

# Rooming House Strategy



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**Responsible Department: Strategic Development**

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## Executive Summary

The City of Casey endorsed the *Rooming Houses Key Issues Paper (KIP)* in March 2012, which identified the extent of the housing problem in Casey. A lack of supply and declining affordability of rental housing leading to a bottleneck at the lower end of the housing market, forcing low income households, and even some moderate income households, out of private rental housing was identified. As a response, rooming houses are being used as an alternative form of accommodation and are increasing in supply.

The KIP showed that the profile of residents using rooming houses was diversifying and included groups, such as single and dual parent families, people with physical and mental health issues and elderly persons, forced into rooming houses because of the lack of other, more appropriate alternatives. There was also a concern that rooming house rents are costly for residents.

Through the KIP, a series of principles have been developed to guide the vision and objectives for rooming houses in Casey. These principles set out Council's policy position that whilst rooming houses are not a favoured part of Casey's housing market, they are necessary, at least in the short term, to provide accommodation for those who are unable to access more permanent and appropriate alternatives.

Council's primary role in relation to rooming houses is to regulate and enforce planning, building and health requirements as outlined by State Government legislation. Council also has a role in advocating on behalf of the community and their needs for safe, secure, clean and affordable forms of housing. As such, the objectives and policy directions of the Rooming House Strategy have been grouped into two main categories:

- » Governance-based directions - where Council will make improvements to its regulation and enforcement of rooming houses, and,
- » Advocacy-based directions - where Council will seek improvements by other responsible groups to provide better options for low cost and rooming house accommodation in Casey.

An implementation strategy identifies how these objectives and policy directions will be achieved within a 5 year time frame. A number of high priority actions that have been achieved in the short term (within 18 months) include:

- » The preparation and exhibition of Amendment C165 to the Casey Planning Scheme to introduce the Shared Accommodation, which will:
  - » outline locational, size and design requirements for rooming houses and other forms of shared accommodation not addressed elsewhere in the planning scheme
  - » require large rooming house proposals to assess potential social and health impacts and
  - » require new medium and large rooming houses to provide Council with information on proposed management structures.

- » To review the Casey Housing Diversity Statement 2011 to include objectives about encouraging increased supply of low cost housing in Casey.
- » To prepare an internal operational procedure that addresses all aspects of Casey's enforcement of rooming houses including planning, building and health.

The Rooming House Strategy will also be reviewed bi-annually and evaluated on the basis of the original project objectives concerning:

- » Identifying and addressing social, environmental, economic and cultural impacts.
- » Coordinating the varied roles of Council in enforcing rooming houses.
- » Managing community and stakeholder expectations for rooming houses.
- » Developing local policy to guide the design, development and monitoring of rooming houses in Casey.

The Rooming Houses Strategy has been developed as a reference document to provide background and other information which has been used in part to prepare the Shared Accommodation Policy, which does not implement all of the principles or content of this reference document.

## 1 Introduction

The City of Casey endorsed the *Rooming Houses Key Issues Paper (KIP)* in March 2012, which identified a number of key factors that contributed to an increased use of rooming house accommodation in Casey by a widening profile of residents, including pensioners and elderly people, families with young children, people with physical and mental health issues and recent arrivals.

The KIP identified a decline in private rental housing supply and affordability in the previous years, resulting in low and moderate income earners are being forced out of the private rental housing market and into accommodation types like rooming houses, thus increasing the supply of rooming houses in Casey.

However, as the KIP identified, rooming houses are not always appropriate for resident needs and not always affordable to rent. The location of rooming houses also contributes to further disadvantaging residents who may require access to public transport, affordable food, education or work, health care and financial and social support in addition to those listed above.

Rooming house operators must meet a number of legislative requirements for rooming houses under 4 Acts of Parliament. The City of Casey is responsible for enforcing requirements under the *Planning and Environment Act 1987 (P&E Act)* for planning permission; the *Public Health and Wellbeing Act 2008 (PH&W Act)* for registration of rooming houses and enforcement of health and wellbeing requirements; and the *Building Act 1993* for building and safety requirements. Consumer Affairs Victoria is responsible for enforcing requirements under the fourth Act which is the *Residential Tenancies Act 1997 (RT Act)*. The KIP identified the complexities in the legislative process, particularly amongst the components administered by Council.

The City of Casey has prepared this Rooming Houses Strategy to:

- » Improve its own processes in registering and enforcing obligations in respect of rooming houses in the municipality.
- » Consider the types, quality and supply of rooming house accommodation available in Casey for people who cannot afford or access private rental housing.
- » Guide the planning and design of future development of rooming houses in Casey.

The Rooming Houses Strategy is informed by the Rooming Houses Key Issues Paper. The Rooming Houses Strategy includes policy directions and implementation actions to be carried out over a five year period. A Local Planning Policy to be included in the Casey Planning Scheme is one of implementation actions of the Rooming Houses Strategy and will be prepared alongside the development of the Rooming Houses Strategy.

## 2 Background

### 2.1 The Housing Market in Casey

The City of Casey's residential profile has started to significantly diversify with groups such as empty nesters and retirees, singles and couples without children, single parents, young professionals and students requiring different and typically smaller types of homes. This differs from the decades long predominate housing stock in Casey of a "family type" single dwelling on a lot with a double garage, backyard and three or more bedrooms.

There has been a decline in the affordability of Casey's housing market, adding further pressure on households, particularly those with low or single incomes and/ or are forced into housing that is beyond their means due to the lack of any suitable alternative. Anecdotal evidence suggests that the proportion of rental housing (within total housing stock) has dropped, despite more than 2,000 new homes being added to Casey's total housing stock each year.

Such a decline creates bottlenecks in the housing system, pushing many low income households out of the private rental housing market and into other forms of accommodation such as rooming houses. The number of rooming houses in Casey doubled between 2010 and 2012, in direct response to the breakdown of the housing system, particularly the lack of private rental housing in Casey.

However, rooming houses are not always affordable with circumstances of where the rent of one room within a rooming house is not much less than the price to rent an entire home. Many rooming house residents will not be able to move on to more permanent and appropriate accommodation because they cannot save sufficient money for a bond and are not eligible for Bond Assistance.

### 2.2 Legislative and Policy Context

All three tiers of Government have some role in addressing housing affordability and rooming houses in Australia. The Commonwealth of Australia regulates the Australian Tax System, provides funding and income assistance to deliver public housing and not-for-profit stock and provides incomes assistance for individuals and families from Centrelink.

The Federal and State Governments influence the National Affordable Housing Agreement. The Federal and State Governments have both previously facilitated a number of funding initiatives such as the Nation Building Economic Stimulus Package and the National Rental Affordability Scheme.

The Victorian State Government has a direct role in the delivery of public and social housing (including some community managed rooming houses), planning for housing growth in the private market and regulating and enforcing appropriate planning, building, health, tenancy and equity outcomes relating to housing and personal health, safety and wellbeing.

In 2008, the Government introduced the Public Health and Wellbeing Act 2008 that replaced the Health Act 1958. The Public Health and Wellbeing Regulations, introduced in 2009, carried the same definition for a rooming house as the Residential Tenancies Act 1997.

In 2011, the State Government introduced accessibility requirements in the Building Regulations, where all shared areas and at least one bedroom in a rooming house must be fully accessible for a person in a wheelchair. An accessible car space must also be provided.

Later in 2011, the State Government released a Regulatory Impact Statement which proposed to introduce additional amenity standards in the Residential Tenancies Act 1997, which came into effect on 31 May 2013.

The State Government also sought feedback in 2012 on proposed changes to the Victoria Planning Provisions, which seek to combine Clause 52.22 Crisis Accommodation, Clause 52.23 Shared Housing and Clause 52.24 Community Care Unit into a new Clause 52.22 Community Housing. The proposed changes introduced rooming houses as a form of shared housing and introduce a number of residential amenity, siting and car parking requirements. These proposed changes are still being considered by the State Government.

Local Government, such as the City of Casey is primarily responsible for enforcing the planning, building and health legislative requirements for rooming houses under the various Acts of Parliament. Local Government also has a role in developing local policies and strategies that are largely focused on advocacy. In a planning context, Council's local policies and strategies can guide planning and development within the municipality.

### **2.3 Community and Housing Profile**

The population of Casey is expected to increase by 200,000 people by 2036 with the majority of growth to occur in Cranbourne and Clyde. The two largest age groups (Children and older persons) are expected to grow significantly over the next 25 years.

The City of Casey has a very diverse culture, with over 150 cultures and 120 faiths represented across the municipality with a large number of recent arrival refugees, particularly from Afghanistan, Iraq, Myanmar (formerly Burma), Sri Lanka and Iran.

Casey's labour force is relatively low skilled, with the main employment industries being predominantly in low skill and in the goods and services sectors, and reliant on population growth to increase economic growth. More than half of the labour force has no qualifications, with less than 10% having higher education qualifications and a further 20% having vocational qualifications. Unemployment is at its highest in Doveton and Eumemmerring at 11%, much higher than the Metropolitan average. The result of this is that employment in Casey is very vulnerable to the down side of economic cycles.

Family households account for just over 60% of all households in Casey. Couples without children account for one quarter of households and lone person households account for 17% of households. On the other hand, dwellings with 3 or more bedrooms account for over 95% of all dwellings in Casey. Less than 1% of dwellings in Casey contain only one bedroom.

Rental housing supply is also declining particularly for 1 and 2 bedroom rental properties. In 2010, only 15.7% of new private rental lettings contained 2 bedrooms and no new lettings contained only 1 bedroom. Of greater concern is that there is only a \$50 average difference per week to rent a 3 bedroom house compared to a 2 bedroom house; and only \$10 average difference per week to rent a 2 bedroom house compared to a 2 bedroom flat. Research

suggests that a household would require between \$800 and \$1,000 per week in order to comfortably afford to rent a home in Casey.

Income levels, housing costs and housing stress in Casey are polarised with high income levels in areas like Lysterfield South and Berwick having reasonably high housing costs, but low rates of housing stress, and other areas like Doveton and Cranbourne having lower income levels and reasonably low housing costs, but incredibly high rates of housing stress. In these areas, housing stress is systemic and it is unlikely that stress levels will decrease over time.

Approximately 71% of private rental households in Casey are reliant on Commonwealth Rent Assistance to pay rent possibly people living in rooming houses. There are currently 25 registered rooming houses in the City of Casey and all are privately owned. Rooming houses are not evenly distributed across the municipality. Nine registered rooming houses are located in Berwick and four in Narre Warren and Narre Warren South. Only five registered rooming houses are located in the southern part of the municipality in Cranbourne.

## 2.4 Summary of Key Issues

The KIP identified a number of key issues which have been addressed through this Rooming Houses Strategy.

- » There are vulnerable groups living in rooming houses that should be living in more appropriate and suitable accommodation, particularly families with young children, women escaping domestic violence, people with chronic health and mental health issues, the elderly and recent arrivals.
- » The residential status of refugees and asylum seekers often prevents them from accessing private rental housing because they cannot access employment or supported incomes.
- » Living in a rooming house is not always affordable, particularly for those who are completely reliant on supported incomes, such as pensions.
- » People in rooming houses need easy access to public transport, affordable food, affordable health care, Centrelink and support services.
- » People living in rooming houses often fear for their health and safety in part to due to increased likelihoods of conflicts caused by unsuitable tenant mixes and dominate individuals or groups claiming ownership over communal areas and fear being evicted, particularly if there is no alternative.
- » There are no best models of operation for private rooming houses, including varied tenancy agreements. Residents may have lease agreements, meaning they fall under the main part of the Residential Tenancies Act 1997. Some residents are also told they are being housed in crisis/emergency accommodation thereby reducing their tenancy rights.
- » The definition of a rooming house and how it operates differs across legislation and Council officer responsibilities. The definition of a rooming house in the Public Health and Wellbeing Act 2008 has been aligned to the definition in the Residential Tenancies

Act 1997, whilst, there is no definition for a rooming house nor its design, location and size in the Planning and Environment Act 1987 or the Victoria Planning Provisions. Similarly, building and amenity standards in the RTA can be assessed by Council's Municipal Building Surveyor; however, Council does not have the authority to enforce the Residential Tenancies Act 1997.

- » Changes in legislation, such as in the RTA have created limited opportunities to create a rooming house in an existing residential dwelling, leading to more purpose-built premises, and a potential increase in the number of unregistered rooming houses across Casey to avoid building requirements. It is noted that Council supports the proposed changes to equitably provide accommodation for everyone in Casey (including people with special needs) and that the challenge lies in adequately supplying accommodation for Casey residents.
- » Whilst legislation has been amended to make it more difficult for operators to escape registration, loopholes still exist to avoid registration. It is often difficult to identify a rooming house, and for housing referral and support agencies to identify whether a known rooming house is registered or unregistered. Whilst Council is required to maintain a public record of all registered rooming houses, information sharing between Council and agencies could be improved.
- » Rooming house residents often only seek information about their rights and responsibilities reactively. Attempts to proactively provide information for residents is not often utilised. Both rooming house operators and residents with language barriers often face difficulty understanding their rights and responsibilities. Written material is often not useful if people are illiterate in their own language. Consumer Affairs Victoria is preparing audio material in a number of languages. Knowledge that these resources are available remains an issue.
- » Fears from the broader community often relate to the background of rooming house residents, the safety of the neighbourhood and the value of property in the neighbourhood.
- » Community housing providers are struggling to commit to new projects without substantial financial assistance.

### 3 Rooming House Policy

#### 3.1 What is a rooming house?

The City of Casey takes its definition for a rooming house from the Public Health and Wellbeing Act 2008 for 'prescribed accommodation':

*Any of the following which is prescribed, or is of a class which is prescribed accommodation*

- (i) *any area of land which a person or persons are frequently, intermittently or seasonally permitted to use for camping on payment of consideration and any facilities provided on the land for the use of that person or persons*
- (ii) *any premises used as a place of abode, whether temporary or permanent, fixed or mobile, where a person or persons can be accommodated on payment of consideration*
- (iii) *any accommodation provided to an employee in accordance with a term of an award governing the employment of the employee, or a term of the employee's contract of service, for use by the employee during that employment or service. (S3, PHWA).*

Rooming houses are further defined by the Public Health and Wellbeing Regulations 2009 as:

*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 that room or those rooms is not less than 4. (Reg 4, PHWR).*

Whilst Council takes this definition of a rooming house, it is noted that the following limitations exist:

- » A rooming house accommodating less than 4 persons will still need to meet Council's Building requirements, but not Planning or Health requirements.
- » A rooming house with 10 or less habitable rooms does not necessarily need to meet Council's Planning requirements and apply for a planning permit.
- » Other forms of housing that may appear to qualify for exemption of registration as a rooming house or prescribed accommodation may not meet the requirements for exemption.

Rooming houses will be considered on the basis of these limitations.

#### 3.2 The Study

The Rooming Houses Strategy is informed by the Rooming Houses Key Issues Paper. The key components of policy development thus far include:

- » Research and literature review.
- » An analysis of the historic and forecast demographic trends in the City of Casey.

- » An analysis of the historic and forecast housing trends in the City of Casey.
- » Consultation with a range of stakeholders, including State Government and a range of departments within Council, local housing referral agencies, social support agencies and legal agencies, rooming house operators, industry representatives, real estate agents, rooming house residents and the broader community.
- » Workshops and review with the members of the Rooming House Policy Steering Group.

### 3.3 Key Milestones

The Key Milestones of the project are outlined below:

Milestone	Status
Legislation and policy research	Completed
Prepare a policy structure	Completed
Undertake consultation and prepare Key Issues Paper	Completed
Prepare Rooming Houses Strategy	Completed
Finalise Rooming Houses Strategy and commence preparation of the Local Planning Policy	Completed
Exhibit and Adopt Shared Accommodation Local Planning Policy	Completed.

### 3.4 Principles

The Rooming Houses Strategy is guided by a number of principles that outline Council's role in relation to rooming houses, its views on the rooming sector and its position on what can be reasonably achieved by the City of Casey.

**Principle 1:** Council's two key priorities for rooming house residents in Casey are based on 'harm minimisation principles', whereby residents are neither put in danger nor exploited in the market.

**Principle 2:** Council's role in relation to rooming houses is as a regulator of legislated requirements and as an advocate to improve the access to and supply of affordable accommodation to meet the needs of its community. It is the role of the Federal Government to provide funding/grant schemes for public/affordable/social housing and the role of the State Government to fund, deliver and facilitate delivery of public/affordable/social housing.

**Principle 3:** It is Council's view that the number of private rooming houses in Casey is increasing as a result of the failure of the private rental market to adequately supply affordable accommodation to low income households, including singles, couples and

families. Rooming houses fill a gap in supply of accommodation in Casey, but they are not always affordable for low income households.

**Principle 4:** It is Council's view that rooming houses are not an appropriate form of accommodation for some particularly vulnerable groups in the community, including families with young children, women escaping domestic violence, people with chronic health or mental health issues and the elderly. Council recognises that often there are no alternative options for accommodation available to these groups, who should be given priority.

**Principle 5:** It is Council's view that rooming houses should provide only short-term accommodation on the basis that tertiary homelessness includes people who have been living in a rooming house for more than 12 weeks. People should be able to move on from rooming house accommodation to something more permanent. Council does however recognise that some people choose to live in a rooming house.

**Principle 6:** Council recognises the demand for affordable/rooming house accommodation cannot be fully supplied by the Government and Not-For-Profit sectors.

**Principle 7:** Council recognises that a balance must be struck between improving the quality of private rooming houses with maintaining supply and keeping costs down.

The vision, objectives, policy directions and actions of the Rooming Houses Strategy are guided by these seven principles.

## 4 Vision and Objectives

Council's vision for rooming houses is that all rooming houses in Casey are operating in accordance with all relevant legislation and that there is adequate supply of safe, secure and clean accommodation that meets the needs of Casey rooming house residents.

In recent years, declining affordability in Casey has caused blockages at the bottom end of the housing market that have pushed many low and even moderate income earners out of the home buyers' market and often out of the limited private rental housing market in Casey as well. The result is that the profile of people moving into rooming houses is diversifying and now includes groups that are not necessarily suited to rooming house accommodation whose housing options are significantly constrained. As such, Council's vision for low cost housing in Casey is that there is adequate supply of a range of low cost housing types to meet the needs of Casey residents.

### 4.1 Objectives

The objectives for rooming houses in Casey are:

- » To meet all legislative requirements in a consistent, coordinated and rigorous way (Governance improvements).
- » To provide for a greater diversity of all housing types across Casey to meet the needs of all members of the community (Housing diversity).
- » To achieve best practice design and operation of rooming houses in Casey to allow residents to live in dignified and respectful circumstances (Housing with dignity and respect).
- » To ensure the regulatory framework for rooming houses is improved to provide appropriate and safe accommodation for residents (Regulatory improvements).
- » To support the various stakeholders involved in rooming houses (Stakeholder support).
- » To fully understand the needs and complexities of housing supply for the lowest socio-economic groups within the City of Casey (Further research).

## 5 Policy Directions

Each objective for rooming houses includes a number of policy directions to achieve the objectives. The policy directions are separated by those that are Governance-based directions and will improve the way in which Council meets its legislative requirements for rooming houses (section 5.1), and by those that are advocacy-based directions, where Council will seek others to make improvements to their operations and responsibilities relating to rooming houses and other forms of low cost accommodation in Casey (sections 5.2 – 5.6).

### 5.1 Governance improvements

- (a) Council will prepare the Shared Accommodation Policy to be included in the Casey Planning Scheme to include requirements to:
  - » Locate larger facilities close to shops, public transport, and community and recreation facilities.
  - » Meet the needs of intended residents including those with particular needs.
  - » Ensure residents have convenient access to well designed, safe, functional and well maintained communal areas.
  - » External architectural and urban design recommendations.
  - » A requirement for a Management Plan, Social Impact Assessment and/or Traffic Impact Assessment for facilities above 30 habitable rooms, or at the Council's request.
  - » Require notification of rooming house applications to local community support agencies.
- (b) Council will develop an operational procedure that will outline how Council will enforce the various aspects of rooming houses required through planning, building and health in a coordinated and consistent way. The operational procedure will include:
  - » Preferred practices for coordinated inspections and enforcement of rooming houses in Casey.
  - » A checklist of items to be assessed during inspections and who is responsible for enforcing such items.
  - » Timeframes in which to issue notices and elevate enforcement of non-compliant rooming houses.
  - » A Memorandum of Understanding between Council and key stakeholders (including but not limited to Department of Human Services, Department of Health, Consumer Affairs Victoria, housing referral agencies and local community and social support services), which will outline how Council will notify relevant parties prior to enforcing the closure of a rooming house.

- » A process to identify unregistered or non-compliant rooming houses in Casey in collaboration with other relevant partners.
- (c) Council will investigate the feasibility to establish one point of contact within Council to coordinate the regulatory process for rooming houses and to take enquiries from residents, educate operators and liaise with relevant government agencies.
- (d) Council will investigate how the fee structures of registration and penalties can be used to encourage registration and compliance, which should be done sensitively to ensure that this does not negatively impact on residents.

## 5.2 Housing diversity

- (a) Advocate for increased supply of public housing, social housing and emergency/crisis accommodation in Casey.
- (b) Amend the Casey Housing Diversity Statement 2011 (an advocacy document) to include objectives on increasing the supply of affordable rental housing in Casey and promote the revised Statement amongst the development industry and not-for-profit housing sector.
- (c) Facilitate partnerships between developers/builders and the not-for-profit housing sector who wish to develop affordable rental housing projects in Casey.
- (d) Advocate to the Federal and State Governments to reintroduce and improve funding streams that increase the supply of long-term affordable private rental housing.

## 5.3 Housing with dignity and respect

- (a) Council will promote the benefits of registration to operators.
- (b) Council will promote the Running A Better Rooming House: A Best Practice Handbook for Operators (RAAV, 2011) to rooming house operators, including encouraging operators to interview prospective rooming house residents to ensure that they will get along with existing residents.
- (c) Council will advocate to the State Government to include strategies in the Victoria Planning Provisions to encourage new rooming house proposals that require a planning permit to provide a greater supply of communal facilities than what is outlined in the minimum standards.

## 5.4 Regulatory improvements

- (a) Council will advocate to the State Government to improve the consistency of the whole regulatory framework for rooming houses.
- (b) Advocate to the State Government to introduce a Particular Provision (in the Victoria Planning Provisions) relating to rooming houses.

- (c) Seek cross-Government agreement to determine who rooming houses are appropriate/not appropriate for and that commitment and adequate investment is made to provide accommodation to fill the gap.
- (d) Seek State-wide agreement between Governments and agencies that refer clients to rooming house accommodation to ensure that referral processes prioritise the health and safety of clients.
- (e) Advocate to the State Government to establish a licensing system for operators as described in recommendation 15 in the Rooming House Standards Taskforce Chairperson's Report (2009).

### **5.5 Stakeholder support**

- (a) Seek cross-organisational support to improve information sharing in correctly identifying registered and unregistered rooming houses.
- (b) Seek the State Government to lead an inter-agency promotion campaign to provide information about rights and responsibilities to rooming house owners/operators and residents; and to increase awareness in the broader community.

### **5.6 Further research**

- (a) Council will continue ongoing research to understand the socio-economic circumstances of the Casey housing market.

## 6 Implementation, Monitoring and Review

Implementation of the objectives and policy directions of the Rooming Houses Strategy is expected to take place over a five year time frame. The Rooming Houses Strategy will need to be monitored and reviewed over time to ensure that it keeps pace with the issues, concerns, challenges and opportunities for rooming houses within the City of Casey.

### 6.1 Implementation Structure

The Implementation Strategy (in section 6.3) has been prepared in consultation with other Council departments and the Rooming House Policy Steering Group members. Feedback from the public consultation that informed the Rooming Houses Key Issues Paper has also been taken into consideration.

The Implementation Strategy groups actions to deliver the objectives and policy directions into four project themes:

- » Planning Policy.
- » Governance.
- » Casey's Housing Needs.
- » Running a Rooming House in Casey.

The actions are prioritised based on whether there is an immediate need to address the actions and/or the amount of time required to achieve the action. The priorities include:

- » Short term – to be achieved within 18 months of the Rooming House Strategy being finalised.
- » Medium term – to be achieved within 18 months – 3 years of the Rooming House Strategy being finalised.
- » Long term – to be achieved within 3 – 5 years of the Rooming House Strategy being finalised.
- » Ongoing – where there is no identified time frame, or where multiple opportunities may arise to fulfil the action.

### 6.2 Monitoring and Review

The Rooming Houses Strategy should be regularly monitored to ensure that the issues, concerns, challenges and opportunities identified within the strategy remain current and up to date. The Strategy should be formally reviewed by Council every 2 years.

Members of the Rooming House Policy Steering Group will also be used as an informal reference group to provide ongoing assistance and advice to Council on matters relating to rooming houses in the City of Casey.

### 6.3 Evaluation

The Rooming Houses Strategy will be evaluated on the basis of the original project objectives (the Key Performance Indicators). The Key Performance Indicators are:

- » Identify the social, environmental, economic and cultural impacts surrounding rooming houses and encourage/support the positive impacts and minimise the negative impacts.
- » Establish approaches in which Council can address the identified impacts of rooming houses that affect rooming house residents and the broader Casey community.
- » Identify and coordinate the roles of Council in relation to the various legislative and policy requirements for rooming houses.
- » Identify and manage the expectations of the Casey community and relevant stakeholders with regards to the development and operation of rooming houses in Casey.
- » Establish local policy to guide the design, development and monitoring of rooming houses in the City of Casey.

### Implementation Strategy

Project Theme	Project Description	Strategy	Priority/timing/duration
<b>Planning Policy</b>	Adopt Amendment C165 to the Casey Planning Scheme to introduce the Shared Accommodation Local Planning Policy to address Rooming Houses and other forms of Shared Housing.	5.1(a)	Short term
	Following the introduction of the Shared Accommodation Policy, prepare a pro forma Management Plan and Social Impact Assessment to be used to demonstrate Council's expectations for both documents.	5.1(a)	Medium term
	Prepare and exhibit an amendment to the <i>Casey Housing Diversity Statement 2011</i> .	5.2(b)	Short term
	Advocate to the Minister for Planning to introduce greater objectives and control for rooming houses in the Victoria Planning Provisions.	5.3(c), 5.4(d)	Short term/Ongoing
<b>Governance</b>	Prepare an Operational Procedure that addresses all aspects of Casey's enforcement of rooming houses in consultation with the Building Department, Planning Department and the Environmental Health Team.	5.1(b)	Short term
	Assesses the feasibility of appoint one point of contact within Council. The report should: <ul style="list-style-type: none"> <li>Identify and assess any issues in Council's current processes to address and manage enforcement of rooming houses.</li> <li>Determine whether one point of contact is required and if so, can it be filled by a current position within the organisation or whether a new position should be created.</li> <li>Identify the types of responsibilities of this position.</li> <li>A draft Position Description if the assessment finds that a position is required.</li> </ul>	5.1(c)	Medium term

Project Theme	Project Description	Strategy	Priority/timing/duration
	<p>Investigate how rooming house registration fees and penalties can be used to encourage registration. The report should:</p> <ul style="list-style-type: none"> <li>• Identify and assess how fees and penalties are established.</li> <li>• Assess whether (and how) cost structures should be altered on the basis of making registration more financially attractive than penalty fees.</li> <li>• If the assessment finds that cost structures could be altered, a recommended way forward should be prepared.</li> </ul>	5.1(d)	Long term
	<p>Prepare submissions to upcoming changes to State legislation or regulations that will impact rooming house enforcement on the basis of:</p> <ul style="list-style-type: none"> <li>• Improving the consistency across the regulatory framework,</li> <li>• Improving the connections between relevant legislation,</li> <li>• Improving the ability for Council to enforce rooming houses,</li> <li>• Reducing complexity of legislation, and</li> <li>• Improving the outcomes for rooming house residents.</li> <li>• Introducing, where appropriate, regulations or guidelines that specify who should/shouldn't be living in a rooming house.</li> <li>• Introducing, where appropriate, regulations or guidelines that specify that the health and safety of those seeking accommodation via housing referral agencies is the highest priority.</li> <li>• Introducing a licensing system for operators.</li> </ul>	5.4(a), 5.4(c), 5.4(d), 5.4(e)	Ongoing
	<p>Establish a forum for housing referral agencies in Casey so they can access a current list of the registered rooming houses to make Council aware of unregistered rooming houses.</p>	5.5(a)	Long term

Project Theme	Project Description	Strategy	Priority/timing/duration
<b>Casey's Housing Needs</b>	Identify and bring together developers, builders and not-for-profit housing providers who wish to develop affordable or social housing in Casey.	5.2(c), 5.2(d)	Ongoing
<b>Running a Rooming House in Casey</b>	Improve information available on Council's website for rooming house operators and residents and for the broader community, including linking to Consumer Affairs Victoria's and Registered Accommodation Association of Victoria's websites.	5.3(a), 5.3(b), 5.5(a), 5.5(b)	Short term/Ongoing
	Provide information to new rooming house operators upon receipt of registration, including a copy of <i>Running A Better Rooming House: A Best Practice Handbook for Operators</i> (RAAV, 2011).	5.3(a), 5.3(b)	Medium term
	Hold a forum with rooming house operators to provide information on regulatory rights and responsibilities and on ways to improve the operation of a rooming house in Casey.	5.3(a), 5.3(b)	Medium term
	Write to the Minister for Consumer Affairs to establish an inter-agency promotion campaign to provide information to rooming house owners/operators and residents and the broader community.	5.5(b)	Short term

## Appendices

### Appendix 1: Summary of requirements and guidelines for rooming houses in Casey.

#### ESTABLISHING A ROOMING HOUSE

##### *State Legislative Requirements*

- » Locate in an area mainly used for housing (P&EA)
- » Locate in dwellings or residential buildings. Can also be in other buildings (BA)
- » Must be registered with Council if 4 or more persons are accommodated (PHWA)
- » Must obtain necessary planning and building permits that may be required (P&EA, BA)
- » Must meet minimum building, health and safety standards (PHWA, BA)

##### *City of Casey Policy Requirements (Shared Accommodation Policy)*

- » Locate rooming houses in areas where there is convenient access to community and retail facilities and services and adequately serviced public transport.
- » Preferably locate rooming houses on main roads.
- » Avoid concentrations of rooming houses in one area.
- » Large rooming houses must demonstrate a positive health and social outcome for future residents and the broader community.

##### *RAAV Best Practice Guidelines (Running a Better Rooming House)*

- » Locate near shops, education (for students) and transport.
- » Locate near a Laundromat if no laundry facilities are available in the rooming house.

#### OPERATION

##### *State Legislative Requirements*

- » Must have a list of house rules prominently displayed in the rooming house (RTA)
- » Operator has a duty of care to the residents of the rooming house (RTA)
- » Must ensure that a resident's valuables are protected (RTA)
- » Must repair all urgent repairs immediately and all non-urgent repairs within 14 days of a resident complaint (through Notice to Owner of a Rooming House form) (RTA)
- » Will be required (as of 31 May 2013) to:
  - » Obtain and keep record of gas safety check (every 2 years) and electrical safety check (every 5 years), performed by licensed tradesperson
  - » Have an approved evacuation diagram prominently displayed in the rooming house (RTA)

### **City of Casey Policy Requirements (Rooming House Policy)**

- » Rooming houses containing more than 30 habitable rooms or at the request of the City of Casey will be required to demonstrate how the facility will be managed.

### **RAAV Best Practice Guidelines (Running a Better Rooming House)**

- » Ban excessive noise, littering and loitering.
- » Manage visitors by establishing visiting hours, providing a sign-in register; establish processes whereby residents cannot enter without a resident, etc.
- » Determine early on if children are going to be allowed to live in the rooming house and if so, how to manage their safety (physical environment, other residents, seek advice from Child FIRST service or DHS Child Protection Line).
- » Include neighbours in the operation of a rooming house (e.g. provide a copy of house rules, contact number of operator/manager, show notices that may be issued to residents, explain laws).
- » Identify complex issues of residents (e.g. alcohol usage, mental health issues, etc.) and prepare an action plan if problems arise or a case worker is required.
- » Develop relationships with police, fire stations, ambulance, medical services and other services to identify procedures for emergency response.
- » Manage resident disputes quickly and effectively.
- » Develop a business plan which includes information about the person or company operating the rooming house, the details of the rooming house (location, type of building, types of residents that can be accommodated), Council approval(s) obtained or being sought, action plan(s) to implement key outcomes of a SWOT analysis.
- » Consider employing a manager or lead tenant.
- » Consider requiring Working with Children Checks for employed managers or lead tenants if children are to enter the rooming house (as residents or visitors).
- » Undertake regular safety checks, maintenance, pest control, etc.
- » Prepare a fire and evacuation manual.
- » Fix problems early so they don't become major problems.
- » Prepare a room after a resident leaves (steam clean carpets and mattresses, professional cleaning, repairs and repaint if required).
- » Establish a simple income and expense budget to include establishment costs, income and an annual operating budget.
- » Minimise costs to help profitability (utilities and consumption, solar energy, doing own cleaning).

- » Install separate meters where possible for safety and so residents are responsible for their own energy consumption.

## **BUILDING, HEALTH AND SAFETY STANDARDS**

### ***State Legislative Requirements***

- » Must have adequate and well-maintained hard-wired smoke alarms (BA)
- » May be required to have sprinkler systems or firefighting services and equipment (BA)
- » May be required to have bushfire protection measures (BA)
- » Operator must ensure all rooms and communal areas are in a clean and well-maintained condition (PHWA)
- » If bed linen is supplied it must be changed weekly (PHWA)
- » All areas must be in good working order and in a clean and hygienic condition (PHWA)
- » Rooms must be fully cleaned before re-use by another resident (PHWA)
- » Must have an approved sewerage/effluent treatment or disposal system (PHWA)
- » Must have vermin-proof bins that are regularly cleaned (PHWA)
- » Must have regular rubbish collection (PHWA)
- » Must have adequate supply of drinking water (PHWA)
- » Must have consistent and flowing supply of hot and cold water in kitchens, bathrooms, toilets and laundries (PHWA)
- » All power outlets and electrical circuits must be connected to approved circuit breakers and switchboard-type residual current devices (BA)
- » Minimum bedroom sizes are based on number of occupants and length of stay (+/- 31 days) (PHWA)
- » Minimum provision of toilet and bathroom facilities and 1 to 10 residents (PHWA)
- » Will be required (as of 31 May 2013) to:
  - » Have natural or artificial light in all internal rooms, corridors and hallways
  - » Have ventilation for habitable rooms, bathrooms, shower rooms, toilets and laundries
  - » Maintain gas and electrical safety checks
  - » Doors to residents' rooms to be fitted with a lock that is operated by a key from the outside and can be unlocked from the inside without a key
  - » Provide at least 2 working power outlets in residents' rooms

- » Provide window coverings for residents' rooms that provides privacy and can be opened and closed by the resident
- » Privacy latches to be fitted in all shared bathrooms and toilets
- » Provide access for all residents to food preparation facilities
- » Provide minimum provisions for food preparation areas including cook-tops, refrigerators and lockable storage area
- » Provide minimum provision of dining areas
- » Provide minimum provision for laundry areas including clothes line or clothes drying facilities
- » Main entrance door to be lockable and fitted with a window/peephole or intercom system
- » External windows must be able to be opened and stay securely open or closed without a key (RTA)

#### ***City of Casey Policy Requirements (Shared Accommodation Policy)***

- » Rooming houses that require a planning permit will need to demonstrate how the facility responds to:
  - » Siting and design standards
  - » Amenity requirements
  - » Management requirements

#### ***RAAV Best Practice Guidelines (Running a Better Rooming House)***

- » Quarantine bedding brought into the rooming house for 8 weeks to avoid bed bugs, or enclose in mattress protectors.
- » Provide sufficient toilet and bathroom facilities for residents.
- » Manage and monitor common areas.
- » Consider installing security cameras in common areas to monitor issues such as theft and unauthorised entry to the rooming house.
- » Maintain a good external appearance of the rooming house.

## TENACY

### *State Legislative Requirements*

- » If vacancy in a rooming house is advertised, the facility must be advertised as a rooming house.
- » Rooming house residents and operators have rights and responsibilities under the rooming house part (Part 3) of the *Residential Tenancies Act 1997* (RTA)
- » If a rooming house resident has a valid tenancy agreement, the rights and responsibilities of the resident and operator fall under the main part (Part 2) of the *Residential Tenancies Act 1997* (RTA)
- » A resident who is living in a rooming house for the purposes of temporary crisis accommodation has no rights under the *Residential Tenancies Act 1997*, whereby temporary crisis accommodation means accommodation provided on a non-profit basis for less than 14 days (RTA)
- » Under the rooming house part (Part 3) of the Act:
  - » There are requirements about how far in advance rent can be required, operator rights for late rent payments, receipt/recording requirements, how often rents can be increased and requirements for rents to be decreased if services cease or room capacity increases
  - » There are requirements about exclusive and shared room rights
  - » There are notice requirements about residents leaving the rooming house
  - » There are requirements about when an operator can enter a resident's room
  - » A Bond cannot be charged without a valid tenancy agreement
  - » A resident's belongings cannot be kept/sold in lieu of unpaid rent (RTA)

### *City of Casey Policy Requirements (Shared Accommodation Policy)*

- » Nil

### *RAAV Best Practice Guidelines (Running a Better Rooming House)*

- » Suggestion that the operator develops relationships with agencies that refer clients to rooming houses for accommodation.
- » Suggestion to interview prospective residents to get the right mix of people who have common interests and to screen residents to check whether they would be suited to rooming house living.
- » Suggestion to become familiar with residents and their needs.
- » Recommendation to become registered to be able to access CentrePay, where rents can be transferred directly from the resident's bank account into the operator's account.

- » Recommendation to provide welcome packs to new residents that includes information about the house rules, the rights and responsibilities of residents and information about the local area.
- » Assist residents to make appointments with health and support services.
- » Plan events where health and support service providers can come to the rooming house to talk with residents.
- » Provide a map with local services including affordable food, etc.
- » Arrange regular reviews of the resident's performance and encourage agencies (who refer clients to the rooming house) to take some responsibility and ongoing interest after the placement of their client.
- » Establish a process for making sure that residents receive their mail in a timely and direct way that maintains their privacy.

## ENFORCEMENT

### *State Legislative Requirements*

- » Council's Municipal Building Surveyor or a person appointed as a building surveyor under the *Building Act 1993* can carry out powers of entry under the Act to inspect a building during reasonable daylight hours with the consent of the owner/occupier (not less than 24 hours before entering the building) or with a search warrant (BA)
- » A Municipal Building Surveyor may enter a building at any time without consent or a search warrant if the safety of the public or occupants is at risk, or if there is an emergency order applying to the land (BA)
- » Council's Environmental Health Officer/s can carry out powers of entry under the *Public Health and Wellbeing Act 2008* to inspect a building/premises during reasonable daylight hours with the consent of the owner/occupier (PHWA)
- » An Environmental Health Officer may enter the land around the premises for the purposes of contacting the occupier (PHWA)
- » An Environmental Health Officer may enter (without consent from the owner/occupier) a building believed to be used for the provision of prescribed accommodation or if there is believed on reasonable grounds to be an immediate risk to public health (PHWA)
- » Any officer authorised by Council under Section 133 of the *Planning and Environment Act 1987* may enter any land at any reasonable time to carry out and enforce this Act, the regulations, a planning scheme (Casey Planning Scheme), a permit condition, an enforcement order or an agreement under Section 173 of this Act; or to find out whether any of them have been or is being contravened. In doing so, an officer must get the consent of the owner/occupier to enter the land, or give 2 clear days' notice, or obtain a warrant in accordance with the Act (P&EA)

- » Officers from Consumer Affairs Victoria are authorised to enforce the requirements of the *Residential Tenancies Act 1997* (RTA)
- » Victoria Police may accompany all officers in carrying out powers of entry under the relevant Act (All)
- » It is an offense to impersonate or hinder an officer under the relevant Act (All)
- » All officers must carry an identity card that includes a photograph, their name and a statement that they are an authorised officer appointed under the relevant Act. All officers must show their identity card upon entry to a building and whenever requested (All)
- » All officers must announce that they are an authorised officer under the relevant legislation prior to entering a building (All)

#### ***City of Casey Policy Requirements (Shared Accommodation Policy)***

- » As per the legal framework of the Planning and Environment Act 1987, authorised officers may enter land at any time to carry out and enforce the Shared Accommodation Policy or investigate a contravention to the policy after the Planning Scheme Amendment to introduce the policy is approved by the Minister for Planning and is gazetted.

#### ***RAAV Best Practice Guidelines (Running a Better Rooming House)***

- » Nil

**Appendix 2: Accommodation-related land use analysis of ‘prescribed accommodation’ – rooming house**

Accommodation Type	Planning permit requirements	Public Health and Wellbeing Registration requirements	Does the Shared Accommodation Policy apply?
Accommodation	Use and development in all circumstances.	Dependent on more specified use.	Dependent on more specified use.
Backpacker’s lodge	All new structures. Existing residential buildings, where: <ul style="list-style-type: none"> <li>• the use will have more than 10 habitable rooms, and/or</li> <li>• the associated buildings and works require a permit (section 2), and/or</li> <li>• the existing use does not have a current permit.</li> </ul>	Registration as ‘prescribed accommodation’ if able to accommodate 4 or more persons.	Backpacker’s lodges provide accommodation away from a person’s primary residence. If the facility provides primary residence, it could be operating as another use, such as a rooming house. The use must be changed to accurately reflect the operation of the facility.
Bed and breakfast	Use that can accommodate more than 10 persons. Use seeking dispensation on car parking. Use and Development if over 2 metres at ground floor level in Commercial 1 Zone.	Registration as ‘prescribed accommodation’ if able to accommodate more than 5 persons other than the family of the proprietor.	Bed and breakfasts provide accommodation away from a person’s primary residence. If the facility provides primary residence, it could be operating as another use, such as a rooming house. The use must be changed to accurately reflect the operation of the facility.
Boarding house	All new structures (unless meeting 52.22, 52.23 or 52.24). Existing residential buildings, where: <ul style="list-style-type: none"> <li>• the use will have more than 10 habitable rooms, and/or</li> <li>• the associated buildings and works require a permit (section 2), and/or</li> <li>• the existing use does not have a current permit.</li> </ul>	Registration as ‘prescribed accommodation’ (rooming house) if able to accommodate 4 or more persons.	Boarding house is not defined in the <i>Public Health and Wellbeing Act 2008</i> and it is considered that the definition of a rooming house is its best fit. Therefore, the Shared Accommodation Policy applies.

Accommodation Type	Planning permit requirements	Public Health and Wellbeing Registration requirements	Does the Shared Accommodation Policy apply?
Camping and caravan park	Use and development in all circumstances.	Exempt from registration if land contains moveable dwellings or structures other than a tent, caravan or a vehicle which is designed to be moved from place to place for occupation on payment of consideration.	Whilst camping and caravan parks occasionally provide accommodation to the target market segment for the Shared Accommodation Policy the requirements and design standards are already governed by other legislation. Therefore, the Shared Accommodation Policy does not apply.
Caretaker's house	<p>Use and development in all circumstances if located in Low Density Residential Zone (LDRZ).</p> <p>Use and development if there is more than one dwelling on a lot if located in the General Residential 1 Zone (GRZ1) and the Residential Growth Zone (RGZ).</p> <p>Use and Development if over 2 metres at ground floor level in Commercial 1 Zone.</p>	Registration as 'prescribed accommodation' exempt if the building is self-contained and is under the exclusive occupation of the owner/occupier.	Caretaker's houses are generally self-contained dwellings for the exclusive occupation of the caretaker. As such, the Shared Accommodation Policy does not apply.
Community care unit	<p>Only operates within the bounds of Clause 52.24 (permit exemption), whereby:</p> <ul style="list-style-type: none"> <li>• The building or buildings are used for services funded by the Department of Human Services in self-contained accommodation, and</li> <li>• The building or buildings are in an area or zone mainly used for housing and no more than 20 clients plus supervisory staff are accommodated on the site.</li> </ul>	<p>Exempt from registration if:</p> <ul style="list-style-type: none"> <li>• Personal or nursing care is provided, where the care is funded with specified State and Commonwealth funding, or</li> <li>• The use provides an approved mental health service under the <i>Mental Health Act 1986</i>, or</li> <li>• The use provides an approved residential service under the <i>Disability Act 2006</i>, or</li> <li>• The use provides an approved secure welfare service under the <i>Children, Youth and Families Act 2005</i>, or</li> <li>• The use provides support services under the <i>Residential Tenancies Act 1997</i>.</li> </ul>	Providing that the use is operating in accordance with the permit and registration exemptions, the Shared Accommodation Policy does not apply.

Accommodation Type	Planning permit requirements	Public Health and Wellbeing Registration requirements	Does the Shared Accommodation Policy apply?
Corrective institution	<p>Use and development in all circumstances.</p> <p>Use is prohibited in the Commercial 1 Zone (C1Z).</p>	<p>Use not relevant to the <i>Public Health and Wellbeing Act 2008</i>.</p>	<p>Corrective institutions are governed by other legislation. Therefore, the Shared Accommodation Policy does not apply.</p>
Crisis accommodation	<p>Only operates within the bounds of Clause 52.22 (permit exemption), whereby:</p> <ul style="list-style-type: none"> <li>• The use provides temporary crisis accommodation, and</li> <li>• The building or buildings are in an area or zone mainly used for housing, and</li> <li>• The development provides self-contained accommodation with up to 10 habitable rooms.</li> </ul>	<p>Exempt from registration if accommodation is provided on a non-profit basis by an agency which receives homelessness support funding from the Victorian Government.</p>	<p>As the <i>Planning and Environment Act 1987</i> does not state who must provide crisis accommodation, accommodation that is provided by a person or agency not receiving homelessness support funding, or accommodation that is provided for profit will need to be registered as 'prescribed accommodation' and the Shared Accommodation Policy applies.</p>
Dependent person's unit	<p>Must be a moveable dwelling.</p> <p>Use and development if located in Mixed Use Zone (MUZ)</p> <p>Use and Development if second unit on the lot in the Residential Growth Zone (RGZ), General Residential 1 Zone (GRZ1) and Low Density Residential Zone (LDRZ).</p> <p>Use and Development if over 2 metres at ground floor level in Commercial 1 Zone.</p>	<p>Registration as 'prescribed accommodation' exempt if the building is self-contained and is under the exclusive occupation of the owner/occupier.</p>	<p>Dependent person's units are generally self-contained dwellings for the exclusive occupation of the owner/occupier. As such, the Shared Accommodation Policy does not apply.</p>

Accommodation Type	Planning permit requirements	Public Health and Wellbeing Registration requirements	Does the Shared Accommodation Policy apply?
Dwelling	<p>Use and development if there is more than one dwelling on a lot if located in the General Residential 1 Zone (GRZ1) and the Residential Growth Zone (RGZ).</p> <p>Use and Development if over 2 metres at ground floor level in Commercial 1 Zone.</p> <p>Development if a lot is less than 300sqm.</p>	Registration as 'prescribed accommodation' exempt if the building is self-contained and is under the exclusive occupation of the owner/occupier.	A dwelling must be self-contained and under the exclusive occupation of the owner/occupier. As such, the Shared Accommodation Policy does not apply.
Government funded social housing	Permit applications for developments funded under the Commonwealth Nation Building Economic Stimulus Plan are to be lodged with the Minister for Planning and must include all application requirements outlined in Clause 52.41.	Registration exempt if provided by a service agency for the purposes of delivering support services under the <i>Residential Tenancies Act 1997</i> .	Providing that the use is operating in accordance with the permit requirements and registration exemptions, the Shared Accommodation Policy does not apply.
Group accommodation	Use and development in all circumstances.	Registration as 'prescribed accommodation' exempt if the building is self-contained and is under the exclusive occupation of the owner/occupier.	Group accommodation includes land, in one ownership, containing a number of dwellings used to accommodate persons away from their normal place of residence. Provided that this is correct, the Shared Accommodation Policy does not apply.
Hostel	Use and development in all circumstances.	Registration as 'prescribed accommodation' (hostel) if accommodating 4 or more persons.	If meeting the planning and health requirements in accordance with the defined use, the Shared Accommodation Policy does not apply.
Host farm	Use and development in all circumstances.	Registration as 'prescribed accommodation' if able to accommodate more than 5 persons other than the family of the proprietor.	A host farm is used to provide accommodation for persons away from their usual resident to experience farm living. The Shared Accommodation Policy does not apply.

Accommodation Type	Planning permit requirements	Public Health and Wellbeing Registration requirements	Does the Shared Accommodation Policy apply?
Hotel	Use and development in all circumstances.	If providing accommodation for 4 or more persons, registration as 'prescribed accommodation' (hotel) is required.	If meeting the planning and health requirements in accordance with the defined use, the Shared Accommodation Policy does not apply.
Motel	Use and development in all circumstances.	Registration as 'prescribed accommodation' (motel) if accommodating 4 or more persons.	If meeting the planning and health requirements in accordance with the defined use, the Shared Accommodation Policy does not apply.
Nurses' home	Use and development in all circumstances.	Registration as 'prescribed accommodation' exempt if the building is self-contained and is under the exclusive occupation of the owner/occupier.	Nurses' homes are generally self-contained dwellings for the exclusive occupation of the owner/occupier. As such, the Shared Accommodation Policy does not apply.
Nursing home	Use and development only if located in Low Density Residential Zone (LDRZ).	Exempt from registration if provided within the meaning of nursing home under the <i>National Health Act 1953</i> .	If meeting the planning and health requirements in accordance with the defined use, the Shared Accommodation Policy does not apply.
Residential aged care facility	Use and development only if located in Low Density Residential Zone (LDRZ).	Registration as 'prescribed accommodation' exempt if meeting requirements of exemption for nursing home or retirement village.	If meeting the planning and health requirements in accordance with the defined use, the Shared Accommodation Policy does not apply.
Residential building	Use and development in all circumstances.	Dependent on more specified use.	Dependent on more specified use.
Residential college	Use and development in all circumstances.	Registration as 'prescribed accommodation' (student dormitory) if the use is controlled by or operated under an arrangement with an education institution. If not, registration as 'prescribed accommodation' (rooming house) may apply.	If registration as 'prescribed accommodation' (rooming house) is required, the Shared Accommodation Policy applies.

Accommodation Type	Planning permit requirements	Public Health and Wellbeing Registration requirements	Does the Shared Accommodation Policy apply?
Residential hotel	Use and development in all circumstances.	If providing accommodation for 4 or more persons, registration as 'prescribed accommodation' (hotel) is required.	If meeting the planning and health requirements in accordance with the defined use, the Shared Accommodation Policy does not apply.
Residential village	Use and development in all circumstances.	Registration is dependent on more specified use.	Dependent on more specified use.
Retirement village	Use and development in all circumstances.	Exempt from registration if retirement village is operating within the meaning of the <i>Retirement Villages Act 1986</i> .	If meeting the planning and health requirements in accordance with the defined use, the Shared Accommodation Policy does not apply.
Rooming house	<p>All new structures (unless meeting 52.22, 52.23 or 52.24).</p> <p>Existing residential buildings, where:</p> <ul style="list-style-type: none"> <li>• the use will have more than 10 habitable rooms, and/or</li> <li>• the associated buildings and works require a permit (section 2), and/or</li> <li>• the existing use does not have a current permit.</li> </ul>	Registration as 'prescribed accommodation' (rooming house) if able to accommodate 4 or more persons.	The Shared Accommodation Policy applies to all rooming houses requiring a planning permit.

Accommodation Type	Planning permit requirements	Public Health and Wellbeing Registration requirements	Does the Shared Accommodation Policy apply?
Shared housing	<p>Only operates within the bounds of Clause 52.23 (permit extension), whereby:</p> <ul style="list-style-type: none"> <li>• The use provides a building, including outbuildings normal to a dwelling, to house a person or people and any dependents or 2 or more people, and</li> <li>• The buildings or buildings are in an area mainly used for housing, and</li> <li>• The development provides self-contained accommodation and does not have more than 10 habitable rooms.</li> </ul>	<p>Registration as ‘prescribed accommodation’ if able to accommodate 4 or more persons, unless meeting exemptions under Regulation 14 of the <i>Public Health and Wellbeing Regulations 2009</i>.</p>	<p>It is likely that shared housing may require registration as a rooming house. If so, the Shared Accommodation Policy applies.</p>
Student housing	<p>Use and development in all circumstances.</p>	<p>Registration as ‘prescribed accommodation’ (student dormitory) if the use is controlled by or operated under an arrangement with an education institution. If not, registration as ‘prescribed accommodation’ (rooming house) may apply.</p>	<p>If registration as ‘prescribed accommodation’ (rooming house) is required, the Shared Accommodation Policy applies.</p>

## Glossary of Terms

Affordable Housing	Housing available to low income households (the bottom 40% of the income distribution) at less than 30% of the household income.
Boarding House	<i>See Rooming House.</i>
Crisis/Emergency Accommodation	Temporary accommodation provided on a not-for-profit basis by an agency which receives homelessness support funding from the State Government.
Financial Stress	The situation in which households who pay a high proportion of the household income on housing costs, including mortgage/rent, utility bills. Other household costs such as transport, education, healthcare and groceries also contribute.
Homelessness	A situation in which an individual does not have access to ongoing and secure accommodation. Primary homelessness describes a situation where a person is without conventional accommodation, such as living on the streets, sleeping in parks, squatting in derelict buildings or living in improvised dwellings such as sheds, garages, cabins, cars or railway carriages. Secondary homelessness describes a situation where a persons frequently moves from one form of temporary shelter to another, including people staying in a rooming house for less than twelve weeks. Tertiary homelessness describes a situation where a person is living in a rooming house for more than twelve weeks.
Housing Affordability	Housing that is generally available to all households at less than 30% of the household income.
Housing Diversity	The range of housing available to a local community by housing type, form, functionality and tenure.
Housing Stress	A situation in which a household is paying more than 30% of the household income on housing costs. Also defined as mortgage stress and rental stress.
Low Income Household	A household with a combined gross income of less than \$500 per week.
Mortgage Stress	A situation in which a household is paying more than 30% of the household income on the mortgage. Rates of mortgage stress are usually compared to other households paying a mortgage.

Prescribed Accommodation	A term used in the <i>Public Health and Wellbeing Act 2008</i> to describe the forms of accommodation covered by the Act and that require registration with Council. Under the Act, prescribed accommodation means any premises used as a place of abode, whether temporary or permanent, fixed or mobile, where a person or persons can be accommodated on payment of consideration.
Public Housing	Housing that is funded by the Government and is available to eligible recipients.
Rental Stress	A situation in which a household is paying more than 30% of the household income on rent. Rates of rental stress are usually compared to other households paying rent, often those in private rental housing.
Rooming House	<p>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 that room or those rooms is not less than four. Common characteristics of rooming houses include:</p> <p>Primarily single room accommodation.</p> <p>Shared access to common facilities such as bathrooms, kitchens, laundries and living areas.</p> <p>No formal supports are present on the premises.</p> <p>The owner and their family generally do not live on the premises.</p> <p>Increasingly used by long-term homeless people or those in housing crisis.</p>
Shared Housing	<p>Generally defined by the City of Casey to include housing where some amenities are shared between unrelated residents, such as rooming houses, emergency/crisis housing, student housing and hostels.</p> <p>Shared housing in the <i>Casey Planning Scheme</i> is defined as a building, including outbuildings normal to a dwelling, to house a person, people and any dependents or two or more people (including people with intellectual disabilities), where the total number of habitable rooms does not exceed ten.</p>
Social Housing	Housing that is owned and managed by housing associations or providers and is in part funded by Government means and directed towards eligible recipients.

Student Housing	Housing specifically provided for students. Student housing that is associated with a recognised education institution is exempt from registration as prescribed accommodation under the <i>Public Health and Wellbeing Act 2008</i> .
Vacancy Rate	A measure to assess the availability of rental properties in an area. Low vacancy rates suggest strong rental sales due to pressure from demand.

## Reference List

- City of Casey (2011) *Casey Housing Diversity Statement*. City of Casey, Narre Warren
- City of Casey (2012) *Casey Planning Scheme*. Victorian Government, Melbourne
- City of Casey (2012) *Meeting the needs of disadvantaged members of the community: submission to the proposed changes to the Victoria Planning Provisions*. City of Casey, Narre Warren
- City of Casey (2012) *Rooming Houses Key Issues Paper*. City of Casey, Narre Warren
- Registered Accommodation Association of Victoria (2011) *Running A Better Rooming House: A Best Practice Handbook for Operators*. RAAV, North Melbourne
- Victorian Government (1993) *Building Act 1993*. Victorian Government, Melbourne
- Victorian Government (2006) *Building Regulations 2006*. Victorian Government, Melbourne
- Victorian Government (2012) *Meeting the needs of disadvantaged members of the community*. Victorian Government, Melbourne
- Victorian Government (1987) *Planning and Environment Act 1987*. Victorian Government, Melbourne
- Victorian Government (2008) *Public Health and Wellbeing Act 2008*. Victorian Government, Melbourne
- Victorian Government (2009) *Public Health and Wellbeing Regulations 2009*. Victorian Government, Melbourne

## 7 Definitions

<b>Council</b>	means Casey City Council, being a body corporate constituted as a municipal Council under the Local Government Act 1989
<b>Councillors</b>	means the individuals holding the office of a member of Casey City Council
<b>Council officer</b>	means the Chief Executive Officer and staff of Council appointed by the Chief Executive Officer.

## 8 Administrative Updates

It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this document, such a change may be made administratively. Examples include a change to the name of a Council department, a change to the name of a Federal or State Government department, and a minor update to legislation which does not have a material impact. However, any change or update which materially alters this document must be by resolution of Council.

### List of Amendments

<b><i>Date</i></b>	<b><i>Approving Authority</i></b>	<b><i>Description</i></b>