



1.0 AUTHORITY

- Council and Wellbeing Plan 2021-2025

2.0 INTENT

To provide a coordinated policy response and best practice approach to the development of a healthy and regulated rooming house sector and to improve housing justice outcomes on the Mornington Peninsula.

To provide a whole of Council response to relevant Federal, State and Local Government rooming house legislation and regulation.

To promote a best practice philosophy amongst current and potential rooming house operators and the wider community, in order to extend the provision of safe, affordable housing options on the Mornington Peninsula.

To recognise rooming houses as an essential element of a diversified housing system and provide leadership in planning and development to meet the needs of changing households.

This policy affirms Council's proactive role by defining an integrated approach to the development of a quality rooming house sector which will ensure that:

- Obligations to achieve compliance with legislated standards are met; and
- Council will work in partnership with the community to facilitate positive housing outcomes for some of its most disadvantaged residents.

3.0 SCOPE

This policy applies to all stakeholders in the rooming house sector within the Shire.

4.0 GOVERNANCE PRINCIPLES

Under the *Local Government Act 2020*, Council must give effect to the following overarching governance principles:

- Council decisions are to be made and actions taken in accordance with the relevant law;
- priority is to be given to achieving the best outcomes for the municipal community, including future generations;
- the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;
- innovation and continuous improvement is to be pursued;
- collaboration with other Councils and Governments and statutory bodies is to be sought;
- regional, state and national plans and policies are to be taken into account in strategic planning and decision making;
- the transparency of Council decisions, actions and information is to be ensured.

5.0 POLICY STATEMENT

5.1 Overview

Council acknowledges that access to safe, secure, affordable and appropriate housing is a basic human right. While Rooming Houses can provide affordable and safe accommodation for singles including



vulnerable and disadvantaged people, if not regulated and supported they can be detrimental to an individual's health and wellbeing and to the broader community.

In recent times Rooming House sector regulation has been significantly strengthened in response to the rapid growth of unregistered rooming house operators who often utilise physically and financially exploitative practices. Local Government has a social responsibility to residents and a critical role in compliance enforcement of both Environmental Health, Building and Planning regulations, and there can be significant consequences where these requirements are not met. Previous experience indicated a need for an integrated approach, given the complexity and lack of cohesion across regulatory frameworks, and the vulnerability of residents.

The supply of affordable and secure housing for single people on the Peninsula is inadequate, and support for quality and regulated rooming house sector can assist to address this gap.

5.2 This policy aims to:

- Provide a proactive and integrated approach to the rooming house sector through a collaborative response
- Respond to unregistered rooming house properties, and where appropriate, enact a response plan to minimise negative impacts on residents and tenants.
- Support the education of potential and existing rooming house operators about the legislative framework that governs the rooming house sector, and encourage best practice in the sector including, on-site managers and the need for management plans to take account of public health issues regarding the use of shared facilities.
- Promote the rights and responsibilities of residents and tenants in partnership with relevant agencies.
- Advocate to all stakeholders for continuous improvement in the rooming house sector, and community acceptance of a well-managed rooming house sector.
- Facilitate networking of housing and support agencies to provide integrated support for residents and tenants who are vulnerable and at risk.
- Encourage the development of new generation rooming houses with rooms that include kitchenettes and ensuites that promote a sense of both individual and community living in an affordable, safe and secure environment.
- Encourage the retention and, where appropriate, upgrade of existing rooming houses.

5.3 Procedure

- A working group of officers from the Shire teams listed below should be convened, as relevant, in responding to any report of an unlawful rooming house or other issue with an existing rooming house:
 - Environmental Health
 - Municipal Building
 - Social Planning and Community Development
 - Planning Compliance
 - Planning Services.
- Inspections of rooming houses and alleged unlawful rooming houses should be conducted in a safe and appropriate manner having regard to:
 - Conducting a risk assessment before inspection.
 - Where practicable, joint inspections being carried out in preference to multiple inspections by different officers or agencies.



- Inspection teams consisting of at least 2 officers, with preference for a male and female officer where individual room inspections are required.
- A Rooming House Closure Response plan should be prepared for any required closure to include:
 - Where practicable, coordination of actions between Shire teams.
 - Notification of the Lead Agency
 - A re-location and support plan to minimise risk for residents and tenants, in cooperation with housing support and health services.
- A rooming house may need to be closed immediately, imminently or in a planned manner. Each of those scenarios warrants its own type of individual closure response plan as shown below.
 - an immediate evacuation in response to an emergency event, such as a fire (in which case responses under the Municipal Emergency Management Plan will be enacted)
 - an imminent evacuation, because of the issue of an Emergency Order by Council requiring evacuation within a specific time, with notices served on the owner and the occupier.
 - a planned closure, unrelated to an emergency, such as the sale or change of use of the premises, or where the rooming house operator has initiated closure of the premises.

6.0 HUMAN RIGHTS CHARTER COMPATIBILITY

This policy has been assessed as being compatible with *the Charter of Human Rights and Responsibilities Act 2006 (Vic)*.

7.0 ASSOCIATED DOCUMENTS

- *Residential Tenancies Act 1997*
- Private Rooming Houses closure protocol – Department of Fairness, Family and Housing
- The Consumer Affairs Victoria website and hard copy guides that include:
 - Rooming houses: a guide for residents and operators
 - Rooming house licencing and registration
 - Reporting unregistered rooming houses – a guideline for real estate agents
 - Rooming house register

8.0 DEFINITIONS

Rooming House	Means 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 those rooms is not less than four or a building that has been declared as a rooming house under Section 19 of the <i>Residential Tenancies Act 1997</i> .
Response Plan	A plan developed in conjunction with a rooming house operator and other stakeholders where closure is required, in order to minimise harmful impacts to residents, the operator and neighbours during the process.



Lead agency	The lead Homelessness Service agency for the Shire contracted by the State Government Department of Health and Human Services (e.g. In 2023, The Salvation Army - Homelessness)
Tenant	A person who uses a rooming house by way of a Residential tenancy agreement under section 3 of the <i>Residential Tenancies Act, 1997</i> .
Resident	A person who rents a room in a rooming house as their only or main residence and who does not have a Residential tenancy agreement.

9.0 POLICY SPONSOR

The Manager Community Partnerships is responsible for overseeing the application and review of the Rooming House Policy.

10.0 DOCUMENT CONTROLS

Council will review the policy within four years or earlier as required.

10.1 Document Version Table

Summarise the key changes made to the document to provide a quick understanding of the updates.

Document Version Control				
Version	Section	Revision Description	Date Revised	Approved by
1				
2				

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 Shire department, the change to an existing policy or document referred to in this policy, and minor updates to legislation and the like which does not have a material impact. However, any change or update which materially alters the document must be by resolution of Council.