

Council

PROPOSED COUNCIL POLICY – CAMPING AND TEMPORARY ACCOMMODATION PERMITS

Attachments:

- A – Extract from the *Caravan Parks and Camping Grounds Regulations 1997* – ‘Part 2: Caravanning and camping generally’
- B – Media Release by Minister for Local Government (22 August 2024)
- C – Draft Council Policy Camping & Temporary Accommodation Permits
- D – Draft Public Information Brochure ‘Camping on Private Land’
- E – Draft Public Information Brochure ‘Temporary Accommodation’

Meeting Date: 17 June 2025

Number of Pages: 19

Part 2 — Caravanning and camping generally

8. This Part subject to other written law

If there is a conflict or inconsistency between this Part and any other written law other than a local law, the other written law prevails to the extent of the conflict or inconsistency.

8A. Term used: camp

In this Part —

camp when used as a verb, includes to camp in a vehicle.

[Regulation 8A inserted: Gazette 16 Jul 1999 p. 3202.]

9. Park homes may only be occupied in caravan parks

Despite anything else in this Part, a person may occupy a park home only in a caravan park licensed under the Act.

Penalty: a fine of \$5 000.

*[Regulation 9 amended: Gazette 12 Dec 2014 p. 4733;
SL 2024/162 r. 4.]*

10. Where person may camp

A person may camp only —

- (a) at a site in a caravan park or camping ground, as appropriate, licensed under the Act; or
- (b) in accordance with regulation 11.

Penalty: a fine of \$2 000.

*[Regulation 10 amended: Gazette 12 Dec 2014 p. 4733;
SL 2024/162 r. 5.]*

11. Camping other than at caravan park or camping ground

- (1) A person may camp —
- (a) for up to 5 nights in any period of 28 consecutive days on land the person owns or has a legal right to occupy; or
 - (aa) for more than 5 nights in any period of 28 consecutive days on land the person owns or has a legal right to occupy, with the written approval of —
 - (i) a local government under regulation 11A; or
 - (ii) the Minister under regulation 11B;or
 - (b) for up to 24 consecutive hours in a caravan or other vehicle on a road side rest area; or
 - (c) for up to 24 consecutive hours in a caravan or other vehicle on a road reserve in an emergency, unless to do so would cause a hazard to other road users or contravene any other written law with respect to the use of the road reserve; or
 - (d) on any land which is —
 - (i) held by a State instrumentality in freehold or leasehold; or
 - (ii) dedicated, reserved, or set apart under the *Land Administration Act 1997* or any other written law, and placed under the care, control or management of a State instrumentality,in accordance with the permission of that instrumentality; or
 - (e) on any unallocated Crown land or unmanaged reserve, in accordance with the permission of the Minister within the meaning of the *Land Administration Act 1997*, or a person authorised by the Minister to give permission under this paragraph.

r. 11A

[(2) *deleted*]

(3) In this regulation —

emergency means a situation where to move the caravan or other vehicle to a more suitable area would constitute an immediate and serious hazard due to the condition of the caravan or other vehicle, or a vehicle towing the caravan, or of the driver, or passengers, of any such vehicle;

road side rest area means an area designated by a traffic sign erected in accordance with a written law, as an area which may be used for 24 hours for —

- (a) resting; or
- (b) stopping; or
- (c) camping,

in a vehicle;

State instrumentality has the same meaning as it has for the purposes of the *Land Administration Act 1997*;

unallocated Crown land has the same meaning as it has for the purposes of the *Land Administration Act 1997*;

unmanaged reserve has the same meaning as it has for the purposes of the *Land Administration Act 1997*.

[Regulation 11 amended: Gazette 16 Jul 1999 p. 3202-4; 25 Aug 2000 p. 4911; 13 Apr 2012 p. 1660; SL 2024/162 r. 6.]

11A. Camping on private land with local government approval

- (1) A person may apply in writing to a local government for approval to camp on land the person owns or has a legal right to occupy if the land is in the local government's district.
- (2) The local government may approve the person camping on the land for a period specified in the approval not exceeding 24 consecutive months.

- (3) The approval is subject to the following conditions —
 - (a) that any caravan or camp in which the person is camping on the land is maintained in such a condition that it is not a hazard to safety or health;
 - (b) that the land is maintained in such a condition that it is suitable for camping, particularly in relation to —
 - (i) safety and health; and
 - (ii) access to services;
 - (c) any other conditions specified by the local government in the approval.
- (4) The local government is taken to have refused the application if the local government does not give the approval within 63 days of the application.
- (5) The local government may revoke an approval given by the local government, by written notice to the holder of the approval, if the local government is satisfied that a condition of the approval has been breached.
- (6) Before revoking the approval, the local government must —
 - (a) give written notice to the holder of the local government's intention to revoke the approval unless, within 35 days after the notice is given, the holder shows cause why the approval should not be revoked; and
 - (b) consider any written response to the notice received from the holder during that period.

[Regulation 11A inserted: SL 2024/162 r. 7.]

11B. Camping on private land with Ministerial approval

- (1) This regulation applies if a local government does any of the following under regulation 11A (each a ***relevant decision***) —
 - (a) refuses to give an approval a person has applied for;

r. 11B

- (b) gives a person an approval for a period or subject to conditions specified by the local government in the approval;
 - (c) revokes an approval given to a person by the local government.
- (2) The person may, within 35 days of the relevant decision, apply in writing to the Minister for approval to camp on the land the subject of the application or approval (as the case may be).
- (3) The Minister may approve the person camping on the land for a period specified in the approval not exceeding 24 consecutive months.
- (4) The approval is subject to the following conditions —
 - (a) that any caravan or camp in which the person is camping on the land is maintained in such a condition that it is not a hazard to safety or health;
 - (b) that the land is maintained in such a condition that it is suitable for camping, particularly in relation to —
 - (i) safety and health; and
 - (ii) access to services;
 - (c) any other conditions specified by the Minister in the approval.
- (5) If a person makes an application in relation to a relevant decision referred to in subregulation (1)(b), the relevant decision continues in force until the sooner of —
 - (a) the day on which the Minister gives an approval on the application; or
 - (b) the day on which the relevant decision would otherwise cease to have effect.
- (6) The Minister may revoke an approval given by the Minister, by written notice to the holder of the approval, if the Minister is satisfied that a condition of the approval has been breached.

- (7) Before revoking the approval, the Minister must —
- (a) give written notice to the holder of the Minister's intention to revoke the approval unless, within 35 days after the notice is given, the holder shows cause why the approval should not be revoked; and
 - (b) consider any written response to the notice received from the holder during that period.

[Regulation 11B inserted: SL 2024/162 r. 7.]

12. Number of caravans on lot

- (1) A person who owns or has a legal right to occupy a lot, as defined in the *Planning and Development Act 2005* section 4(1), is to ensure that —
- (a) not more than one caravan is being used to camp on the lot at any one time; or
 - (b) where more than one caravan is being used to camp on the lot at any one time, he or she has written approval under subregulation (2) and is complying with that approval.

Penalty for this subregulation: a fine of \$2 000.

- (2) Written approval may be given to a person for more than one caravan, as specified in the approval, to be used to camp on a lot for a period of time specified in the approval —
- (a) by the local government of the district where the lot is situated, if the period of time does not exceed 3 months; or
 - (b) by the Minister, if the period of time exceeds 3 months.

[Regulation 12 amended: Gazette 12 Dec 2014 p. 4723 and 4733; SL 2024/162 r. 8.]

13. Suitability of land for camping to be considered before approval under r. 11A, 11B or 12(2) given

Before giving approval under regulation 11A, 11B or 12(2), the local government or the Minister is to be satisfied that the land is a suitable place for camping especially with respect to —

- (a) safety and health; and
- (b) access to services.

[Regulation 13 amended: SL 2024/162 r. 9.]

14. Caravan or camp to be maintained

A person camping in a caravan or camp is to maintain it in such a condition that it is not a hazard to safety or health.

Penalty: a fine of \$5 000.

*[Regulation 14 amended: Gazette 12 Dec 2014 p. 4733;
SL 2024/162 r. 10.]*

15. Mobility of caravans

- (1) The owner of a caravan is to ensure that the caravan has wheels attached to it, or in the case of a park home assembled from components, each component of the park home has wheels attached to it, and is maintained in such a condition that it is able to be moved under its own power or by being towed, within 24 hours of —

- (a) any services attached to it being disconnected; and
- (b) in the case of a park home assembled from components, it being split into components.

Penalty for this subregulation: a fine of \$5 000.

- (2) A person is not to interfere with a caravan so as to render it unable to be moved, under its own power or by being towed.

Penalty for this subregulation: a fine of \$5 000.

*[Regulation 15 amended: Gazette 12 Dec 2014 p. 4723;
SL 2024/162 r. 11.]*

WA Government to streamline temporary accommodation approvals

The Cook Government is reducing red tape by extending the time frame local governments can approve temporary accommodation arrangements on private land.

- Reforms to streamline caravans and other camping approvals on private property
- Local government approval powers to extend from three to 24 months
- Updates to the regulations will reduce red tape and discourage unlawful camping

The Cook Government is reducing red tape by extending the time frame local governments can approve temporary accommodation arrangements on private land.

Caravans are often used for transitional housing while a house is under construction, for interim arrangements following natural disasters or on a seasonal basis.

Under the *Caravan Parks and Camping Grounds Regulations 1997*, local governments can approve these arrangements for a maximum three months.

The reforms aim to provide greater flexibility; from 1 September, local governments will be able to approve applications for up to 24 months maximum, which can then be renewed.

Applicants will still need to meet health and safety requirements in the regulations, and local governments may establish policies to guide their consideration of approvals.

Special approval is still required for more than one caravan on a single lot.

The Local Government Minister will be able to issue approvals in some circumstances, for example if a local government does not deal with an application in a reasonable time frame. In such cases, health and safety standards still need to be met.

Other changes will benefit holidaymakers; camping on private land, without approval, will be extended from three to five days to better align with traditional holiday periods. Fines for unauthorised camping will increase from \$100 to \$200 to deter unlawful campers.

These reforms follow advocacy from regional local governments and were developed through meetings convened by Warren-Blackwood MLA Jane Kelsbie.

Comments attributed to Local Government Minister Hannah Beazley:

"I'm proud to deliver these common-sense changes that local governments and advocates for tiny homes on wheels have been seeking.

"These changes are designed to reduce the administrative burden for applicants, who are often focused on recovering from a natural disaster or building a new home.

"I would like to thank local governments and the Western Australian Local Government Association for their constructive input to these changes."

Comments attributed to Warren-Blackwood MLA Jane Kelsbie:

"These reforms are a game changer for anyone needing temporary accommodation in WA, and for the growing tiny house community.

"Across Warren-Blackwood, there is a strong demand for seasonal worker housing, and we have already witnessed the positive impact of using tiny homes on wheels to meet this demand.

"I'm proud to have played a part in facilitating these sensible changes, which aim to cut red tape, clarify guidelines, and offer better protection against unlawful camping.

"Thank you to the Shires of Denmark, Manjimup, and Margaret River for their proactive efforts in proposing and advocating for these much-needed reforms."

Published

22 August 2024

Ministers



Hon. Hannah Beazley

Minister for Local Government; Youth; Minister Assisting the Minister for Training and Workforce Development

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CAMPING & TEMPORARY ACCOMMODATION PERMITS

Purpose

To provide clear guidelines for the granting of permits to camp and/or temporarily reside on private property under the *Caravan Parks and Camping Grounds Regulations 1997* (the Regulations) where this is at the discretion of the Shire of Plantagenet.

Scope

This policy applies to all properties located within the Shire of Plantagenet.

Definitions

Definitions for terms used in this Policy are consistent with the *Caravan Parks and Camping Grounds Act 1995 and Regulations 1997*, the *Shire of Plantagenet Local Planning Scheme No. 5* and the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Tiny House on Wheels (THOW) – means a structure that is designed for human habitation on a wheeled base, no greater than 50m² in floor area, constructed of domestic grade materials with the character of a dwelling, and with the capacity to be licensed as a vehicle under the *Road Traffic (Vehicles) Regulations 2014*. This definition of a THOW is not taken to include:

- An original or retrofitted caravan, bus, truck body, wagon, or other vehicle; and,
- A tent, camper trailer, yurt, or other temporary structure associated with camping; and,
- A park home, sea container or other transportable structure whether designed or adapted for residential use.

Camp – for the purposes of this Policy, the term ‘camp’ as defined in the *Caravan Park and Camping Ground Act 1995*, includes the use of a Tiny Home on Wheels or any other structure utilised in association with a camping permit granted by the Shire.

Policy

Requests for short-term camping on private property for longer than 5 nights (Clause 11(1)(aa) of the Regulations)

1. The Chief Executive Officer or delegate may issue a permit to camp on private property for longer than 5 nights subject to the following conditions:
 - 1.1. A maximum length of stay of 10 days may be permitted on any lot without an approved habitable dwelling. This includes the first 5 days of stay permitted under Clause 11(1)(a) of the Regulations.

- 1.2. A maximum length of stay of 21 days may be permitted on any lot with an approved habitable dwelling.
- 1.3. A maximum of 1 caravan and 1 tent may be permitted for any lot under 1 hectare in size.
- 1.4. A maximum of 2 caravans and 2 tents may be permitted for any lot over 1 hectare in size.
- 1.5. Camping is not permitted on any land that is within the Commercial, Service Commercial, General Industry or Strategic Industry zones.

Requests to long term camp (temporary accommodation) on private property for up to 24 months

(Clause 11A of the Regulations)

2. The Chief Executive Officer or delegate may issue a permit for long-term camping on private property subject to the following conditions:

- 2.1. Camping may include the use of a caravan, recreational vehicle (RV) or bus (only) subject to:

- An approved and active building permit for the construction of a residential dwelling on the property;
- Evidence of agreement with the registered builder or owner-builder regarding insurance liability while the property is (or contains) a building site;
- A maximum length of stay of 12 months (single term only);
- A maximum of 1 caravan, RV or bus may be permitted for any lot under 1 hectare in size.
- A maximum of 2 caravans, RVs or buses may be permitted for any lot over 1 hectare in size.

Note: The Shire may grant approval for more than 1 caravan for a period of up to 3 months. If an application for more than 1 caravan is for greater than 3 months the Shire will forward the application to the Minister for determination (as required by the Regulations).

- 2.2. Camping may include the use of a tiny home on wheels (THOW) subject to:

- A maximum length of stay of 24 months.
- A maximum of 1 THOW on any property.
- The location of the THOW being in a position on the property that appropriately minimises bushfire risks and enables evacuation, to the satisfaction of the Shire.
- The location of the THOW being accessible via a two-wheel drive, all-weather driveway or access track.

- The THOW being a vehicle (caravan) licensed under the *Road Traffic (Vehicles) Regulations 2014*.
- The THOW being of domestic grade materials and appearance.
- Sufficient demonstration, to the satisfaction of the Shire, that the THOW is both structurally safe and all utility services have been installed (or verified) by an appropriately licensed person.
- Sufficient demonstration, to the satisfaction of the Shire, that the design, materials and construction of a THOW complies with the standards of the National Construction Code (NCC) and applicable Australian Standards as much as is practicable.
- The payment of an annual permit fee will be required, acknowledging that the person/s temporarily residing on the property will be able to utilise community services and infrastructure that are provided and maintained by the Shire, but will not otherwise pay equivalent rates to support the provision of these services and infrastructure.

2.3. The use of other vehicles not specified above or a tent, yurt, camper trailer or other temporary structure associated with camping is not permitted as part of any permit granted for long term camping under this section.

General requirements for all camping permits

3.1. A legal right to camp on the property must be demonstrated.

3.2. A camping permit may be granted on any land where a residential dwelling could potentially be established (subject to approval) under *Local Planning Scheme No. 5*.

3.3. A camping permit:

- Must be used by the applicant named on the permit;
- Is not permitted to be sub-let; and
- May not be used for any commercial purpose or gain, including short-term rental accommodation.

3.4. The location of any camp is required to be:

- Consistent with the setback or building envelope requirements according to the zoning of the land;
- A minimum of 1m from any boundary between private properties;
- A minimum of 6m from any boundary to a public reserve;
- Where multiple caravans have been permitted, maintaining a minimum of 3m between caravans;
- Where a residence or other building exists on the site, not between that residence or other building and the street; and

- Sufficiently separated from areas of remnant vegetation and forestry so as to avoid environmental degradation and/or avoidable bushfire risk, to the satisfaction of the Shire. No clearing is authorised through the granting of a permit to camp.

3.5. The Shire reserves the right to apply conditions to the granting of a permit to ensure the:

- Appropriate provision of services and management of wastes;
- Protection of the natural environment;
- Protection of the amenity of neighbouring landowners; and
- The safety of all occupants from natural hazards.

The Shire may apply other conditions that are deemed necessary on a case by case basis.

3.6. Sufficient arrangements for the provision of a potable water supply, wastewater disposal system and waste collection service are to be put in place while the property is occupied to the satisfaction of the Shire.

3.7. Camping is not considered to be an ongoing change in land use and vehicles and structures that are utilised are considered a tolerable loss; however, the protection of life and minimisation of risk to others is considered critical. The following minimum requirements for protection from bushfire will be applied to all camps:

- Camping is not permitted between November and April (inclusive) on any property that is without public road access in two different directions, to two different suitable destinations and with an all-weather surface.
- Camping is not permitted on any day where the Fire Danger Rating is declared as 'Extreme' or 'Catastrophic'. On any such day a camp is not to be occupied; however, occupants of a camp may shelter within an approved residential dwelling on the property.
- A camp must be evacuated immediately in the event that the WA State Government issues any bushfire warning (advice, watch and act or emergency) that relates to the property where that camp is located.
- It is the sole responsibility of the permit holder to ensure that all occupants of a camp are aware of and compliant with the applicable fire danger ratings, bushfire warnings, total fire bans and other local fire management restrictions.
- Campfires are permitted/ prohibited in accordance with the Shire's annual Fire Management Notice.

3.8. The Shire may, at its discretion, revoke a permit if the conditions of that permit are not adhered to. In the event that a permit is revoked the permit holder and other occupants of the camp must leave the site within a period of time specified by the Shire.

- 3.9. No camp shall be permitted to utilise an unapproved building of any kind. Any supporting structures (eg. water tanks, decks, patios, outbuildings) must be constructed in accordance with relevant Shire approvals.

(Note: Some structures may be exempt from approval where the property contains an existing residential dwelling)

Document Control						
Document Responsibilities						
Owner	Chief Executive Officer	Business Unit	Development and Regulatory Services			
Reviewer	Executive Manager	Approval	Council			
Document Compliance						
Legislation		Caravan Parks and Camping Grounds Regulations 1997				
Other						
Document Management						
Review:			Next Due:		Ref:	
Version #	Effective Date		Sections Modified (if applicable)			
1						

DID YOU KNOW?

Camping on your block?
If you want to put a shed, water tank, deck or other structure on your property you may need planning and building approvals.

Check out the information on our website or contact our friendly team for details.



MORE INFORMATION:



www.plantagenet.wa.gov.au

Find policies, application forms, and other planning & building information. You can also make an online enquiry.

CONTACT US:



(08) 9892 1111



info@sop.wa.gov.au



PO Box 48
MOUNT BARKER WA 6324

This information is provided as a general guide only - please contact us before starting your project.



Shire of
Plantagenet

Mount Barker • Kendenup • Narrikup
Porongurup • Rocky Gully

V1.0 23 May 2025



Shire of
Plantagenet

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CAMPING ON PRIVATE LAND

Environmental
Health Guidelines



Can I camp on my own land without a permit?



Yes, you can camp on your own land **without** a permit for up to:

- Maximum of 5 nights in any 28 day period
- Maximum of 1 caravan

Please apply to the Shire for a permit if you want to camp for a longer time or with multiple caravans.

You are responsible for:

- Complying with seasonal fire restrictions (see our website)
- Disposing of effluent at a dump point or approved septic system
- Collecting and disposing of rubbish in a bin or at the tip
- Respecting your neighbours and keeping noise levels to a minimum

Can I get a permit to camp for longer?

Yes, you can apply for a permit from the Shire to camp on land you own (or with the landowner's permission).

The Shire's Policy for Camping & Temporary Accommodation Permits supports:

- Maximum stay of 21 days if the property has an existing house
- Maximum stay of 10 days if the property does not have a house
- Maximum of 1 caravan and 1 tent on properties under 1 hectare
- Maximum of 2 caravans and 2 tents on properties over 1 hectare

Camping is not supported on land within the Commercial, Service Commercial, General Industry or Strategic Industry zones.

Camping permits can be used by the person who applies and their friends and family, but are not permitted to be rented, sub-let or used for any commercial purpose. Please contact our team if you are hoping to start a camping business.

What are the conditions of a camping permit?

All camping permits will be subject to conditions.

For full details of conditions please refer to the Shire's Policy for Camping & Temporary Accommodation Permits (available on our website).

Conditions may be general or specific to the property, including:

- Campsites being set back from property boundaries as per the standards for the zone
- Campsites located behind a house on the property (where one exists)
- Campsites being vacated during fire danger weather (see Policy)
- Appropriate arrangements for managing rubbish and effluent disposal must be in place



DID YOU KNOW?

A 'tiny home' that meets National Construction Code standards can potentially be approved as a building (eg. a Single House or Ancillary Dwelling).

A 'tiny home on wheels' that is registered as a vehicle is treated the same as a caravan under WA State legislation.



MORE INFORMATION:



www.plantagenet.wa.gov.au

Find policies, application forms, and other planning & building information. You can also make an online enquiry.

CONTACT US:



(08) 9892 1111



info@sop.wa.gov.au



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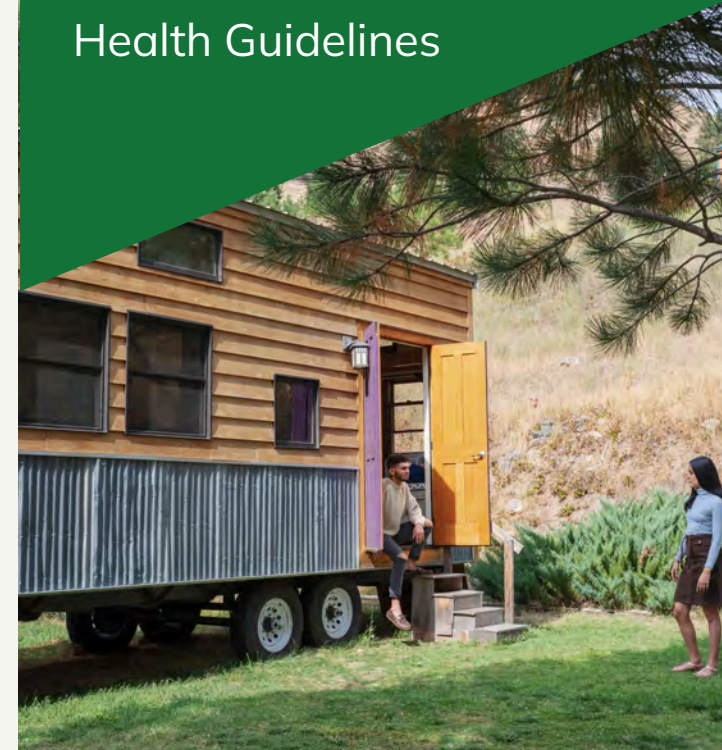


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TEMPORARY ACCOMMODATION (INCL. TINY HOMES ON WHEELS)

Environmental
Health Guidelines



Can I live on site while I am building my home?



You can apply to the Shire for a camping permit to use temporary accommodation building your house.

To apply you will need:

- Planning and building approvals in place for your house
- Agreement from your builder or an owner-builder permit, with details of how building site safety and liability will be addressed

A permit can be granted subject to:

- Maximum length of stay of 12 months (single term only)
- Maximum 1 caravan, RV or bus (lots under 1 hectare in size)
- Maximum 2 caravans, RVs or buses (lots over 1 hectare)

***also subject to approval by the State Government if for more than 3 months

Can I live on my property in a tiny home on wheels?

You can apply to the Shire for a camping permit to use a tiny home on wheels (THOW) as temporary accommodation for up to 24 months.

THOW requirements include:

- THOW is a registered vehicle at the time you apply
- Purpose built THOW (not a bus, caravan, RV or camper trailer)
- Domestic grade materials and appearance (looks like a house)
- Construction-level details that show structural safety and building standard (see Policy)
- Compliance certificates for electrical, gas and plumbing work
- Located to minimise bushfire risk and with 2WD vehicle access
- Located within the standard lot boundary setbacks for the zone
- Approval is obtained for a wastewater disposal system

For full details please refer to the Shire's [Camping & Temporary Accommodation Permits](#) Policy (available on our website).

What are the permit conditions?

Standard conditions apply to all permits for camping (including temporary accommodation). For full details refer to the Shire's [Camping & Temporary Accommodation Permits](#) Policy (available on our website).

Conditions may be general or specific to the property, including:

- Camping permits cannot be rented, sub-let or used for any commercial purpose.
- Camping is not supported on land within the Commercial, Service Commercial, General Industry or Strategic Industry zones.
- Campsites being vacated during fire danger weather (see Policy)
- Appropriate arrangements for managing rubbish and effluent disposal must be in place

