

9.1 Camping Other than in a Caravan Park

Objective

1. To establish a consistent approach to the determination of applications associated with the use of caravans for temporary accommodation.
2. To provide guidance for staff and the public regarding the use of caravans for temporary accommodation.
3. Enable people to use caravan accommodation in a period of extreme shortage.

Definitions

Caravan Parks and Camping Grounds Act 1995 contains the following definitions

“**camp**” means any portable shed or hut, tent, tent fly, awning, blind or other portable thing used as or capable of being used for habitation and includes a vehicle of a prescribed type or in prescribed circumstances;

“**Caravan**” means a vehicle that is fitted or designed for habitation, and unless the contrary intention appears, includes an annexed.

Legislative Requirement

The *Caravan Parks and Camping Grounds Regulations 1997* (Regulation 11(2)) provides in general that approval to camp other than at a caravan park or camping ground may be given for a person to camp on land (that has legal right to occupy) for a period:

1. Between 3 nights and 3 months within any period of 12 months by the local government,
2. Longer than 3 months within any period of 12 months by the Minister, or
3. Up to 12 consecutive months while a building license issued to that person in respect of the land is in force, by the local government.

Policy Statement

In each instance:

1. Applications for approval must be made in writing to the Shire of East Pilbara.
2. A maximum of 1 licensed caravan per property. Generally other types of camps will not be approved.
3. Approval will be dependent upon sufficient ablution facilities and space The premises is to have toilet, ablution and laundry facilities, available for use by the person/people camping, that comply with the Building Code of Australia, Council’s Local Laws and Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974. Details of these services are required to be provided as part of the application.
4. Each application is required to be in writing in the prescribed form. The application should also include:
 - a. Written approval from the owner of the property;

- b. Written comments from the occupiers of adjacent properties. Where this is not possible proof by way of postage by registered mail requesting comments to the Shire within 14 days;
 - c. A plan depicting the proposed location of the caravan;
 - d. Colour photographs showing how the conditions of this policy will be satisfied; and
 - e. Fees. There are no fees for Category 5a or 5b applications.
5. Each application will be considered in accordance with the criteria listed below. If an application falls outside the criteria, approval will only be given at the discretion of the Council.

a. Visitor of Resident Less than 3 Nights

Applicable areas: All

Special requirement: Caravan location must not interfere with the reasonable use of the property

Approval Type: No approval required

b. Visitor of Resident 3 Days to 2 Weeks

Applicable areas: All private property

Special requirement: Caravan location must not interfere with the reasonable use of the property

Approval Type: Delegated standard approval

c. Up to 2 additional unrelated persons Up to 3 months in any 12 month period

Applicable areas: Residential

Special requirements:

1. At least 1 occupant of the caravan must be employed.
2. Caravan location must not interfere with the reasonable use of the property.
3. The caravan is to be located:
 - a. Behind the front building line or otherwise screened from view.
 - b. Away from the side and rear boundaries so as not to overlook, overshadow or otherwise impact on the amenity of adjoining residents
4. There must be sufficient onsite parking for the residents of the dwelling plus the occupiers of the caravan.
5. No waste water is to be discharged onto the ground. Unless the caravan waste can discharge into the dwelling disconnector trap the occupants of the caravan must have access to the dwelling facilities at all time.
6. Approval will only be granted for properties which have a high level of streetscape appeal. Properties which have unkempt front yards and road verges will not be considered for approval.

Approval Type: Delegated Authority

d. Up to 2 additional unrelated persons Up to 3 months in any 12 month period

Applicable areas: Industrial

Special requirements:

1. At least 1 occupant of the caravan must be employed on the site or for the business operating from the property.
2. Caravan location must not interfere with the reasonable use of the property.
3. The caravan is to be located behind the front building line or otherwise screened from view.
4. There must be sufficient onsite parking for the occupiers of the caravan.
5. No waste water is to be discharged onto the ground. Unless the caravan waste can discharge into a disconnector trap the occupants of the caravan must have access to the ablution facilities at all time.
6. Approval will only be granted for properties which have a high level of streetscape appeal. Properties which have unkempt front yards and road verges will not be considered for approval.
7. Driveways and yards must have been treated for dust suppression by way of bitumen paving, cracker dust or similar treatments.

Approval Type: Delegated Authority

6. The Council reserves the right to withdraw the approval at any stage if the conditions of the approval have not been satisfied.

Additional Requirements For Camping Outside Of Caravan Parks For Periods In Excess Of Three (3) Months Within Any 12 Month Period.

7. All applications for Approval will only be granted upon application to and approval by the Minister for Local Government and Regional Development.
8. The Shire will only recommend to the Minister that approval be given to private persons whilst employed in Newman and subject to compliance with the terms and conditions listed in 5.3 and 5.4 above.
9. The recommendation can be made under delegated authority
10. For community organisations and sporting clubs the matter may be placed before the Council for consideration in relation to recommendation to the Minister.

Additional Requirements For Camping Outside Of Caravan Parks For Periods Up To (12) Months During The Construction Of A Dwelling.

11. Approval will not be granted within the Town site.

12. Approval will only be granted where a building licence has been issued and the concrete slab or equivalent has been laid.

Fees

13. The fees payable shall be the same as for an application for a Home Occupation including (any penalties) as set out in the Planning and Development Regulations 2009 however no fees shall be payable for Category 5a or 5b applications.

Authorisation Details

References:	<i>Planning and Development Regulations 2009</i> <i>Caravan Parks and Camping Grounds Act 1995</i> <i>Caravan Parks and Camping Grounds Regulations 1997</i>		
Authorised by:	Council		
Date:	27 June 2003	Item No.	9.1.3
Review/Amendment Date		Item No.	
Next Review			
Responsible Directorate			
Responsible Officer	Aviation and Regulatory Services		
File No.	Manager Building Services		