

HUON VALLEY COUNCIL

NOTICE OF INTENTION TO MAKE BY-LAW CARAVAN BY-LAW 2015

Council has resolved to make the *Caravan By-law 2015 – No. 1 of 2015*.

The purpose of the proposed By-law is for regulating and controlling occupation of caravans, motor vehicles and temporary structures on land in the municipal area.

The primary objectives of the proposed By-law are to:

- ensure that sufficient sanitary arrangements are in place to safeguard public health and the environment; and
- ensure that occupation of a caravan or temporary structure is safe to those who occupy it; and ensure that water and sanitary arrangements are provided for the occupants of a caravan or temporary structure; and
- ensure that occupation of a caravan or temporary structure is consistent with the amenity of an area in which the caravan or temporary structure is proposed to be situated; and
- prohibit occupation of motor vehicles and to restrict occupation of temporary structures; and
- provide for a system of permits for occupation of caravans or temporary structures to provide for the above; and
- provide for penalties and breaches of the By-law and for the issue of Infringement Notices by an Authorised Officer; and
- provide necessary enforcement powers for Authorised Officers and Police Officers.

The proposed By-law does not generally apply to land that is:

- (a) a road as defined in the Council's Roads (Local Highways) By-law 2014; and,
- (b) council land as defined in the Council's Council Land and Recreational Facilities By-law 2006.

The envisaged or potential impact and the primary features of the proposed By-law affecting the community or groups within the community are:

- Providing that a person must not occupy a caravan without a permit.
- Prohibiting occupation of a motor vehicle.
- Restricting occupation of a temporary structure for a period of more than 30 days in any one calendar year except in accordance with a permit for the purposes of emergency accommodation.
- Prohibiting a proprietor authorising or permitting any person to occupy a caravan, motor vehicle or temporary structure upon land without a permit.
- Establishing a permit system which the application process, grant of a permit, the application of terms and conditions, general provisions relating to permits, cancellation of permits, production requirements, cessation of occupation and transitional provisions relating to permits under the current By-law.
- Establishing key factors that are to be taken into account when issuing a permit including:
 - o Affect on the amenity of the adjoining neighbourhood;
 - o Provision of satisfactory facilities for water and disposal of night soil – A permit must not be granted unless the disposal of night soil and sullage water has been approved by the Council's EHO;
 - o Whether occupation will cause a health hazard or an environmental nuisance;
 - o Whether any provision is made for safety of occupants;
 - o Any relevant policy;
 - o Prohibiting permanent occupation of caravans;
 - o Restricting caravans and temporary structures in major towns for limited purposes for temporary occupation while a permanent dwelling is being constructed or for emergency accommodation.
 - o Providing for occupation of caravans outside of major towns for the purposes of temporary occupation while a permanent dwelling is being constructed, for emergency accommodation, for temporary use or casual or recreational accommodation.
- Providing for Authorised Officers and Police Officers to require a person to provide their name and address.
- Providing for certain offences within the proposed By-law and making provision for the issuing of Infringement Notices by Authorised Officers with penalty provisions in respect of specified offences for breaches of the proposed By-law. The penalty provisions act as a deterrent to breaching the By-law provisions and are directed towards situations where activities have been undertaken where damage has occurred or where permit have not been obtained.

Availability of Proposed By-law

A copy of the proposed By-law and the regulatory impact statement may be viewed on the Council website at www.huonvalley.tas.gov.au and available for inspection at and for no cost from the Council's Customer Service Centre, 40 Main Street, Huonville.

Submissions

Submissions are invited in respect of the proposed By-law and the Regulatory Impact Statement stating the grounds of the submission and the facts relied on in support of those grounds, to be in writing addressed to the General Manager, Huon Valley Council, PO Box 210, Huonville, 7109 or by email hvc@huonvalley.tas.gov.au or by facsimile to (03) 6264 0399 and to be received by the Council no later than Wednesday 19 August 2015.

Enquiries may be directed Michael Bartlett, Development Services Coordinator on (03) 6264 0300

Dated 29 July 2015

Matthew Grimsey
Acting General Manager



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