

Subordinate Local Law No. 7 (Rental Accommodation Other Than Shared Facility Accommodation) 2011

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Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 7 (Rental Accommodation Other Than Shared Facility Accommodation) 2011*.

2 Purpose and how it is to be achieved

- (1) The purpose of this subordinate local law is to supplement *Local Law No. 7 (Rental Accommodation Other Than Shared Facility Accommodation) 2011*, the purpose of which is to—
 - (a) ensure that rental accommodation other than excluded accommodation is maintained and operated to an acceptable standard; and
 - (b) ensure the health and wellbeing of the occupants of rental accommodation other than excluded accommodation.
- (2) The purpose is to be achieved by ensuring that the operation of rental accommodation (other than excluded accommodation)—
 - (a) protects the environment and public health, safety and amenity within the local government's area; and
 - (b) eliminates or reduces risks and threats to the environment and public health, safety and amenity; and
 - (c) complies with specified standards of hygiene and does not give rise to the spread of disease among people living in the rental accommodation.

3 Authorising local law

The making of the provisions in this subordinate local law is authorised by *Local Law No. 7 (Rental Accommodation Other Than Shared Facility Accommodation) 2011* (the *authorising local law*).

4 Definitions

- (1) Particular words used in this subordinate local law have the same meaning as provided for in the authorising local law.
- (2) The dictionary in the schedule defines particular words used in this subordinate local law.

Part 2 Minimum standards

5 Minimum standards for rental accommodation

- (1) For section 7(1) of the authorising local law, this section specifies the minimum standards to be complied with by a person who operates rental accommodation other than excluded accommodation.
- (2) A person who operates rental accommodation other than excluded accommodation

at premises must—

- (a) keep the premises free from—
 - (i) vermin, insects, nesting birds, bedbugs and lice; and
 - (ii) any other pests of a generally similar class specified in a written notice given by an authorised person to the operator of the premises; and
 - (b) regularly clean the premises; and
 - (c) fumigate or otherwise treat the premises to keep the premises free of pests; and
 - (d) at all times properly keep and maintain—
 - (i) all furniture, fittings, equipment and chattels used for the purposes of the operation of the rental accommodation at the premises; and
 - (ii) the premises in a clean, sanitary condition, and in a reasonable state of repair, including all drainage, plumbing and electrical fittings; and
 - (iii) the premises safe and free from refuse, waste, odours or any other matter which may directly or indirectly affect the health of the occupants, visitors or neighbours of the premises.
- (3) Where the operator of the rental accommodation supplies bedding or linen, the operator must ensure that—
- (a) all bedding and linen is clean; and
 - (b) linen provided to a person accommodated has been washed since it was last used.
- (4) Every mattress and pillow provided with the accommodation must be kept clean and free of pests.

Schedule Dictionary

Section 4(2)

local government public health risk has the meaning given in the *Public Health Act 2005*.

operator has the meaning given in *Local Law No. 7 (Rental Accommodation Other Than Shared Facility Accommodation) 2011*.

pest includes vermin and insects.

vermin means—

- (a) reptiles, bed bugs, lice, fleas, parasites and cockroaches; and
- (b) guinea pigs and other rodents capable of carrying or transmitting a notifiable disease; but
- (c) does not include—
 - (i) a protected animal within the meaning of the *Nature Conservation Act 1992*; or
 - (ii) a local government public health risk.

waste has the meaning given in the *Environmental Protection Act 1994*.

This and the preceding 3 pages bearing my initials is a certified copy of *Subordinate Local Law No. 7 (Rental Accommodation Other Than Shared Facility Accommodation) 2011* made in accordance with the provisions of the *Local Government Act 2009* by Mackay Regional Council by resolution dated the day of (*insert the date of the relevant resolution of Council*) 2011.

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Chief Executive Officer