



**Camping on Public Land
Local Law 2023**

Moreton Bay City Council

Camping on Public Land Local Law 2023

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Moreton Bay City Council

Camping on Public Land Local Law 2023

Part 1 Preliminary

Division 1 Introductory provisions

1 Short title

This Local Law may be cited as the *Camping on Public Land Local Law 2023*.

Division 2 Objects and achievement of Local Law

2 Objects

The objects of this Local Law are to—

- (a) facilitate camping on public land for community benefit; and
- (b) ensure that camping on public land does not unreasonably impact—
 - (i) the fitness for use of public land; and
 - (ii) the amenity of public land; and
 - (iii) the environment; and
 - (iv) public health and safety; and
 - (v) properties near public land.

3 How objects of Local Law are to be achieved

The objects of this Local Law are to be achieved by—

- (a) establishing the concept of camping on public land; and
- (b) prohibiting camping on public land, except in certain circumstances; and
- (c) providing mechanisms for enforcement where there is non-compliance with conditions of an approval or provisions of this Local Law; and
- (d) establishing a framework for the local government to declare certain areas of public land as camping grounds where camping is allowed subject to certain conditions; and
- (e) establishing a framework to grant approvals to camp on public land.

Division 3 Interpretation

Subdivision 1 Dictionary

4 Definitions

The dictionary in the Schedule defines particular words used in this Local Law.

Subdivision 2 Key concepts

5 Camping

camping means staying, or intending to stay, in an area overnight.

6 Public land

public land means—

- (a) the whole or part of any land, facilities and other infrastructure owned, held in trust, or otherwise controlled by the local government; and
- (b) a road.

Examples of public land—

- *Parks, reserves and gazetted foreshores.*
- *Jetties.*
- *Canals.*

Division 4 Operation of Local Law

7 Relationship with other Acts

This Local Law is in addition to and does not derogate from—

- (a) any other laws that may regulate camping on public land, including a law about—
 - (i) the use or development of land and road; or
 - (ii) the use of trust land or road; or
- (b) any provision of the *Local Government Act 2009*.

Part 2 Camping grounds

Division 1 What this part is about

8 Overview

This part outlines—

- (a) how camping grounds are declared; and
- (b) how camping at camping grounds is conditioned.

Division 2 Camping grounds

9 Declaration of camping grounds by resolution

The local government may, by resolution, declare public land, or a part of public land, to be a camping ground.

10 Standard camping grounds conditions

- (1) A person must not camp at a camping ground in a way that interferes with the ordinary use or enjoyment of the public land on which the camping ground is present.
- (2) A person must remediate any alteration to a camping ground caused by their camping.
- (3) In this section—

alteration has the same meaning as in the *Alteration of Public Land Local Law 2023*.

11 Declaration of camping grounds conditions by resolution

- (1) The local government may, by resolution, declare conditions which apply to 1 or more camping grounds within its local government area.
- (2) If there is any inconsistency between a condition under section 10 and a condition under this section, the condition under this section prevails to the extent of the inconsistency.

Part 2 Offences and enforcement

Division 1 What this part is about

12 Overview

This part outlines—

- (a) offences relating to this Local Law; and
- (b) the enforcement mechanisms that can be utilised by the local government; and
- (c) offence proceedings in the Magistrates Court; and
- (d) defences for offences against this Local Law.

Division 2 Offences

Subdivision 1 Offence in relation to camping on public land

13 Offence to camp on public land

- (1) A person must not camp on public land, unless—
 - (a) the person camps at a camping ground in accordance with the camping conditions for that camping ground; or

- (b) the person has an approval to camp; or
- (c) the person camps at a caravan park controlled by the local government; or
- (d) the camping is authorised or required under an Act and complies with any conditions of that authorisation or requirement; or
- (e) the person is an employee, agent, contractor or volunteer of the local government and camps in the course of their duties for the local government; or
- (f) the camping is allowed under a contract with the local government; or
- (g) the camping is necessary to lessen or prevent an urgent and serious threat to personal or public health and safety; or
- (h) the camping is necessary to lessen or prevent an urgent and serious risk of environmental harm or property damage; or
- (i) the camping is PEH camping.

Maximum penalty— 50 penalty units.

- (2) Subsection (1) does not apply to camping on public land under a native title right to camp on the land.

Subdivision 2 Other offences

14 Providing false or misleading information

A person must not give information in connection with this Local Law (either orally or in a document) that the person reasonably knows or ought to have known is false or misleading.

Maximum penalty— 20 penalty units.

15 Threatening an authorised person

A person must not threaten, insult or use abusive language to an authorised person.

Maximum penalty— 50 penalty units.

16 Failure to comply with conditions of approval

A person must not contravene an approval.

Maximum penalty— 50 penalty units.

17 Attempts to commit offences

- (1) A person who attempts to commit an offence under this Local Law commits an offence.

Maximum penalty— half the maximum penalty for committing the offence.

- (2) The provisions of the *Criminal Code* (relevant to attempts to commit offences) apply to the attempt.

18 Joint and several liability

- (1) Where this Local Law imposes a liability on a person engaged in a particular activity, and 2 or more persons are jointly engaged in the relevant activity, the liability is joint and several.
- (2) This section applies both to civil liabilities and liabilities enforced by summary proceedings under the *Justices Act 1886*.

19 Liability of third parties

- (1) Any person involved in a contravention of this Local Law commits an offence.
Maximum penalty— the penalty for which any person who committed the contravention would be liable.
- (2) For subsection (1), a person involved in a contravention of this Local Law is any person who—
 - (a) has aided, abetted, counselled or procured the contravention; or
 - (b) has induced, whether by a threat or a promise or otherwise, the contravention; or
 - (c) has been in any way, directly or indirectly, knowingly concerned in, or party to, the contravention; or
 - (d) has conspired with another person to effect the contravention; or
 - (e) has knowingly benefited from or knowingly was capable of benefiting from the contravention.

Division 3 Powers of the local government

20 Appointment of authorised persons

The document that appoints an authorised person must state this Local Law, or the provisions of this Local Law, as the Local Law or the provisions for which the person is appointed as an authorised person.

21 Directions generally

- (1) An authorised person may direct a person contravening this Local Law to—
 - (a) cease any conduct or activity which contravenes this Local Law; and
 - (b) take such action determined by the authorised person to ensure that the person does not contravene this Local Law.
- (2) A person must comply with a direction of an authorised person given under subsection (1).

Maximum penalty for subsection (2)— 50 penalty units.

22 Compliance notice for contravention of Local Law

- (1) This section applies if a person contravenes this Local Law.
- (2) An authorised person may give a notice, in writing (*compliance notice*), to—
 - (a) a person who contravenes this Local Law; or

- (b) any person involved in the contravention of this Local Law under section 19.
 - (3) The compliance notice may require a person to—
 - (a) stop a contravention, if the contravention is of a continuing or recurring nature; or
 - (b) take reasonable steps necessary to stop or remedy the contravention, by the date and time specified in the compliance notice, whether or not the contravention is of a continuing or recurring nature.
 - (4) The compliance notice must state the following—
 - (a) the particular provision of this Local Law the authorised person believes is being, or has been, contravened; and
 - (b) briefly, how the provision of this Local Law is being, or has been, contravened; and
 - (c) the date and time by which the person must stop or remedy the contravention; and
 - (d) the reasonable steps necessary to remedy the contravention or avoid further contravention; and
 - (e) that it is an offence to fail to comply with the compliance notice; and
 - (f) the maximum penalty for failing to comply with the compliance notice.

Examples of reasonable steps to avoid further contravention in paragraph (d)—

 - *The repetition of a specified action at stated intervals for a certain period.*
 - *Stopping taking an action that is prohibited by this Local Law.*
 - *Safely removing camping equipment from public land after camping there.*
 - (5) The date and time under subsection (4)(c) must be reasonable having regard to—
 - (a) the action required to remedy the contravention; and
 - (b) the risk to public health and safety, the risk of impacts on fitness for use of public land, the risk of damage to property or loss of amenity and the risk of environmental harm posed by the contravention; and
 - (c) how long the person has been aware of the contravention.
 - (6) The compliance notice must include, or be accompanied by, a decision notice.
 - (7) A person who is given a compliance notice must comply with the compliance notice.
- Maximum penalty for subsection (7)— 50 penalty units.

23 Stop notice

- (1) This section applies where an authorised person reasonably believes that a person camping on public land causes, exacerbates or impedes the local government's ability to respond to—
 - (a) an urgent and serious risk to public health or safety; or
 - (b) an urgent and serious risk of environmental harm, property damage or loss of amenity; or

- (c) a serious obstruction to urgent works on public land; or
 - (d) a serious obstruction of access to a road; or
 - (e) a serious or urgent threat to the safety of vehicle or pedestrian traffic;
or
 - (f) an urgent and serious threat to animal welfare; or
 - (g) a serious obstruction to the use of the public land for its intended purpose.
- (2) An authorised person may give a person a notice to immediately stop the camping on public land (***stop notice***).
- (3) A stop notice—
- (a) may be given orally or in writing; and
 - (b) operates until the earliest of the following happens—
 - (i) the expiry of the period, of no more than 5 business days, specified by the authorised person when the order is given; or
 - (ii) where there is an approval— the local government immediately suspends the approval under section 43.
- (4) An authorised person must confirm an oral stop notice in writing by the next business day following the giving of the stop notice.
- (5) A person who receives a stop notice must comply with the stop notice.
Maximum penalty— 50 penalty units.
- (6) This section does not affect the local government’s powers under another law.

24 Power to take action required under a notice to act

- (1) This section applies if—
- (a) a person (***responsible person***) is given either a compliance notice or a stop notice (***notice to act***); and
 - (b) the responsible person failed to take an action required under the notice to act within the time specified in that notice.
- (2) The local government may take the action required to have been taken by the responsible person who failed to take action under the notice to act.
- (3) The local government may recover the amount that the local government properly and reasonably incurs in taking the action as a debt payable by the responsible person.
- (4) The local government must give the responsible person who failed to take action a notice of the amount of the debt.

25 Local government power to seize and cost recovery

- (1) An authorised person may seize, by dismantling if necessary, and impound an item where the item has been brought onto or installed in, on, across, under or over public land in a manner that contravenes this Local Law, if—
- (a) in the reasonable opinion of the authorised person, the immediate removal of the item is necessary in the interests of public health or

safety or to prevent environmental harm, property damage or loss of amenity; or

- (b) a person has not complied with a compliance notice requiring the person to remove the item.
- (2) The local government may recover the cost of action taken under this section as a debt from the person responsible for the item seized under subsection (1) being brought onto or installed in, on, across, under or over public land.

26 Dealing with impounded items

- (1) This section applies where an item has been seized and impounded under section 25 (*impounded item*).
- (2) If an impounded item is, in the reasonable opinion of an authorised person, perishable or of negligible commercial value, then the local government may immediately dispose of it as the chief executive officer directs.
- (3) If the local government possesses an impounded item, then a person may reclaim that impounded item from the local government by—
- (a) making a written application to the chief executive officer to reclaim the impounded item; and
 - (b) producing proof, to the satisfaction of the chief executive officer, that the person is the owner of the impounded item; and
 - (c) paying the prescribed fee for the impounding of the impounded item.
- (4) If an impounded item is not reclaimed under subsection (3) within 20 business days of the item being seized and impounded under section 25, that item is forfeited to the local government.
- (5) If an impounded item has been forfeited to the local government under subsection (4), then the local government may dispose of that impounded item—
- (a) if, in the reasonable opinion of the authorised person, the commercial value of the impounded item is so slight that it would not cover the reasonable cost of seizing, impounding and selling the impounded item— as the chief executive officer directs; or
 - (b) by sale through a public auction; or
 - (c) if the impounded item has been offered for sale under paragraph (b) but has not been sold within a period that, in the reasonable opinion of the authorised person, is reasonable for the sale of that type of item— as the chief executive officer directs.
- (6) Where an impounded item has been sold under this section, the proceeds of the sale must be applied in order—
- (a) firstly, towards the direct and indirect costs of the sale; and
 - (b) secondly, towards the local government in an amount equivalent to the prescribed fee for the impounding of the impounded item as if it was to be reclaimed under subsection (3); and
 - (c) thirdly, if there is an amount owing to an entity under a security interest registered for the property under the *Personal Property Securities Act*

2009 (Cth)— in payment of the amount owing under the security interest; and

- (d) fourthly, to the former owner of the impounded item.
- (7) If no person establishes a valid claim for the amount to which the former owner of an impounded item that has been sold under this section is entitled to under subsection (6)(d) within 3 months of the date of that entitlement arising, the amount becomes the property of the local government.
- (8) Except where expressly stated, the local government incurs no liability to a person, and no person has any claim for relief or compensation against the local government, in respect of any action taken by the local government under this section or section 25, if the local government has acted in good faith and without negligence.

Division 4 Offence proceedings in Magistrates Court

27 Enforcement orders

- (1) After hearing proceedings for an offence against this Local Law, a Magistrates Court may make an order (an *enforcement order*) for the defendant to take stated action within a stated period.
- (2) The enforcement order may be in terms the Court considers appropriate to secure compliance with this Local Law.
- (3) An enforcement order must state the period within which the defendant must comply with the order.
- (4) An enforcement order may be made under this section in addition to the imposition of a penalty.

Division 5 Defence

28 Defence of reasonable excuse

If a person is charged with an offence involving a contravention of this Local Law, it is a defence to prove that the person had a reasonable excuse for the contravention.

Part 3 Camping on public land approvals

Division 1 What this part is about

29 Overview

This part details the process for obtaining an approval to camp on public land under this Local Law.

Division 2 Approvals

Subdivision 1 Application process

30 Making an application

- (1) An application for an approval to camp on public land (an *application*) must be—
 - (a) made in the form prescribed by the local government; and
 - (b) accompanied by—
 - (i) the documents required by the prescribed form; and
 - (ii) the prescribed fee for the application.
- (2) The local government—
 - (a) must accept an application that the local government is satisfied complies with subsection (1); and
 - (b) may accept an application that the local government is satisfied does not comply with subsection (1).
- (3) An application that complies with subsection (1), or that the local government accepts under subsection (2)(b), is a properly made application (*properly made application*).
- (4) The local government may prescribe forms for this Local Law.

Subdivision 2 Timeframes for deciding applications

31 Timeframe for deciding applications when no further information is needed

- (1) This section applies if the local government—
 - (a) receives a properly made application; and
 - (b) does not require any further information in relation to the application.
- (2) The local government must decide the application within 21 business days of receiving it, or a further period agreed with the applicant.

32 Timeframe for deciding applications when further information is needed

- (1) This section applies if the local government—
 - (a) receives a properly made application; and
 - (b) requires further information in relation to the application.
- (2) The local government may make an information request to the applicant within 21 business days of receiving an application, or a further period agreed with the applicant.
- (3) An applicant must respond to an information request within 10 business days of receiving it, or a further period agreed with the local government (*information request response period*).

- (4) The local government must decide the application within 21 business days of the earlier of—
 - (a) an information request response being received; or
 - (b) the information request response period ending.

- (5) In this section—

information request means a notice to the applicant, requiring them to provide further information or documents in relation to the properly made application.

information request response means a response to an information request.

33 Timeframe for dealing with applications that are not properly made

If the local government receives an application which is not a properly made application, the local government must—

- (a) provide the applicant with written notice to that effect within 5 business days of receiving the application, or a further period agreed with the applicant; and
- (b) take no further action in relation to the application.

Subdivision 3 Deciding an application

34 Deciding an application

- (1) The local government must, after carrying out an assessment of a properly made application, decide to—
 - (a) approve the application; or
 - (b) approve the application, but impose conditions on the approval; or
 - (c) refuse the application.
- (2) The local government may refuse an application under subsection (1)(c) if it considers that approving the application would be inconsistent with the objects of this Local Law.
- (3) For a decision made under subsection (1), the local government must give a decision notice to the applicant.

35 Effect of failure to decide application on time

The local government is taken to have refused an application if the local government fails to decide a properly made application in accordance with—

- (a) section 31(2); or
- (b) section 32(4).

36 Third-party certification

- (1) In deciding an application under this part, the local government may accept the certificate of a third-party certifier as evidence about any application requirement that is mentioned in a Subordinate Local Law for this subsection.
- (2) In this section—

application requirement means a matter that the local government must be satisfied about, or have regard to, before granting an application for approval under this Local Law.

third-party certifier means—

- (a) an individual or organisation declared under a Subordinate Local Law for this paragraph as a third-party certifier for particular application requirements; or
- (b) an individual or organisation that has the qualifications prescribed under a Subordinate Local Law for this paragraph as necessary to provide a certificate about particular application requirements.

37 Permitted conditions

Any condition imposed on an approval must relate to the objects of this Local Law.

38 Term of approval

An approval is valid for the term specified in the approval.

Subdivision 4 Administering approvals

39 Key definition for this subdivision

In this subdivision—

show cause notice means a written notice stating—

- (a) the proposed action; and
- (b) the grounds for the proposed action; and
- (c) an outline of the facts and circumstances that are the basis of the grounds; and
- (d) if the proposed action is suspension of the approval— the proposed suspension period; and
- (e) that the approval holder may make written submissions within the stated reasonable time, as to why the proposed action should not be taken.

40 Renewal and transfer of approval

- (1) Subject to subsections (4) and (5), an approval holder may, before the end of the term of the approval granted under section 34 (**existing approval**), apply to the local government to transfer the approval (a **transfer application**) or renew the approval (a **renewal application**).
- (2) An application under this section must be—
 - (a) made in the form prescribed by the local government; and
 - (b) accompanied by—
 - (i) the documents required by the prescribed form; and
 - (ii) the prescribed fee for the application.

- (3) For a transfer application, the approval holder must apply together with the person to whom the approval is proposed to be transferred (*proposed transferee*).
- (4) An approval holder may not apply to renew an existing approval where the local government has given the approval holder written notice that the existing approval is not renewable.
- (5) An approval holder may not apply to transfer an existing approval where the local government has given the approval holder written notice that the existing approval is not transferable.
- (6) For a renewal application, the local government may determine the term of the renewal.
- (7) Subdivision 2 applies to a renewal application or a transfer application as if it were a properly made application.
- (8) The local government must, after carrying out an assessment of a renewal application or transfer application, decide to—
 - (a) grant the application; or
 - (b) grant the application and amend the conditions of the existing approval; or
 - (c) refuse the application.
- (9) In deciding a renewal application or a transfer application under subsection (8), the local government may have regard to—
 - (a) the objects of this Local Law; and
 - (b) if the application is a renewal application— whether the conditions of the existing approval have been or are being complied with by the applicant.
- (10) For a decision made under subsection (8), the local government must give a decision notice to—
 - (a) for a renewal application— the applicant; or
 - (b) for a transfer application— the applicant and the proposed transferee.
- (11) The local government may amend the conditions of the existing approval under subsection (8)(b) without following the procedure in section 42.
- (12) If an approval holder makes a renewal application, the existing approval remains in force until—
 - (a) if the renewal application is granted, with or without amendment of the conditions— the date the renewal application is granted; or
 - (b) if the renewal application is refused—
 - (i) and the applicant applies for a review of the decision under part 4— the date the applicant is given notice of the review decision; or
 - (ii) and the applicant has not applied for a review of the decision under part 4— 15 business days after the applicant is given a decision notice under subsection (10).

41 Approval holder may apply to amend conditions

- (1) An approval holder may apply to the local government to amend the conditions of the approval (*amendment application*).
- (2) An amendment application must be—
 - (a) made in the form prescribed by the local government; and
 - (b) accompanied by—
 - (i) the documents required by the prescribed form; and
 - (ii) a statement of the proposed amendment and reasons for it; and
 - (iii) the prescribed fee.
- (3) Sections 31 and 32 apply to an amendment application as if it were a properly made application.
- (4) The local government must, after carrying out an assessment of an amendment application, decide to—
 - (a) grant the application; or
 - (b) refuse the application.
- (5) In deciding an amendment application under subsection (4), the local government may have regard to—
 - (a) the objects of this Local Law; and
 - (b) whether the conditions of the existing approval have been or are being complied with by the applicant.
- (6) For a decision made under subsection (4), the local government must give a decision notice to the applicant.
- (7) The local government may amend the conditions of the approval under this section without following the procedure in section 42.

42 Local Government may amend, suspend or cancel approval

- (1) This section applies if the local government is satisfied that one of the following grounds for amending, suspending or cancelling an approval exists—
 - (a) amendment, suspension or cancellation is necessary—
 - (i) for the protection of public health or safety; or
 - (ii) to prevent environmental harm; or
 - (iii) to prevent property damage or loss of amenity; or
 - (iv) to allow for works on public land; or
 - (v) to improve access to a road; or
 - (vi) to improve the efficiency of vehicle or pedestrian traffic; or
 - (vii) for the protection of animals; or
 - (b) another approval required for the camping under an Act has been suspended or cancelled; or
 - (c) the approval holder has failed to comply with an Act; or

- (d) the approval holder has failed to comply with a condition of an approval; or
 - (e) the approval holder has failed to comply with—
 - (i) a direction under section 21; or
 - (ii) a notice to act; or
 - (f) the approval was granted because of a document or representation that was—
 - (i) false or misleading; or
 - (ii) obtained or made in another improper way.
- (2) Before taking action to amend, suspend or cancel an approval (***proposed action***), the local government must give the approval holder a show cause notice.
- (3) If a show cause notice is issued, the approval holder may, within a stated reasonable time of at least 15 business days after the notice is given (***stated reasonable time***), make written submissions to the local government as to why the proposed action should not be taken.
- (4) Notwithstanding subsection (3), where the approval holder consents or agrees to the proposed action, they may waive their right to provide written submissions within the stated reasonable time.
- (5) The local government must consider all submissions made in accordance with subsection (3).
- (6) If the local government decides that—
- (a) a ground under subsection (1) no longer exists to take the proposed action, the local government must take no further action in respect of the show cause notice; or
 - (b) a ground exists to take the proposed action, the local government may—
 - (i) if the proposed action was to amend the approval— amend the approval; or
 - (ii) if the proposed action was to suspend the approval— suspend the approval for no longer than the period stated in the notice; or
 - (iii) if the proposed action was to cancel the approval— amend the approval, suspend it for a period or cancel it.
- (7) For any decision made under subsection (6), the local government must give a decision notice to the approval holder.
- (8) This section does not limit the power a local government may have apart from this section to amend, suspend or cancel an approval.

43 Procedure for immediate suspension of approval

- (1) Despite section 42, the local government may immediately suspend an approval if the local government believes that the camping allowed under the approval poses—
- (a) an urgent and serious threat to public health or safety; or

- (b) an urgent and serious risk of environmental harm, property damage or loss of amenity; or
 - (c) a serious obstruction to urgent works on public land; or
 - (d) a serious obstruction to road access; or
 - (e) a serious or urgent threat to the safety of vehicle or pedestrian traffic; or
 - (f) an urgent and serious threat to animal welfare.
- (2) The local government must give a notice to the approval holder about the decision to immediately suspend the approval (***suspension notice***), together with a show cause notice about the proposed action under section 42.
- (3) The suspension operates immediately upon the notices in subsection (2) being given to the approval holder.
- (4) The suspension continues to operate until the earliest of the following occurs—
- (a) the local government cancels the suspension; or
 - (b) the local government gives the approval holder a decision notice under section 42(7) for a decision made under section 42(6); or
 - (c) 15 business days have passed since the expiry of the stated time for the making of written submissions regarding the show cause notice; or
 - (d) 15 business days have passed since the approval holder notifies the local government that it has made its final written submissions regarding the show cause notice.

Part 4 Reviewing decisions

44 Application for review

- (1) A person who is given, or is entitled to be given, a decision notice may apply to the local government for a review of the decision (a ***review application***).
- (2) The review application must be made within 15 business days of—
- (a) if the person is given a decision notice— the day the person receives the notice; or
 - (b) if paragraph (a) does not apply— the day the person otherwise becomes aware of the decision.
- (3) The review application must be in writing and accompanied by a statement of the grounds on which the applicant seeks the review of the decision.

45 Review decision

- (1) The local government must review the original decision within 20 business days of receiving a review application and make a decision (***review decision***) to—
- (a) confirm the original decision; or
 - (b) amend the original decision; or
 - (c) substitute another decision for the original decision.
- (2) The application must not be dealt with by—

- (a) the person who made the original decision; or
 - (b) a person in a less senior office than the person who made the original decision unless that person was the chief executive officer.
- (3) The local government must, within 5 business days of the review decision being made, give the applicant notice of the review decision (*review notice*).
- (4) If a review decision is not the decision sought by the applicant, the review notice must also state the reasons for the review decision.
- (5) If the local government does not give the review notice to the applicant in accordance with subsection (3), the local government is taken to have made a review decision confirming the original decision.

46 Stay of operation of original decision

A review application does not stay the original decision that is the subject of the application.

Part 5 Administrative provisions

47 Local government may establish PEH camping framework

The local government may establish a framework for assessing whether camping is PEH camping.

48 Local government must keep a register of camping grounds and camping ground conditions

- (1) The local government must keep a register of—
- (a) the location of each camping ground in its local government area (the *camping ground register*); and
 - (b) each camping ground condition declared under section 11.
- (2) The camping ground register must express the location of camping grounds by way of map, lot reference or any combination thereof.
- (3) The registers required to be kept under subsection (1) may be kept as a combined register.

49 Documents local government must keep available for inspection

The local government must keep the registers required to be kept under section 48 available for inspection.

50 Fees

- (1) If this Local Law provides for payment of a fee, and does not itself fix the amount of the fee, the fee is to be fixed by resolution under the *Local Government Act 2009*, chapter 4, part 2.
- (2) A resolution fixing a fee may provide for the reimbursement of the fee in appropriate circumstances.

- (3) Unless specific provision to the contrary is made in this Local Law or resolution fixing a fee, the local government may, in an appropriate case, waive or partially remit a fee.

51 Rewards

- (1) The local government may, by public notice, offer a reward for information leading to the conviction of a person for an offence against this Local Law.
- (2) The amount of the reward, and the conditions on which it is payable, must be decided by resolution of the local government.

52 Subordinate Local Laws

The local government may make Subordinate Local Laws about—

- (a) any application requirement for which a third-party certifier's certificate may be accepted by the local government under section 36(1); and
- (b) declaring an individual or organisation as a third-party certifier for particular application requirements under section 36(2)(a); and
prescribing qualifications necessary for an individual or organisation to provide a certificate about particular application requirements under section 36(2)(b).

53 Extrinsic material

- (1) The local government may make an explanatory note to assist in the interpretation of this Local Law.
- (2) The local government makes an explanatory note by—
 - (a) passing a resolution to make the explanatory note; and
 - (b) publishing the explanatory note on the local government's website.
- (3) An explanatory note made in accordance with this section is declared to be a relevant document for the purposes of section 14B of the *Acts Interpretation Act 1954* (as modified by section 15 of the *Statutory Instruments Act 1992*).

Note—

Pursuant to part 4, division 1 of the Statutory Instruments Act 1992, the Acts Interpretation Act 1954 (AIA) is modified so that a document declared by a Local Law to be a "relevant document" for the purposes of section 14B of the AIA is extrinsic material which may assist in the interpretation of a provision of this Local Law.

Schedule Dictionary

Section 4

Act—

- (a) has the same meaning as in the *Acts Interpretation Act 1954*, sections 6 and 7; and
- (b) includes a local law made by the local government.

alteration see section 10(3).

amendment application see section 41(1).

application see section 30(1).

approval means an approval to camp on public land granted under part 3 of this Local Law.

authorised person means a person—

- (a) appointed by the chief executive officer as an authorised person under section 202 of the *Local Government Act 2009*; and
- (b) whose instrument of appointment provides that they are an authorised person for this Local Law, or a provision of this Local Law.

application requirement see section 36(2).

camping see section 5.

camping conditions means the conditions for camping at a camping ground imposed under sections 10 and 11.

camping ground means an area declared as a camping ground by way of resolution under section 9.

camping ground register see section 48(1).

compliance notice means a compliance notice given under section 22.

decision means—

- (a) a decision made by the local government under sections 34, 40, 41 or 42; or
- (b) a decision made by an authorised person to give a compliance notice under section 22.

decision notice, for a decision, means a written notice stating the following—

- (a) the decision; and
- (b) any relevant details about the decision; and
- (c) the reasons for the decision; and
- (d) that the person to whom the notice is given may apply for a review of the decision within 15 business days after the notice is given; and
- (e) how to apply for a review.

Example for paragraph (b)— the date on which the decision takes effect or actions required under the notice must be taken.

enforcement order see section 27(1).

environmental harm has the same meaning as in the *Environmental Protection Act 1994*.

existing approval see section 40(1).

impounded item see section 26(1).

information request see section 32(5).

information request response see section 32(5).

information request response period see section 32(3).

item means any material thing, including a building or structure or vehicle, other than an animal.

land—

- (a) has the same meaning as in the *Planning Act 2016*, Schedule 2; and
- (b) includes land occupied by water.

local government means Moreton Bay City Council.

Local Government Act has the same meaning as in the *Local Government Act 2009*.

local government area means the local government area of the local government under the *Local Government Act 2009*, including an area taken to be part of a local government area under a Local Government Act.

Examples of areas taken to be part of a local government area—

- *Bathing reserves.*
- *Foreshore.*

local government caravan park means a caravan park controlled by the local government and operated on a commercial basis.

Local Law includes any Subordinate Local Laws made under this Local Law.

notice to act see section 24(1).

original decision means a decision the subject of a review application under section 44.

PEH means persons experiencing homelessness.

PEH camping means camping assessed as PEH camping under the PEH camping framework.

PEH camping framework means the framework established under section 47 of this Local Law.

prescribed fee means a fee fixed by the local government under section 50 or under the *Local Government Act 2009*, section 97.

prescribed form means a document which the local government makes available at its administration centres or on its website for the purpose of making an application, an amendment application, a transfer application or a renewal application under this Local Law.

properly made application see section 30(3).

proposed action see section 42(2).

proposed transferee see section 40(3).

public land see section 6.

public notice means a notice that is published in a newspaper that is circulating generally in the local government area or on the local government's website.

renewal application see section 40(1).

responsible person see section 24(1).

review application see section 44(1).

review decision see section 45(1).

review notice see section 45(3).

road has the same meaning in the *Local Government Act 2009* at subsections 59(2) and 59(3).

show cause notice see section 39.

stated reasonable time see section 42(3).

stop notice means a notice given under section 23.

suspension notice see section 43(2).

third-party certifier see section 36(2).

transfer application see section 40(1).