



**Cairns Regional Council
Local Law No. 6
(Camping Grounds, Caravan Parks and Shared Facilities
Accommodation) 2016**

Current as at 1 March 2016

Cairns Regional Council

Local Law No. 6 (Camping Grounds, Caravan Parks and Shared Facilities Accommodation) 2016

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Part 1 Preliminary

1 Short title

This local law may be cited as *Local Law No. 6 (Camping Grounds, Caravan Parks and Shared Facilities Accommodation) 2016*.

2 Purposes and how they are to be achieved

- (1) The purpose of this local law is to enable the local government 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 approval under it and to provide for an application and approval process.

3 Relationship with other laws

This local law is:

- (a) to be read in conjunction with *Local Law No.1 (Administration) 2016* 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 does not apply to the local government, except that it must comply with the conditions under section 8 as if they were requirements, unless expressly excluded.
- (2) This part applies to all other 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 the local government on approved the approved forms required under *Local Law No. 1 (Administration) 2016* and this local law.
- (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 *Sustainable Planning Act 2009*;
- (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;
- (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;
- (l) premises in which the only accommodation provided is recreational accommodation for camps for school groups, girl guides, scouts or similar groups;
- (m) detention facilities as defined under the planning scheme.

7 Additional criteria for the granting of a permit

The following type of criteria must be considered for the granting of a permit:

- (a) whether the application is consistent with the provisions of local government's planning scheme, any development approval issued for the site or any existing lawful use rights; and
- (b) whether the development will be operated to a proper standard of hygiene, safety and comfort in the opinion of an authorised person.

8 Conditions that must be imposed on a permit

(1) The following type of conditions must be imposed on a permit for all prescribed activities under this local law:

- (a) ensure that the maximum number of people accommodated or 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) provide and maintain an adequate supply of water;
- (e) ensure an adequate supply of potable water is provided for the use of guests for drinking, cooking, cleaning and personal hygiene;
- (f) where any potable water used for the operation of the development is not town water supply, each year provide to council by the annual date provided in the permit evidence that the water meets the NH&MRC (2011) Guideline standards for:
 - (i) *E. coli*;
 - (ii) pH; and
 - (iii) turbidity.
- (g) provide appropriate facilities for collection, storage and disposal of waste;
- (h) at all times keep the development, its buildings, sanitary conveniences and other facilities in a good state of repair and working order, and clean, sanitary and safe conditions;
- (i) ensure that all fixtures, equipment, fittings and furniture is kept in a good state of repair and working order;

- (j) a notice advising of the conditions must be displayed at each public entrance to the development to which the conditions apply;
 - (k) except for a local government free camping ground, keep an up-to-date register of all persons accommodated at the development. 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;
 - (l) comply with all requirements contained within the current fire safety report from Queensland Fire and Rescue Services and keep the plan available for inspection;
 - (m) 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;
 - (n) except for a local government free camping ground, 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 development when the office is not open and saved and backed up electronically off site;
 - (o) except for a local government free camping ground, establish and maintain a clearly designated office;
 - (p) keep appropriate records for any swimming pool as required to ensure public health and safety;
 - (q) ensure that occupants can contact emergency services at all times; and
 - (r) 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.
- (2) For caravan parks only, the following type of conditions must also be imposed on a permit:
- (a) ensure all sites are clearly numbered;
 - (b) not locate or permit accommodation at any place within the caravan park other than on a site approved by the local government;

- (c) provide and maintain ground anchor points designed to withstand wind loads in accordance with AS/NZS 1170:2:2011 – Structural design actions part 2: Wind Actions to enable tie-down of caravans, mobile homes, temporary buildings or any other accommodation;
- (d) 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;
- (e) ensure an adequate provision of sanitary facilities in accordance with the table inserted below:

Up to 21 Sites	Either	Female - sanitary facilities	1 per 7 sites
		Male - sanitary facilities	1 per 10 sites
		Male - urinal	0.6m per 20 sites
	Or	Unisex sanitary facilities	1 per 7 sites
Over 21 sites		Female – sanitary facilities	(3 for up to 21) + 1 per 20 sites in excess of 21
		Male – sanitary facilities	(2 for up to 21) + 1 per 20 sites in excess of 21
	Either	Male - urinal	0.6m per 20 sites
	Or	Unisex – sanitary facilities	(3 for up to 21) + 1 per 20 sites in excess of 21

Where an accommodation is fitted with ablutionary facilities, provide for the exclusive use of the occupants they will be excluded from using the calculation in the table;

- (f) 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;
- (g) 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;
- (h) ensure all sanitary conveniences are constructed to ensure privacy;

- (i) ensure each shower or bath facilities 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 to ensure privacy;
 - (j) provide and maintain at a distance not more than 10 m from any site, a waste water disposal point which is:
 - (i) provided with a water tap; and
 - (ii) provided with an impervious paved area measuring not less than 1m x 1m and graded to a central drainage inlet which is connected to a sewerage or drainage system;
 - (k) 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 permit 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 and then returning, will be accumulated in the calculation.
- (3) For shared facilities accommodation only, the following type of conditions must also be imposed on a permit:
- (a) provide a set of clean sheets or clean sheet sleeping envelopes to each occupant on arrival at the accommodation premises;
 - (b) reside, or delegate an approved representative to reside, on the land at all times;
 - (c) provide shared or communal areas and facilities and maintain such areas and facilities in a good condition;
 - (d) 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
 - (e) ensure all rooms are clearly numbered.
- (4) For camping grounds only, the following type of conditions must also be imposed on a permit:
- (a) ensure all sites are clearly numbered;
 - (b) not locate or permit an accommodation to be located at any place within the camping ground other than on a site approved by the local government;
 - (c) the maximum length of stay by a person at the camping ground will be 12 weeks, unless a condition of a permit expressly states otherwise or existing lawful use rights permit 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 and then returning, will be accumulated in the calculation;

- (d) except for a local government free camping ground, 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;
- (e) provide and maintain at a distance not more than 10 metres from any site, a waste water disposal point which is:
 - (i) provided with a water tap; and
 - (ii) provided with an impervious paved area measuring not less than 1m x 1m and graded to a central drainage inlet which is connected to a sewerage or drainage system;
- (f) ensure an adequate provision of sanitary facilities are being provided and maintained in accordance with the table inserted below:

Up to 21 Sites	Either	Female - sanitary facilities	1 per 7 sites
		Male - sanitary facilities	1 per 10 sites
		Male - urinal	0.6m per 20 sites
	Or	Unisex sanitary facilities	1 per 7 sites
Over 21 sites		Female – sanitary facilities	(3 for up to 21) + 1 per 20 sites in excess of 21
		Male - sanitary facilities	(2 for up to 21) + 1 per 20 sites in excess of 21
	Either	Male - urinal	0.6m per 20 sites
	Or	Unisex – sanitary facilities	(3 for up to 21) + 1 per 20 sites in excess of 21

Where an accommodation is fitted with ablutionary facilities, provide for the exclusive use of the occupants they will be excluded from using the calculation in the table;

- (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 sanitary conveniences are constructed so as to ensure privacy;
- (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; and
- (k) ensure every outlet within the camping ground that receives non-potable water displays a permanent, prominent and legible sign “UNSUITABLE FOR DRINKING”.

9 Conditions that will ordinarily be imposed on a permit

- (1) The following type of conditions will ordinarily be imposed on permits where applicable, in the opinion of an authorised person:
 - (a) maintain buffer zones between accommodation sites and roads, external boundaries, or facilities on the development;
 - (b) provide and maintain overhead and internal lighting in the development for specified hours;
 - (c) require the operator to maintain the site in such a manner so as not to inhibit the access, egress and transit through the development of 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 local government to an amount commensurate with the risks involved in the activity;
 - (e) provide and maintain security to the local government by way of bond bank guarantee or otherwise to secure performance of the conditions of the permit; and
 - (f) 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 also be imposed on permits where applicable, in the opinion of an authorised person:

- (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 25% 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 with hot and cold water delivered through a common outlet in each kitchen;
 - (ii) refrigerator 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.

CERTIFICATION

This and the preceding 9 pages bearing my initials is a certified copy of Cairns Regional Council *Local Law No. 6 (Camping Grounds, Caravan Parks, and Shared Facilities Accommodation) 2016* made in accordance with the provisions of the *Local Government Act 2009*, by Cairns Regional Council by resolution dated 27 January 2016.

Peter Tabulo
Chief Executive Officer
Cairns Regional Council