

Alterations and extensions to health service establishments

PROCESS AND LICENSEE RESPONSIBILITIES

Advisory Notice 01/2021

January 2021

Licensees of facilities licensed under the *Health Service Establishments Act 2006* (the Act) have certain obligations when planning alterations or extensions to the establishment. Below is a summary of these obligations and processes as contained in the Act and the *Health Service Establishments Regulations 2011* (the Regulations). All licensees and managers should familiarise themselves with these requirements, and contact the Regulation, Licensing and Accreditation Unit if they have any questions.

1. I have an alteration/extension planned. Does it require Secretary approval?

If the alteration or extension to a licensed health service establishment requires a permit under the *Building Act 2016*, you must apply to the Secretary for approval.

2. When do I need to apply?

Applications for approval must be made to the Secretary at least 14 days before applying for a permit under the *Land Use Planning and Approvals Act 1993*; or if such a permit is not required, before an application under the *Building Act 2016* to a surveyor. If these timeframes are not met, a late application fee will apply.

3. How do I apply?

The application should indicate:

- 3.1. the purpose of the alteration/extension; and
- 3.2. any amendments to the licence that the applicant considers will be required:
 - I. during the construction works; or
 - II. as a result of the alteration or extension.
- 3.3. The application must be accompanied by the prescribed fee.¹ The Regulation, Licensing and Accreditation Unit will provide an invoice for the application fee.

4. What happens once my application is received?

- 4.1. On receipt of the application together with the prescribed fee, the Secretary may give 'in principle' approval to the alteration or extension and, if necessary, amend the licence to reflect the construction work to be undertaken; or refuse to approve the alteration or extension.
- 4.2. If 'in principle' approval is given the licensee, on completion of the alteration or extension, is to give the Secretary a copy of the certificate of completion (building work) under the *Building Act 2016* within 14 days of the certificate being issued under that section.

¹ Fees prescribed in regulation 14 of Part 2 of the *Health Service Establishment Regulations 2011*.
Regulation, Licensing and Accreditation Unit
Department of Health

- 4.3. On receipt of the certificate of completion (building work), and if the alteration or extension substantially complies with the application, the Secretary will endorse the licence and, if necessary, amend the licence to reflect the changes effected by the alteration or extension.

5. Are there any fees or penalties for failing to apply within the timeframe?

- 5.1. Material alterations or extensions made without prior 'in principle' approval of the Secretary may result in cancellation of the licence under section 30 of the Act.
- 5.2. Applications which do not meet the timeframes prescribed in section 20(3) of the Act may be subject to a late application fee.²

6. Questions and further information

For all questions or further information about alterations or extensions to licensed establishments, visit <https://www.dhhs.tas.gov.au/privatehealthregulation> or contact 6166 3856 | hselicensing@health.tas.gov.au

² Regulation 14A of Part 2 of the *Health Service Establishment Regulations 2011*.