



**Cassowary Coast Regional Council
Local Law No. 8
(Camping Grounds, Caravan Parks and Shared Facilities
Accommodation) 2022**

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Part 1 Preliminary

1 Short title

This local law may be cited as *Local Law No. 8 (Camping Grounds, Caravan Parks and Shared Facilities Accommodation) 2022*.

2 Purposes and how they are to be achieved

- (1) The purpose of this local law is to enable **Council** to regulate activities, that are not development, relating to public health and safety that occur in the **operation of camping grounds, caravan parks, and shared facilities accommodation**.
- (2) The local law seeks to protect people using the **camping grounds, caravan parks, and shared facilities accommodation** by providing for basic necessities, healthy and safe environs.
- (3) The purpose is to be achieved by making it an offence to conduct those activities inconsistently with the requirements of the local law or the conditions of any **permit** under it and to provide for an application and **permit** process.

3 Relationship with other laws

This local law is:

- (a) to be read in conjunction with *Local Law No.1 (Administration) 2022* which contains provisions and definitions that apply to all local laws;
- (b) made under Chapter 3 of the **LGA**;
- (c) otherwise in addition to, and does not derogate from, laws regulating land use planning and development assessment.

Part 2 Operation for which a permit is required

Division 1 Application of part

4 Application of Part

- (1) This part applies to all operators of **camping grounds, caravan parks, and shared facilities accommodation**.

Division 2 Prescribed activity

5 Prescribed activity

- (1) The **operation** of a **camping ground, caravan park, shared facilities accommodation**, or a combination of them, is a category 1 **prescribed activity**.
- (2) To obtain a **permit** an application must be made to **Council** on:
 - (a) [Approved Form 1.7: Application Information \(*What I want*\)](#); and
 - (b) [Approved Form 8.5: Operation of a Camping Ground, Caravan Park or Shared Facilities Accommodation](#).
- (3) A **permit** granted for a **shared facilities accommodation** is not transferable.

6 Activities that do not require a permit

The following **operation** of **camping grounds, caravan parks, and shared facilities accommodation** is not subject to the operation of this local law:

- (a) premises used to provide residential services, as defined in the *Residential Services (Accreditation) Act 2002*;
- (b) a residential tenancy under a residential tenancy agreement;
- (c) public housing as defined in the *Planning Act 2016*;
- (d) a home-based business as defined under the planning scheme where accommodation is provided;
For example- a bed and breakfast facility
- (e) a farm stay;
- (f) a hotel, motel, or resort complex as defined under the planning scheme where the right to occupy is given for less than 6 weeks;
- (g) a hospital, residential care facility, community residence, retirement facility, or other institution where people who require assistance or support with living needs or health services share communal spaces as defined under the planning scheme;
- (h) a residential college or boarding school;
- (i) a religious institution e.g. monastery;
- (j) a community title scheme as defined under the *Body Corporate and Community Management Act 1997*;
- (k) a dwelling house as defined under the planning scheme; or
- (l) detention facilities as defined under the planning scheme.

7 Additional criteria for the granting of a permit

- (1) **Council** must assess the application against the additional criteria.
- (2) The additional criteria are:

- (a) whether the application is consistent with the provisions of Council's planning scheme, any **development approval** issued for the site or any existing lawful use rights;
- (b) whether an **emergency management plan** has been put in place for a **caravan park** or **camping ground**; and
- (c) whether the development will be operated to a proper standard of hygiene, safety and comfort.

8 Conditions that must be imposed on a permit

- (1) The following type of conditions must be imposed on a **permit**, where applicable:
 - (a) ensure that the maximum number of people accommodated on sites or number of sites does not exceed the limit specified on any development approval or the number under an existing lawful use right;
 - (b) maintain all facilities in the development to a good standard of hygiene and safety;
 - (c) provide and maintain a current site plan identifying, as appropriate:
 - (i) all sites, bedrooms and beds;
 - (ii) communal facilities;
 - (iii) water tap access points and disposal points; and
 - (iv) communal areas;
 - (d) where any potable water used for the operation of the development is not town water supply, prepare a water quality management plan to the satisfaction of Council and each year provide to **Council** by the annual date provided in the **permit** evidence that the water quality management plan has been implemented in full and the water meets the Australian Drinking Water Guidelines (2011) standards for:
 - (i) *E. coli*;
 - (ii) pH; and
 - (iii) turbidity.
 - (e) provide appropriate facilities for collection, storage and disposal of **waste** or require people to remove their own **waste**;
 - (f) at all times keep the development, its buildings, ablution facilities and other facilities in a good state of repair and working order, clean, sanitary and safe conditions;
 - (g) ensure that all fixtures, equipment, fittings and furniture is kept in a good state of repair and working order;
 - (h) the **permit** must be displayed in a place that is clearly visible to people entering the **premises**;

- (i) keep an up-to-date register of all persons accommodated at the **premises**. Such register must have the occupants forwarding contact details, full name, address and site number, bed or bedroom allocated to the person (as appropriate) and the date of arrival and departure;
 - (j) comply with all requirements contained within the current fire safety report from Queensland Fire and Rescue Services and keep the plan available for inspection and provide a compliance report to **Council** on an annual basis;
 - (k) take all practical measures to control pests and include a pest management plan, incorporating the:
 - (i) prevention of introduction of pests;
 - (ii) maintenance required to prevent harbourage of pests;
 - (iii) procedures to monitor the detection of the presence of pests;
 - (iv) intervention strategies when pests are detected; and
 - (v) record keeping pertaining to the plan;
 - (l) ensure that all records and site plans are maintained and made available for perusal by an **authorised person** on request, and kept at the office at all times while the office is open in a fireproof safe located at the **premises** when the office is not open and saved and backed up electronically off site;
 - (m) maintain a clearly designated office;
 - (n) keep appropriate records for any swimming pool as required to ensure public health and safety;
 - (o) ensure that occupants can contact emergency services at all times;
 - (p) where bedding is supplied:
 - (i) keep bedding clean and in a sanitary condition; and
 - (ii) change and replace with clean bed linen whenever there is a change of occupation of the relevant accommodation on the site or at least once a week, whichever is the sooner;
 - (q) ensure every outlet that receives non-potable water displays a permanent, prominent and legible sign “UNSUITABLE FOR DRINKING”, and a pictogram depicting that the water is not suitable for drinking; and
 - (r) where a swimming pool is provided, it should comply with the Water quality guidelines for public aquatic facilities 2019.
- (2) For **caravan parks** only the following type of conditions must be imposed on a **permit**, where applicable:
- (a) ensure all sites are clearly numbered;

- (b) not locate or allow accommodation at any place within the **caravan park** other than on a site approved by **Council**;
 - (c) permit only one **caravan** on any site;
 - (d) maintain at least 3 metres of separation between each site and any building in the **caravan park**;
 - (e) maintain at least 1 metre of separation to each internal road frontage;
 - (f) maintain at least 6 metres of separation to each property boundary;
 - (g) in any case where 10 or more water closet fixtures are provided, ensure that at least 1 such water closet fixture and its compartment or cubicle is constructed, equipped and provided with access in accordance with AS1428, Code of Practice for Design Rules for Access by the Disabled;
 - (h) separate ablution facilities for each gender are to be provided and maintained in the ratio of 1 shower or bath and hand basin to every 15 sites;
 - (i) ensure all ablution facilities are constructed to ensure privacy;
 - (j) ensure each shower or bath facilities is installed:
 - (i) with separate drainage points for the discharge of water into the drainage system; and
Example where waste water does not pass from shower cubicle to shower cubicle
 - (ii) in a separate compartment or cubicle which is constructed to ensure privacy;
 - (k) provide and maintain a suitable method of waste water disposal;
 - (l) that an emergency management plan must be prepared to Australian Standards requiring amongst other matters, evacuation in the event of a cyclone;
 - (m) the maximum length of stay by a person at a **caravan park** will be 12 weeks, unless a condition of a **permit** expressly states otherwise or existing lawful use rights allow a longer stay. When calculating the length of stay any period of time, either side of a person ceasing to stay for less than 12 weeks (in any annual permit period) and then returning, will be accumulated in the calculation; and
 - (n) separate discharge points must be provided for waste cassettes where sewer is connected.
- (3) For **shared facilities accommodation** only the following type of conditions must be imposed on a **permit**, where applicable:
- (a) provide a set of bedding including sheets, sleeping envelopes and pillow case to each occupant on arrival at the accommodation premises;
 - (b) reside, or delegate an approved representative to reside, on the **premises** at all times;

- (c) keep a record of the number of the bedroom and bed allocated to each occupant;
 - (d) provide shared or communal areas and facilities and maintain such areas and facilities in a good condition;
 - (e) ensure all light fittings and other ceiling and wall projections (including ceiling and wall fans) are provided with safety guards or positioned so as not to be a danger to any occupants of a bedroom in the accommodation premises; and
 - (f) ensure all rooms are clearly numbered.
- (4) For **camping grounds** only the following type of conditions must be imposed on a **permit**, where applicable:
- (a) ensure all sites are clearly numbered;
 - (b) not locate or permit an accommodation at any place within the **camping ground** other than on a site approved by **Council**;
 - (c) the maximum length of stay by a person at the **camping ground** will be 7 days, unless a condition of a **permit** expressly states otherwise or existing lawful use rights allow a longer stay. When calculating the length of stay any period of time, either side of a person ceasing to stay for less than 7 days (in any annual permit period) and then returning, will be accumulated in the calculation;
 - (d) provide and maintain a suitable method of waste water disposal.
 - (e) ensure an adequate provision of ablution facilities are provided with a minimum of 1 water closet and pan for every 14 sites. When calculating sites where an accommodation is fitted with ablution facilities, provided for the exclusive use of the occupants they will be excluded from the calculation.
 - (f) where an accommodation or an RV is fitted with ablutionary facilities, provided for the exclusive use of the occupants they will be excluded from the calculation.
 - (g) in any case where 10 or more water closet fixtures are provided, ensure that at least 1 such water closet fixture and its compartment or cubicle is constructed, equipped and provided with access in accordance with AS1428, Code of Practice for Design Rules for Access by the Disabled;
 - (h) ensure every shower or bath is installed:
 - (i) with separate drainage points for the discharge of water into the drainage system; and
 - (ii) in a separate compartment or cubicle which is constructed so as to ensure privacy;
 - (i) ensure all ablution facilities are constructed so as to ensure privacy; and

- (j) separate ablution facilities for each gender are to be provided and maintained in the ratio of 1 shower or bath and hand basin to every 15 sites.

9 Conditions that will ordinarily be imposed on a permit

- (1) The following type of conditions will ordinarily be imposed on **permits**, where applicable:
 - (a) maintain buffer zones between accommodation sites and roads, external boundaries, and facilities on the **premises**;
 - (b) provide and maintain overhead and internal lighting in the **premises** for specified hours;
 - (c) require the operator to maintain the **premises** in such a manner so as not to inhibit the access, egress and transit through the **premises** by the emergency services and their vehicles, having regard to the minimum turning circles and height clearances of overhead structures;
 - (d) take out insurance in the name of the **permit holder** and **Council** to an amount commensurate with the risks involved in the activity, where the activity takes place on a local government-controlled area;
 - (e) provide and maintain an adequate supply of potable water;
 - (f) provide and maintain security to **Council** by way of bond bank guarantee or otherwise to secure performance of the conditions of the **permit**; and
 - (g) where managers accommodation is available on site, provide an on-site manager available at all times the development is operating, and have provision for emergency contact.
- (2) For **shared facilities accommodation** only the following type of conditions will ordinarily be imposed on **permits**, where applicable:
 - (a) ensure that no cooking or facilities for cooking are allowed in any bedroom;
 - (b) ensure that sleeping bags are not used to sleep on any bed;
 - (c) provide and maintain a secure, lockable storage area for the purpose of storing occupants' packs and luggage;
 - (d) ensure that in any bunk, the distance between the surface of:
 - (i) the lower bed and the base of the upper bed is at least 87cm; and
 - (ii) the upper bed and the ceiling is at least 100cm;
 - (e) provide and maintain adequate under cover dining room seating for a minimum of 33% of the maximum potential number of occupants;
 - (f) towels and bed linen supplied shall be replaced with clean towels and bed linen before a change of occupancy, or replaced every third day thereafter until occupancy has ceased; and

- (g) provide and maintain the following kitchen facilities to enable occupants to prepare a substantial meal:
 - (i) one hand wash basin, at least 11 litres in volume, with hot and cold water delivered through a common outlet in each kitchen;
 - (ii) refrigerator maintained to store food at a temperature of 5 degrees Celsius or less with space which is sufficient to meet the reasonable needs of the maximum potential number of occupants;
 - (iii) vermin proof dry food storage space which is sufficient to meet the reasonable needs of the maximum potential number of occupants; and
 - (iv) washing up sinks or dishwashers which are sufficient to meet the reasonable needs of the maximum potential number of occupants.
- (3) For **camping grounds** only the following type of conditions will ordinarily be imposed on a **permit**, where applicable:
 - (a) ensure an adequate number of laundry tubs, clothes lines and washing machines are available for guests, where an adequate number would mean at least 1 laundry tub, washing machine and 20 metres of clothes line are available for every 20 sites, other than for campsites.

CERTIFICATION

This and the preceding 8 pages bearing my initials is a certified copy of Cassowary Coast Regional Council *Local Law No. 8 (Camping Grounds, Caravan Parks, and Shared Facilities Accommodation) 2022* made in accordance with the provisions of the *Local Government Act 2009*, by Cassowary Coast Regional Council by resolution dated 28 July 2022.

A handwritten signature in black ink, appearing to read 'Andrew Graffen', is positioned above the printed name.

Andrew Graffen
Chief Executive Officer
Cassowary Coast Regional Council