

SOUTH GIPPSLAND SHIRE COUNCIL

DRAFT Camping on Private Property Code of Practice 2024



Annexure to the General Local Law 2024



Contents

Part One – Preliminary	3
Title	4
Preamble	4
Objective	4
Relationship with the General Local Law 2024	5
Definitions	5
Part Two – Camping	6
Camping on Private Property	7
General Conditions	8
Adequate Sanitary Facilities Fees	8
and Charges	9
Permit Application	9

Part One – Preliminary



Title

This Code of Practice is the "*Camping on Private Property Code of Practice 2024*".

Preamble

This Code of Practice (the Code) has been developed as a tool to manage the effects of camping on private property within South Gippsland Shire Council.

The Code describes the minimum requirements for camping on private property and encourages responsible site management to reduce environmental damage and protect public amenity and safety.

Objective

The objective of the Camping on Private Property Code of Practice is to provide a clear and transparent direction for activities relating to camping on private property.

In some cases, camping on private property, particularly in residential areas, has been known to negatively affect neighbourhoods and communities when not managed appropriately.

Common impacts of camping on private property includes:

- Unsightly storage of materials and items;
- Inadequate storage of waste and debris;
- Lack of property maintenance creating a fire hazard; and
- Persons living in caravans or mobile dwellings for prolonged periods.

While some impacts are short term and minor in nature, others may impact the wellbeing and safety of the community and create difficulties for emergency services. The Code aims to address these concerns and applies whether or not a permit is required.

Relationship with the General Local Law 2024

This Code of Practice has been incorporated by reference into South Gippsland Shire Council's *General Local Law 2024*.

Clause 39 of the Local Law provides that:

1. A person may camp on private property for a cumulative period of not more than three (3) months in total in any twelve (12) month period provided that:
 - a. Appropriate sanitary facilities are available to the private property;
 - b. There is no detrimental effect to the environment or the amenity of adjoining land; and
 - c. The person complies with the conditions or requirements in the *Camping on Private Property Code of Practice* (the Code).
2. Without a **permit**, a **person** must not camp on **private property** in excess of the period prescribed in sub-clause (1).



Part Two – Camping



Camping on Private Property

Camping on any private property within South Gippsland Shire is allowed subject to the following conditions:

1. Land with Existing Dwelling

- a. Camping on private property which has an existing permanent dwelling is permitted, provided access to the dwelling's washing, toileting and laundry facilities are available to the person or persons camping on the land at all times.
- b. Subject to the conditions outlined in sub-clause (a), camping on private property is permitted for a cumulative period of up to three months in any 12-month period.
- c. Where sub-clause (a) cannot be achieved, camping is permitted subject to compliance with sub-section 2. Vacant Private Property

2. Vacant Private Property

- a. Camping on vacant private land is permitted, subject to compliance with the Code.
- b. Subject to sub-clause (a), camping on private property is permitted for a period of up to three months in any 12-month period.

3. Camping While Building a Dwelling

- a. A property owner or occupier may camp in a tent or caravan on private land while building a dwelling where they have an active building permit.
- b. Subject to sub-section (a), camping whilst building a dwelling is permitted for a period of up to three months in total in any 12-month period without a permit.
- c. This Section does not give permission for any person or persons to occupy a shed or other similar structure for the purposes of habitation without a building permit issued pursuant to the *Building Act 1993*.



General Conditions

- a. All caravans must be fitted with a smoke detector, an approved portable fire extinguisher and a fire blanket located adjacent to cooking facilities at all times.
- b. Any tent or caravan must be in good working order and be maintained in a good state of repair.
- c. Where there is no access to a dwelling's washing, toileting and laundry facilities, an adequate number of toilets for the number of people camping must be provided on site. Toilets may be chemical, septic or sewer.
- d. All sewage and wastewater generated on site must be discharged via an approved wastewater system to the satisfaction of South Gippsland Shire Council. See ***Adequate Sanitary Facilities*** section for further detail.
- e. A vermin-proof rubbish bin with a tight-fitting lid must be provided on site for the disposal of all rubbish.
- f. The property must be kept in a clean and sanitary manner at all times.
- g. Any tent or caravan sited on the land must be located at least three metres from any property boundary – including any road and/or road reserve as appropriate.
- h. The campsite must be occupied by the person or persons named on the permit application. The applicant will be responsible for the condition of the site, and for the behaviour of all persons being accommodated on the land.
- i. Petrol or diesel generators are permitted, but they must not negatively affect amenity to neighbouring properties either through smell or noise. Solar and other passive systems are permitted.

Adequate Sanitary Facilities

- a. For the purposes of this Section, wastewater means waste principally consisting of water and includes sewage and/or other human-derived wastewater including greywater;
- b. Wastewater including greywater, must be collected in an adequately designed collection container and removed from site regularly so as not to overflow or spill or cause a nuisance.
- c. Wastewater must not be discharged to land unless via an Environment Protection Authority (EPA) system, approved by South Gippsland Shire Council for installation pursuant to the *Environment Protection Act 2017*.
- d. Adequate sanitary facilities include camping toilets (chemical toilets), self-contained caravans and RVs, commercially available portable toilets. Long drop, composting-type toilets are prohibited. All wastewater must be collected and removed from site.

- e. Notwithstanding any clause in this Section, where reticulated sewer is available to the property, all wastewater must be disposed of via the approved reticulated sewer system. Further information regarding connection to the reticulated sewer system can be obtained from South Gippsland Water on 1300 851 636.

When applying for a permit to camp on private property, the applicant must outline the proposed method of wastewater collection and disposal on the application form. For further information or to discuss your options further, please contact South Gippsland Shire Council's Environmental Health team on 5662 9200.

Fees and Charges

Fees and charges associated with the application of a Camping on Private Property Permit subject to Clause 39 in South Gippsland Shire Council's *General Local Law 2024* are set by South Gippsland Shire Council through the annual budget process.

Details of the appropriate fees and charges associated with the application for a **permit** pursuant to the *General Local Law 2024* are available on South Gippsland Shire Council's website at: www.southgippsland.vic.gov.au .

Permit Application

- a. An application to apply to camp on private property must be received using the approved form available on South Gippsland Shire Council's [website](#), and in accordance with *General Local Law 2024* Clause 61 – Permits.
- b. Subject to sub-clause (a), the application must include the following details:
 - i. Location and use of land and that of adjoining properties;
 - ii. Proposed position of tents or caravan on the land;
 - iii. Length of time camping is required;
 - iv. Facilities available (or to be provided) i.e. toilets, bathing, disposal of rubbish etc.
 - v. Payment of the entire fee must be made prior to commencement date of the **permit**; and
 - vi. Details of proposed method of wastewater disposal.

General conditions apply to all permits, however there may be additional conditions specific to your permit or geographical location. These will be discussed with you if appropriate, once your application has been received.

SOUTH GIPPSLAND SHIRE COUNCIL

9 Smith Street (Private Bag 4) Leongatha VIC 3953

Phone: 5662 9200 Fax: 5662 3754

Email: council@southgippsland.vic.gov.au

Website: www.southgippsland.vic.gov.au

Facebook: www.facebook.com/southgippslandshirecouncil



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Shire Council