food is kept —
   (i) wash or permit the washing of clothing or bedding; or
   (ii) keep or permit to be kept any soiled clothing or bedding;

(h) subject to by-law 32 —
   (i) keep, store, prepare or cook food in any sleeping apartment; or
   (ii) unless sick or invalid and unable to leave a sleeping apartment for that reason, use a sleeping apartment for dining purposes;

(i) place or keep, in any part of a lodging-house, any luggage, clothing, bedding, or furniture that is infested with vectors of disease;

(j) store or keep such a quantity of furniture, material or goods within the lodging-house —
   (i) in any kitchen, living or sleeping apartment so as to prevent the cleaning of the floors, walls, fittings or fixtures; or
   (ii) in a sleeping apartment so as to decrease the air space to less than the minimum required by this Part;

(k) obstruct or prevent the keeper or manager from inspecting or examining the room or rooms occupied by the lodger or resident; and

(l) fix any fastener or change any lock to a door or room without the written approval of the keeper.

Approval for storage of food

32. (1) The Principal Environmental Health Officer may —

   (a) upon written application from a keeper, approve the storage of food within a refrigerator or sealed container in a sleeping apartment; and

   (b) withdraw the approval if a nuisance or vector of disease infestation is found to exist in the lodging-house.

(2) The keeper of a serviced apartment may permit the storage and consumption of food within that apartment if suitable storage and dining facilities are provided.
Offences and penalties

33. (1) A person who contravenes these by-laws commits an offence.

(2) A person who commits an offence under sub-by-law (1) is liable to —

(a) a penalty of not more than $1 000 and not less than —

(i) in the case of a first offence, $100;
(ii) in the case of a second offence, $200; or
(iii) in the case of a third or subsequent offence, $500;

and

(b) if the offence is a continuing offence, a further penalty of not more than $100 and not less than $50 for each day during which the offence continues.

Schedule 1

City/Town/Shire of ...........

Health Act 1911

APPLICATION FOR REGISTRATION OF A LODGING-HOUSE

To: Chief Executive/ ...... Clerk
City/Town/Shire of ........

I/We ....................................................
(Full name of Applicant(s))

of .....................................................
(Residential address of Applicant(s))

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

as a lodging-house to be classified as:
— a lodging-house;
— a recreational campsite;
— a short term hostel; or
— serviced apartments,
(Specify which is to apply)

and for my name to be entered in the Register as a keeper of the lodging-house.

DESCRIPTION OF LODGING-HOUSE

Number of storeys ..................

Rooms for private use

<table>
<thead>
<tr>
<th>Laundries/toilets/bathrooms</th>
<th>Number</th>
<th>Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed rooms</td>
<td>...</td>
<td></td>
</tr>
<tr>
<td>Dining rooms</td>
<td>...</td>
<td></td>
</tr>
<tr>
<td>Kitchens</td>
<td>...</td>
<td></td>
</tr>
<tr>
<td>Sitting rooms</td>
<td>...</td>
<td></td>
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<tr>
<td>Other (specify)</td>
<td>...</td>
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</tr>
<tr>
<td>Rooms for lodgers</td>
<td>Number</td>
<td>Area</td>
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<td>------------------</td>
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<td>------</td>
</tr>
<tr>
<td>Bedrooms</td>
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<tr>
<td>Dining rooms</td>
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<tr>
<td>Kitchens</td>
<td></td>
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<tr>
<td>Sitting rooms</td>
<td></td>
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<tr>
<td>Other (specify)</td>
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</tbody>
</table>

| Sanitary conveniences for female lodgers |        |      |
| Toilets                                |        |      |
| Baths                                  |        |      |
| Showers                                |        |      |
| Wash hand basins                       |        |      |

| Sanitary conveniences for male lodgers |        |      |
| Toilets                                |        |      |
| Urinals                                |        |      |
| Baths                                  |        |      |
| Showers                                |        |      |
| Wash hand basins                       |        |      |

| Laundry facilities |        |      |
| Coppers            |        |      |
| Washtroughs        |        |      |
| Washing machines   |        |      |
| Drying cabinets or clothes lines       |        |      |

**Additional details**

(a) Lodgers' meals will be provided by the manager/keeper/lodgers.

(b) The keeper will/will not reside continuously on the premises.

(c) Name and occupation of the proposed manager if the keeper resides elsewhere —

.................................................................

.................................................................

(d) There will be . . . . . family members residing on the premises with the keeper/manager.

**Application fee of $ . . . . . is attached.**

.................................................................

*(Signature of applicant/s)*

.................................................................

*(Date)*
Schedule 2
City/Town/Shire of ........

Health Act 1911

CERTIFICATE OF REGISTRATION OF A LODGING-HOUSE

THIS is to certify that the premises situated at .................... are registered as a lodging-house and are classified as:

- a lodging-house;
- a recreational campsite;
- a short term hostel; or
- serviced apartments,

(Specify which is to apply)

until 30 June 19..., on the following conditions:

1. that ...................., whose name appears on the register of keepers of the City/Town/Shire of ........ continues to be the keeper of the lodging-house;
2. that ...................., appointed by the keeper to be the manager of the lodging-house, continues to be the keeper of the lodging-house;
3. that the Certificate of Registration is not sooner cancelled or revoked;
4. that the maximum total number of rooms to be used as sleeping apartments for lodgers is ...........; and
5. that the maximum number of lodgers accommodated on the premises at any one time shall not exceed ...........

This Certificate of Registration is issued subject to the Health Act 1911 and the Health By-laws of the City/Town/Shire of ........ and is not transferable.

Dated .............19....

CITY/TOWN/FIRE OF

Fee received: $ .........

Schedule 3
City/Town/Shire of ........

Health Act 1911

NOTICE OF CHANGE OF OWNER OF A LODGING-HOUSE

To: Chief Executive/ ...... Clerk
City/Town/Shire of ........

I/We, ....................

(Full name of Applicant/s)

of ................................

(Residential address of Applicant/s)

am/are the new owners of premises situated at ....................

which are registered in the name of ....................

for the carrying on of the lodging-house business.

(Signature of applicant/s)

(Date)
Schedule 4
City/Town/Shire of ........
Health Act 1911
(section 157)

REGISTER OF LODGERS

Location of lodging-house:

<table>
<thead>
<tr>
<th>Date of Arrival</th>
<th>Name</th>
<th>Previous Address</th>
<th>Signature</th>
<th>Room No.</th>
<th>Date of Departure</th>
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</table>

Schedule 5
City/Town/Shire of ........
Health Act 1911

LIST OF LODGERS

Chief Executive/ ...... Clerk
City/Town/Shire of ........

The following is the name of every person who resided in the lodging-house at ........

on the ........ day of ........ 19 ......

(Signed) ................................
(Keeper)

Date: .....................

Schedule 6
City/Town/Shire of ........
Health Act 1911

CERTIFICATE OF SLEEPING ACCOMMODATION

To: ......................................
(Name of keeper)

of ......................................
(Address of keeper)

For the registered lodging-house situated at ........................................

This room, No. ......., can be used as a sleeping apartment (for sleeping purposes only) to accommodate not more than .... persons at any one time.

Date: ..............................

(Signed) ................................
(Environmental Health Officer)
Schedule 7

City/Town/Shire of . . . . . . .

Health Act 1911

CERTIFICATE OF SLEEPING ACCOMMODATION FOR A LODGING-HOUSE WITH MORE THAN 20 SLEEPING APARTMENTS

To: .................................................................

(Name of keeper)

of ..............................................................

(Address of keeper)

For the registered lodging-house situated at ........................................

The rooms listed below are not to be occupied by more than the number of lodgers or residents indicated below at any one time.

ROOM NUMBER: ..........................................

MAXIMUM OCCUPANCY: ....................................

Date: ..............................

(Signed) ....................................................

(Environmental Health Officer)

Schedule 8

City/Town/Shire of . . . . . . .

Health Act 1911

PRESCRIBED FEES

For the registration, or the renewal of the registration, of a lodging-house........ $ ...........

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.

HE401

HEALTH ACT 1911

LOCAL HEALTH AUTHORITY ANALYTICAL COMMITTEE APPOINTMENTS INSTRUMENT 1994

Made by the Minister for Health.

Citation
1. This instrument may be cited as the Local Health Authority Analytical Committee Appointments Instrument 1994.

Appointment of member
2. Pursuant to section 247A (3) (b) Peter Guy Pearson is appointed to be a member of the Local Health Authority Analytical Committee, for the period ending 14 September 1997.

PETER FOSS, Minister for Health.