

# 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 50m<sup>2</sup> 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)*

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