

Gold Coast City Council



Subordinate Local Law No. 16.6 (Camping Areas) 2008

It is hereby certified that this is a true and correct copy of
Subordinate Local Law No. 16.6 (Camping Areas) 2008 made, in accordance with the
Local Government Act 1993, by the Council of the City of Gold Coast
Joe McCabe
Acting Chief Executive Officer

**Gold Coast City Council
Subordinate Local Law No. 16.6
(Camping Areas) 2008**

Summary of Provisions

Part 1	Preliminary	1
	1 Short title.....	1
	2 Authorising local law.....	1
	3 Object	1
	4 Definitions—the dictionary.....	1
Part 2	Licensing	1
	5 Requirement for a licence.....	1
	6 Application for a licence.....	1
	7 Deciding application for a licence	3
	8 Term of a licence	4
	9 Conditions of a licence	4
Part 3	Enforcement	12
	10 Records to be kept	12
	11 Inspection monitoring or management program.....	13
Schedule	Dictionary	14

Gold Coast City Council Subordinate Local Law No. 16.6 (Camping Areas) 2008

Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 16.6 (Camping Areas) 2008*.

2 Authorising local law

This subordinate local law is made pursuant to *Local Law No. 16 (Licensing) 2008*.

3 Object

The object of this subordinate local law is to assist in the implementation of *Local Law No. 16 (Licensing) 2008* by ensuring that the operation of a camping area—

- (a) complies with adequate standards of hygiene, sanitation and safety; and
- (b) does not give rise to a risk of spread of communicable diseases among people living in a camping area; and
- (c) complies with adequate standards of amenity.

4 Definitions—the dictionary

The dictionary in the Schedule (Dictionary) of this subordinate local law defines particular words used in this subordinate local law.

Part 2 Licensing

5 Requirement for a licence

For the purposes of section 5(3) (Requirement for a licence) of *Local Law No. 16 (Licensing) 2008*, a licence is not required for the operation of an exempt camping area.

6 Application for a licence

For the purposes of section 6(1)(c)(iv) (Application for a licence) of *Local Law No. 16 (Licensing) 2008*, an application for a licence for the operation of a camping area must, if required by the local government, be accompanied by—

- (a) the street address, real property description and details of the owner of the premises where the operation of a camping area is to be undertaken; and
- (b) the name, street address, telephone number, facsimile number and email address of the person who will be undertaking the operation of the camping area; and
- (c) trading name, street address, telephone number, facsimile number, email address, registered business name and Australian Company Name of the business under which the operation of the camping area is to be undertaken; and
- (d) a copy of the current registration certificate of any vehicle used in the operation of the camping area; and
- (e) a current certificate of compliance issued by the Queensland Fire and Rescue Service and an electrical safety certificate of compliance; and
- (f) a plan to scale and specifications of the operation of the camping area showing—
 - (i) a site plan; and
 - (ii) separation distances; and
 - (iii) the boundaries of the premises; and
 - (iv) the location and number of approved camping sites within the operation of the camping area; and
 - (v) the position of all buildings on the camping area; and
 - (vi) the water supply system; and
 - (vii) the sewerage system; and
 - (viii) the plumbing and drainage plan including water outlets; and
 - (ix) on-site sewerage facilities and the waste water disposal system; and
 - (x) the position of all garbage receptacles; and
 - (xi) fire safety installations; and
 - (xii) an electrical plan; and
 - (xiii) a floor plan of sanitary facilities; and

- (xiv) the location number and type of sanitary facilities; and
- (xv) the location and number of all other camping area or ancillary facilities; and
- (xvi) the on-site nightsoil discharge points or pump out facilities for self-contained recreation vehicles; and
- (g) details of the proposed inspection, monitoring and management programs; and
- (h) details of all public liability insurances held by the person operating the camping area; and
- (i) where the operation of the camping area is for the temporary on-site accommodation of an owner-builder or builder—
 - (i) verification that the applicant is an owner-builder or a builder who is a licensed builder; or
 - (ii) written confirmation that the applicant is subcontracting the work to a licensed builder under the applicant's supervision.

7 Deciding application for a licence

For the purposes of Schedule 2 (Dictionary) and section 7(2)(f) (Deciding application for a licence) of *Local Law No. 16 (Licensing) 2008* the local government must grant a licence for the operation of the camping area if satisfied that the operation of the camping area complies with the following assessment criteria—

- (a) The operation of the camping area can be lawfully conducted on the premises.
- (b) The matters which are the subject of the conditions specified in section 9 (Conditions of a licence) of this subordinate local law which are relevant to the operation of the camping area can be adequately addressed by the imposition of those conditions.
- (c) Where the operation of the camping area is for the temporary on-site accommodation of an owner-builder or builder—
 - (i) the camping area is located in the Rural or Park Living domains as specified in the local government's planning scheme; and
 - (ii) there is development approval for carrying out building work on the premises.

8 Term of a licence

For the purposes of section 8(1) (Term of a licence) of *Local Law No. 16 (Licensing) 2008*, where the operation of the camping area is for the temporary on-site accommodation of an owner builder or builder, the term of the licence expires 6 months from the date of issue.

9 Conditions of a licence

For the purposes of section 9(3) (Conditions of a licence) of *Local Law No. 16 (Licensing) 2008*, the local government may impose all or any of the following conditions on a licence for the operation of a camping area¹—

- (a) The operation of the camping area must not detrimentally affect the amenity of neighbouring premises.
- (b) The operation of the camping area must not—
 - (i) create a traffic problem; or
 - (ii) increase an existing traffic problem; or
 - (iii) detrimentally affect the efficiency of the existing road network.
- (c) The operation of the camping area must not constitute a risk to road safety.
- (d) The operation of the camping area including any premises, building, structure, vehicle, facility, equipment, fixtures, fittings and furniture must be maintained at all times—
 - (i) in good working order; and
 - (ii) in a good state of repair; and
 - (iii) in a clean, tidy, sanitary and hygienic condition.
- (e) A person must not camp in a place that is part of the operation of a camping area if that place is not nominated for that purpose in the licence.
- (f) The operation of the camping area must not cause an odour nuisance to neighbouring premises.

¹ This section prescribes, for the purposes of section 9(3) (Conditions of a licence) of *Local Law No. 16 (Licensing) 2008*, the conditions that will ordinarily be imposed in a licence. However, the local government may, pursuant to section 9(1) (Conditions of a licence) of *Local Law No. 16 (Licensing) 2008*, grant a licence on any conditions the local government considers appropriate.

- (g) The operation of the camping area must not constitute a nuisance under *Local Law No. 8 (Public Health, Safety and Amenity) 2008*.
- (h) Adequate car parking must be provided for all persons and the public involved in the operation of the camping area.
- (i) Adequate provision must be made for people and vehicles to safely enter and leave the camping area.
- (j) The grounds of the camping area must be maintained in a safe and tidy condition at all times.
- (k) Vehicles used in the camping area must—
 - (i) be kept in accordance with the local government's planning scheme; and
 - (ii) not be repaired or maintained on any premises other than in accordance with the planning scheme; and
 - (iii) be stored in a manner that does not cause a nuisance to adjoining premises.
- (l) All accessways and other areas to which the public has access within the camping area must be maintained in a clean, tidy, sanitary and hygienic condition at all times.
- (m) An extension telephone bell, open air address system or similar device must not be used as part of the operation of the camping area so as to cause nuisance or annoyance to any person.
- (n) All objects, including vehicles and machinery, which are dismantled as part of the operation of the camping area must be dismantled undercover on a paved impervious surface which is unaffected by stormwater runoff.
- (o) Only rainwater from uncontaminated areas may drain directly into the stormwater system.
- (p) A spillage of a waste, contaminant or other material must—
 - (i) be cleaned up immediately; and
 - (ii) not be cleaned up by hosing, sweeping or otherwise releasing such waste, contaminant or material to any stormwater system or waters.
- (q) Stormwater must be diverted away from hazardous material storage and contained work areas.

- (r) Lighting used to illuminate any areas of the operation of the camping area must be angled or shaded in such a manner that the light does not cause a nuisance.
- (s) The operation of the camping area must not attract fly breeding or vermin infestation.
- (t) The operation of the camping area must be kept free of pests and conditions offering harbourage for pests.
- (u) No dog is allowed within the operation of the camping area unless kept in accordance with *Local Law No. 12 (Keeping and Control of Animals) Law*.
- (v) Water intended for use for domestic purposes as part of the operation of the camping area must be from an approved water source.
- (w) The water to be used in the operation of the camping area must be of an appropriate quality to be used for that purpose.
- (x) An adequate and continuous supply of water must be maintained to all toilet, bathroom, kitchen, laundry and drinking water facilities that form part of the operation of the camping area.
- (y) An adequate and continuous supply of hot water must be maintained to all bathroom, kitchen and laundry facilities that form part of the operation of the camping area.
- (z) The water supply for drinking purposes must be potable water.
- (aa) All water supply connections must be maintained in accordance with the *Plumbing and Drainage Act 2002*.
- (ab) The holder of the licence must not change the water supply system without the prior approval of an authorised person.
- (ac) Adequate water and electricity must be provided as part of the operation of the camping area.
- (ad) Adequate fire safety installations and means of access from the camping area must be maintained at all times.
- (ae) Adequate power points must be provided as part of the operation of the camping area in locations specified by the local government.
- (af) Adequate telephone and postal services must be provided as part of the camping area in locations specified by the local government.

- (ag) Sanitary facilities used as part of the operation of a self contained cabin and forming part of the caravan park or camping ground must comply with the *Building Act 1975*.
- (ah) The camping area must be provided with—
- (i) sanitary conveniences for each sex for the exclusive use of the residents of the camping area who are not accommodated in a self contained cabin—
- (A) in accordance with Table 1 (Sanitary conveniences), excluding as a site any caravan which is fitted with a sanitary convenience; and

Table 1 – Sanitary conveniences

No. of sites	Minimum no. of water closets or pan cabinets and pans for females	Minimum no. of water closets or pan cabinets and pans for males	Minimum length of urinals for males
up to 40	1 for every 7 sites or part thereof	1 for every 10 sites or part thereof	0.6m for every 20 sites or part thereof
over 40	6 plus an additional 1 for every 15 sites or part thereof in excess of 40 sites	4 plus an additional 1 for every 15 sites or part thereof in excess of 40 sites	0.6m for every 20 sites or part thereof

- (B) such that if ten or more water closet fixtures are provided at least one such water closet fixture and its compartment or cubicle is—
- (I) accessible to both sexes; and
- (II) constructed, equipped and provided with access in accordance with AS1428 *Design for Access and Mobility – General Requirements for Access*; and
- (C) which are installed and kept in a separate compartment or cubicle constructed so as to ensure that the privacy of the persons using the sanitary conveniences is maintained; and
- (ii) ablution facilities for each sex for the exclusive use of the residents of the camping area who are not accommodated in a self contained cabin—

- (A) in the ratio of one shower or bath and one hand basin to every fifteen sites or part thereof, excluding as a site any caravan which is fitted with ablution facilities; and
 - (B) which are kept and installed in a separate compartment or cubicle constructed so as to ensure that the privacy of the persons using the ablution facilities is maintained; and
- (iii) laundry facilities for the exclusive use of the residents of the camping area who are not accommodated in a self contained cabin in the ratio of one set of twin wash tubs and one clothes washing machine and 35 lineal meters of clothes line for every twenty sites or part thereof, excluding as a site any cabin which is fitted with a set of twin wash tubs and a clothes washing machine.
- (ai) The floors of a sanitary facility must—
- (i) be able to be easily and effectively cleaned and sanitised; and
 - (ii) be unable to absorb grease, food particles or water; and
 - (iii) be laid so that there is no ponding of water; and
 - (iv) not provide harbourage for insects and vermin; and
 - (v) be smooth; and
 - (vi) prevent the entry of dirt, dust, insects and vermin.
- (aj) The walls of a sanitary facility must—
- (i) be able to be easily and effectively cleaned and sanitised; and
 - (ii) be unable to absorb grease, food particles or water; and
 - (iii) not provide harbourage for insects and vermin; and
 - (iv) be smooth; and
 - (v) prevent the entry of dirt, dust, insects and vermin.
- (ak) The ceiling of a sanitary facility must—
- (i) be able to be easily and effectively cleaned and sanitised; and
 - (ii) not provide harbourage for insects and vermin; and

- (iii) be smooth; and prevent the entry of dirt, dust, insects and vermin.
- (al) Adequate levels of fresh air must be maintained for the public in accordance with the *Building Act 1975*.
- (am) All hazardous materials must be stored and used in a safe manner as part of the operation of the camping area.
- (an) Adequate storage must be provided for all hazardous materials stored or used as part of the operation of the camping area.
- (ao) All maintenance of the camping area must be performed safely in accordance with all relevant laws.
- (ap) Waste containers sufficient to accommodate the collection and storage of all waste generated as part of the operation of the camping area must be provided in the manner and locations specified by the local government.
- (aq) Waste containers that are provided as part of the operation of the camping area must at all times be regularly cleaned and maintained in a clean, tidy, sanitary and hygienic condition.
- (ar) Waste containers that are provided as part of the operation of the camping area must be designed and constructed to prevent access to pests and to be easily and effectively cleaned and disinfected.
- (as) All waste, including waste water, generated as part of the operation of the camping area must be disposed of in a safe and sanitary manner and in accordance with the *Environmental Protection Act 1994* and the *Plumbing and Drainage Act 2002*.
- (at) All waste generated as part of the operation of the camping area must be disposed of in a manner which maintains the operation of the camping area and its surrounds in a clean, tidy, sanitary and hygienic condition.
- (au) All waste water generated during or from the operation of the camping area must be discharged safely to the sewerage system, an on-site sewerage facility or other disposal method approved by the local government.
- (av) Human wastes from the operation of the camping area must be disposed of at a dedicated sanitary facility, the sewerage system or an on-site sewerage facility.
- (aw) Trade waste from the operation of the camping area must be disposed of in accordance with an approval under the *Water Act 2000*.
- (ax) Waste generated as part of the operation of the camping area must be kept so as not to attract pests.

- (ay) Waste from the operation of the camping area must not be disposed of into the stormwater system, waters or a watercourse.
- (az) Waste must not be incinerated.
- (ba) Any water supply outlet for non potable water that is part of the operation of the camping area must be prominently and permanently displayed with the words “Not fit for human consumption” so that it can be viewed by members of the public.
- (bb) The licence issued by the local government, the local government issuing the licence and the description of the prescribed activity must be prominently and permanently displayed in letters and numbers not less than 100mm in height at locations specified by the local government to enable it to be viewed by members of the public, e.g. GCCC – *Camping area [insert licence number]*.
- (bc) The trading name and telephone number of the holder of the licence must be prominently and permanently displayed in letters and numbers not less than 75mm in height at locations specified by the local government to enable it to be viewed by members of the public.
- (bd) Adequate signage must be exhibited as part of the operation of the camping area in the manner and locations specified by the local government.
- (be) Places, rooms or areas that are part of the operation of the camping area must be numbered and described in the manner specified by the local government.
- (bf) Emergency contact numbers must be displayed in the manner and locations as specified by the local government or otherwise so that it can be viewed by members of the public.
- (bg) A plan of the operation of the camping area must be displayed in the manner and locations specified by the local government or otherwise so that it can be viewed by members of the public.
- (bh) The evacuation plan and procedures for the operation of the camping area must be displayed in the manner and locations specified by the local government or otherwise so that it can be viewed by members of the public.
- (bi) The management rules governing the operation of the camping area must be displayed in the manner and locations specified by the local government or otherwise so that it can be viewed by members of the public.

- (bj) When required by the local government, a copy of a current electrical safety certificate of compliance issued under the applicable law in respect of electrical safety must be provided to the local government either—
 - (i) on an annual basis with the application for the renewal of the licence; or
 - (ii) as required by an authorised person.
- (bk) Any premises, building, structure, vehicle, facility or equipment which is part of the operation of the camping area the subject of the licence must not be changed in any respect without the prior notification to the local government and approval of an authorised person.
- (bl) The operation of the camping area must comply with the *Food Act 2006*.
- (bm) Any building or structure that forms part of the camping area must comply with the *Building Act 1975* and the *Building Regulation 2006*.
- (bn) The operation of the camping area must comply with the *Environmental Protection Act 1994*, the *Environmental Protection Regulation 1998*, the *Environmental Protection (Waste Management) Regulation 2000*, the *Environmental Protection (Water) Policy 1997*, the *Environmental Protection (Noise) Policy 1997* and the *Environmental Protection (Air) Policy 1997*.
- (bo) The operation of any prescribed activity, including the operation of a swimming pool, as part of the operation of the camping area the subject of this licence must be the subject of a separate licence under *Local Law No. 16 (Licensing) 2008*.
- (bp) The operation of the camping area must be adequately managed to ensure compliance with *Local Law No. 16 (Licensing) 2008*, the relevant subordinate local law and the licence conditions.
- (bq) The operation of the camping area must not breach a provision of a local law or a subordinate local law.
- (br) The operation of the camping area must comply with—
 - (i) any relevant development approval; and
 - (ii) the provisions of the planning scheme and any relevant planning scheme policy.
- (bs) Where the operation of the camping area is for the temporary on-site accommodation of an owner-builder or builder—
 - (i) the operator of the camping area must construct the foundations and the approved sewerage disposal system for the residential

premises, following receipt of the development approval for the residential premises, prior to the operation of the camping area; and

- (ii) any building or structure that forms part of the camping area must not be less than 6 metres from the boundary of premises on which the camping area is operated that abuts any road and not less than 3 metres from any other boundary; and
- (iii) any building or structure that forms parts of the camping area must be constructed of material that does not adversely affect the amenity of the area; and
- (iv) any building or structure that forms part of the camping area must be removed, or must not be used as a camping area, at the expiration of the term of the licence; and
- (v) any building or structure that forms part of the camping area must be provided with –
 - (A) a water closet; and
 - (B) a shower; and
 - (C) a hand basin; and
 - (D) a kitchen sink; and
 - (E) laundry facilities comprising one single tub and one clothes washing machine; and
- (vi) the operator of the camping area must ensure that a refuse removal service is provided to the camping area by the local government's contractor or another refuse removal service approved by the local government, prior to the operation of the camping area.

Part 3 Enforcement

10 Records to be kept

For the purposes of section 17(2)(b) (Inspection of a prescribed activity) of *Local Law No. 16 (Licensing) 2008*—

- (a) records must be kept by the person operating the camping area; and
- (b) the records must contain details of—
 - (i) the register of persons being accommodated in the camping area; and

- (ii) the evacuation plan and training procedures; and
 - (iii) the waste transporter; and
 - (iv) copies of service records relating to all fire safety installations and electrical facilities and equipment and on-site sewerage facilities at the camping area; and
 - (v) water analysis reports; and
- (c) the records must be kept for a period of seven years.

11 Inspection monitoring or management program

For the purposes of section 17(4)(b) (Inspection of a prescribed activity) of *Local Law No. 16 (Licensing) 2008*, the person operating the camping area must, if required by the local government, maintain—

- (a) a cleaning and sanitation management program; and
- (b) a fire safety maintenance program; and
- (c) an emergency evacuation procedures program; and
- (d) a maintenance management program; and
- (e) a drinking water quality monitoring program; and
- (f) an on-site sewerage facility maintenance and monitoring program; and
- (g) an electrical safety maintenance program; and
- (h) any other maintenance program specified by the local government.

Schedule Dictionary

section 4

approved water source means a potable water source approved by the local government and may include a nominated reticulated water delivery point and a recognised water source.

camping ground has the meaning given in the local government's planning scheme.

caravan park has the meaning given in the local government's planning scheme.

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

dangerous good has the meaning given to **dangerous goods** in the *Dangerous Goods Safety Management Act 2001*.

development approval has the meaning given in the *Integrated Planning Act 1997*.

domestic purposes means the purposes of—

- (a) human consumption; or
- (b) food preparation; or
- (c) washing; or
- (d) other normal domestic duties.

environment has the meaning given in the *Integrated Planning Act 1997*.

exempt camping area means the temporary erection of a tent on premises on which an occupied dwelling is situated for the sole purpose of allowing a child to camp overnight in the tent on the premises.

Example –

- *The residents of an occupied dwelling may temporarily erect a tent or tents to be used for camping overnight by a child or children of the resident.*

fire safety installation has the meaning given in the *Building Act 1975*.

ground waters means water occurring in a geological structure or formation under the surface of the ground.

hazardous material means a substance which—

- (a) because of its chemical, biochemical, microbiological or radiological properties, temperature or state of compression could in sufficient concentration cause—
 - (i) harm to human health and safety or personal injury; or
 - (ii) property damage; or
 - (iii) environmental harm or environmental nuisance; and
- (b) includes—
 - (i) a hazardous substance; and
 - (ii) a dangerous good; and
 - (iii) a scheduled poison.

hazardous substance has the meaning given in the *Workplace Health and Safety Regulation 1997*.

human waste means urine and faeces from human beings.

licensed builder means a builder that is licensed in accordance with the *Queensland Building Services Authority Act 1991*.

on-site sewerage facility has the meaning given in the *Plumbing and Drainage Act 2002*.

pest includes vermin and insects.

planning scheme policy has the meaning given in the *Integrated Planning Act 1997*.

potable water means water that is acceptable for human consumption.

recognised water source means a source of water recognised in writing by the local government as—

- (a) complying with the Australian Drinking Water Guidelines prepared by the National Health and Medical Research Council and the Agricultural Resources Management Council of Australia and New Zealand; or
- (b) being suitable for domestic purposes.

sanitary convenience has the meaning given in the *Environmental Protection Act 1994*.

sanitary facility includes the matters (such as shower, toilet and ablution facilities) specified in the *Building Code of Australia*.

scheduled poison has the meaning given in the *Standard for the Uniform Scheduling of Drugs and Poisons*.

sewerage system has the meaning given in the *Plumbing and Drainage Act 2002*.

stormwater system has the meaning given in *Subordinate Local Law No. 7.5 (Business on Public Places other than Council Facilities) 2008*.

surface waters means water other than ground water.

swimming pool has the meaning given in the *Building Act 1975*.

vermin means rats, mice, guinea pigs and other rodents capable of carrying or transmitting a notifiable disease, but does not include a protected animal within the meaning of the *Nature Conservation Act 1992*.

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

waste container means a weatherproof container for the storage of waste that—

- (a) is vermin proof; and
- (b) can be readily cleaned; and
- (c) is constructed of durable material; and
- (d) is non-reactive with the intended contents; and
- (e) is leakproof; and
- (f) minimises the loss of material into the environment.

waste water means a liquid waste.

watercourse has the meaning given in the *Water Act 2000*.

waters include—

- (a) surface waters, including water flowing in a watercourse; and
- (b) ground waters; and
- (c) the bed and banks of waters.

water source means the source from which water is obtained.

water supply system has the meaning given in the *Standard Plumbing and Drainage Regulation 2003*.

work has the meaning given in the local government's planning scheme.