

- STATEMENT BY MAYOR MARK JAMIESON REGARDING NON-AUTHORISED CAMPGROUND AT KENILWORTH
- In recent weeks, there has been a fair bit of coverage of the use of the property at 18 Paulger Road Kenilworth as a commercial campground.
- Kenilworth Camping – as the site and the business is promoted – is situated on a dairy farm on the Mary River.
- What is often the case with these matters is that truth often gets overlooked in the interests of a "good story".
- Your Council has the responsibility on behalf of our community to uphold the law and ensure all people are treated fairly.
- The bottom line for our Sunshine Coast Council is that we are very supportive of farmers looking to diversify their activities as a means to help sustain the traditional agricultural uses of their property. Agribusiness is one of the seven high value industries in our region's economy and Council wants to see agricultural properties survive and thrive.
- Like any property owner in Queensland, if the intention is to conduct a business on the property that is not the same as the existing approved use, then the property owner must obtain the appropriate development approval from Council.
- This is not only the requirement of Sunshine Coast Council – it is a requirement of every Council in Queensland of every property owner.
- Obtaining the required development approval not only provides a level playing field for all businesses. It also enables community and environmental impacts of the new use of the property to be fully considered and if the development approval is granted, it provides certainty for the property owner around the lawful use of their site. Without that approval, the property owner is potentially exposed to substantial financial, legal and insurance risks if something goes wrong on the property as a result of the unauthorised use.
- In the case of Kenilworth Camping, there are several facts that our Council would like to draw to the attention of the general public.
- 1. The owners of the property trading as Kenilworth Camping do not have development approval to conduct a commercial campground.
  2. The owners are being asked to submit a development application in an attempt to legitimise the commercial campground. Many others on the Sunshine Coast have done so and Council is currently considering a development application for a 40 site and 4 cabin campground on another property at Kenilworth.
  3. The owners of Kenilworth Camping claim that they have "existing use rights". This would mean that the property was being used as a commercial campground on its current scale since before town planning laws came into being in the mid 1970's. However, despite repeated offers by Council over the last six months to the property owners to provide evidence of these "existing use rights", they have been unable or unwilling to do so.
  4. It is worth noting that the website for Kenilworth Camping states "We welcome you to be some of the first outside guests to ever stay on our farm" – which clearly suggests that commercial camping on the scale that is currently occurring has not been a feature of this property for the last four decades.
  5. This is not a small scale, limited use campground. Our Council has evidence of more than several hundred campsites on the property over the 2017 Easter Weekend. Kenilworth Camping also advertises secluded campsites with a private rock pool for swimming at \$500 per night.
  6. Council has been engaged with the property owners on numerous occasions since 30 June 2016, following receipt of the first complaint on 28 June 2016. Since that time, Council officers have provided advice to the property owners on options they can consider, the approach to obtaining development approval and extended several invitations to provide evidence of their "existing use rights". To this day, the property owners have not sought to proceed with a development application or provided any evidence of existing use rights.
  7. The property owners have the opportunity to appeal the enforcement notice that has been issued to them by Council if they wish to dispute committing the offence.
  8. The cost of the application fee to obtain a development approval would be substantially less than the maximum penalty that can be imposed on the property owners by the Court if they continue to operate without a development approval.
- Council has endeavoured to work with the property owners to come up with a solution that would enable them to achieve an appropriate development approval for their commercial campground.
- What is clear to our Council is that the owners of Kenilworth Camping clearly have taken the view that unlike everyone else, they do not need to abide by the laws that apply to every property owner in Queensland.
- If everyone was allowed to do this, what sort of community would we be living in? Certainly not the healthy, smart and creative region that the Sunshine Coast aspires to be.
- I am proud of our Council's dedication to our community and our preparedness to make the tough decisions when necessary, to maintain a strong and vibrant region.