

9 REPORTS OF COMMITTEES AND OFFICERS

9.1 DEVELOPMENT & REGULATORY SERVICES REPORTS

9.1.1 PROPOSED COUNCIL POLICY - CAMPING AND TEMPORARY ACCOMMODATION PERMITS

Synergy Ref:	N66168
Attachments:	<u>A – Extract from the <i>Caravan Parks and Camping Grounds Regulations 1997</i> – ‘Part 2: Caravanning and camping generally’</u> <u>B – Media Release by Minister for Local Government (22 August 2024)</u> <u>C – Draft Council Policy <i>Camping & Temporary Accommodation Permits</i></u> <u>D – Draft Public Information Brochure ‘Camping on Private Land’</u> <u>E – Draft Public Information Brochure ‘Temporary Accommodation’</u>
Responsible Officer:	Andre Pinto, Executive Manager Development & Regulatory Services
Author:	Will Hosken, Manager Planning & Development Services
Proprietor/Applicant:	n/a
Proposed Meeting Date:	17 June 2025

PURPOSE

This report proposes the adoption of a new Council Policy to establish a position on the granting of permits by the Shire for camping on private land, including where permits are used to support temporary accommodation.

BACKGROUND

As well as regulating commercial operators, the *Caravan Parks and Camping Ground Regulations 1997* (the Regulations) also governs camping on private land outside of licensed facilities (see Part 2 of the Regulations included as Attachment A).

In August 2024 the State Government announced changes to this Part of the Regulations, including the ability for local governments to grant permits for camping on private land for up to 24 months.

The intent of these changes was to enable the use of a Tiny Homes on Wheels (THOW) as a form of temporary accommodation (see Attachment B – Media Release by Minister for Local Government).

Section 11(a) of the Regulations allows for camping on private land (with a legal right to occupy) without approval for a maximum of 5 nights in any period of 28 consecutive days.

Section 11(aa) allows for camping on private land for a period of greater than 5 nights in any period of 28 consecutive days subject to the written approval of the local government. A local government may grant approval for up to 24 months in accordance with the requirements outlined at Section 11A.

While the Regulations provide broad parameters, it is up to the local government to decide when camping permits will be granted and the conditions that will apply. The Regulations do not provide clear direction on how a local government is to implement a permit process, including:

- Defining the type of structures that are appropriate for longer-term occupation (or not), including defining what a THOW is (and is not)
- Defining how the requirement of the Regulations for demonstrating ‘health and safety’ is to be implemented

This provides local governments with a high degree of discretion, but also leaves local governments almost entirely responsible for addressing risk mitigation.

The policy that is proposed by this report (see Attachment C - ‘*Draft Council Policy Camping & Temporary Accommodation Permits*’) aims to provide clear guidelines for the granting of camping permits by the Shire. This intends to address evident risks while still providing a legitimate pathway in appropriate circumstances.

Permit Types

The proposed policy provides for the granting of a camping permit in the following circumstances:

- *Short term camping for a period of between 5 and 21 nights*

This type of permit is expected to be the most commonly used, catering for extended family stays and other similar short term uses. It is anticipated that this would be an administratively ‘light’ process, and provide a way to formally accommodate a generally acceptable activity that has typically occurred without approvals being sought.

- *Long term camping (temporary accommodation) when a residence is being built*

This type of permit would be granted for up to 12 months where an approved and active building permit is in place and the owner wishes to reside on site during the building process. This type of permit is the same as previously existed in the Regulations (prior to September 2024).

- *Long term camping (temporary accommodation) utilising a Tiny Home on Wheels (THOW)*

This type of permit would be granted for up to 24 months (and may be renewed upon application) where a landowner seeks to reside in a THOW (usually instead of building a house). Further discussion on the use of THOWs as a form of accommodation is provided below.

Permit Conditions

The proposed Policy provides for application requirements and conditions of approval in three ways:

- General conditions that apply to all permits

This includes conditions such as:

- Camping permits are not transferable or for commercial purposes
 - A campsite location must meet specified requirements to avoid environmental damage, bushfire risk and impacts on neighbours
 - Appropriate arrangements for the management of waste and wastewater disposal must be demonstrated
- Conditions that apply to a specific type of permit
 - An ability for the Shire to apply site-specific conditions, where necessary

The proposed policy requirements are aimed at minimising risks to personal and public safety, environmental harm and meeting the requirements of the Regulations.

The Regulations allow for the Shire to revoke a permit if the conditions of an approval are not complied with.

Bushfire Risk

The proposed policy includes requirements that address the potential risk to life from bushfire. Officers consider this to be one of the most significant risks involved in the granting of camping permits and recommend the measures in the proposed policy are a necessary response. This approach sets a higher standard than other local governments with similar policies.

Campers will typically be less prepared and have fewer resources available to respond to a bushfire scenario compared to permanent residents, and having campers located in remote or inaccessible areas during dangerous fire weather should be avoided wherever possible.

The requirements outlined in the proposed policy seek evacuation as a first response in order to preserve life and avoid the unnecessary use of emergency services resources.

Tiny Home on Wheels (THOW)

A tiny home that is attached to footings and has achieved a building permit is classed the same as a residential dwelling; however, a tiny home that is on wheels and mobile (not fixed to the ground) is considered the same as a caravan under the Regulations and other State legislation.

Community acceptance of THOWs as a form of accommodation has grown in recent years, partly due to their popularity as a lifestyle choice and partly due to the growing need for alternative forms of affordable housing.

The proposed policy defines what a THOW is and is not, providing distinction from caravans and other types of vehicles.

The proposed policy allows for a permit to be granted for the use of a THOW as a form of temporary accommodation for up to 24 months.

As a form of temporary accommodation more than a short-term camp, the policy includes requirements for demonstrating structural safety and licensed utility service installation. These requirements enable the Shire to ensure that the THOW meets the 'health and safety' test of the Regulations and fairly relate to these structures being intended for medium to long term use.

Compliance Issues

The Shire is currently handling a number of compliance cases that involve a person occupying a property by camping in a vehicle or other unapproved structure. The circumstances of each of these cases are complex.

In most of these cases the occupant could potentially apply to the Shire for a permit to camp on the property. Shire officers would then have to use discretion to decide whether each camp could be approved, including consideration of health, safety and access to services as referred to in the Regulations.

The proposed Policy would greatly assist Shire officers by setting clear parameters, as well as providing clarity and transparency for our community. Shire officers could therefore seek to resolve these compliance cases by either directing that an application is made and minimum standard achieved, or by seeking that unauthorised activity cease.

EXTERNAL CONSULTATION

Shire officers have consulted with staff from other local governments and reviewed various approaches to this matter before forming the position recommended in the proposed policy.

As this Policy will have a material impact on the development and/or use of private property, it is recommended that the Shire advertise the proposed adoption of this Council Policy for a minimum of 21 days to provide for public comment. In support of this the Shire will provide public notification via the Shire's website and social media.

Attachments D and E to this report are draft public information brochures that have been prepared to help communicate camping permit requirements. These brochures are based on the proposed policy presented in this report.

STATUTORY ENVIRONMENT

The proposed policy provides direction for the exercise of discretion by the Shire in granting permits for camping under the *Caravan Parks and Camping Grounds Regulations 1997*.

POLICY IMPLICATIONS

If adopted, the proposed Council Policy will be included as part of the ongoing Council Policy review cycle.

FINANCIAL IMPLICATIONS

The proposed policy refers to the payment of an annual fee for a permit granted for the use of a THOW for up to 24 months.

The collection of an annual permit fee is to support the Council in providing community services for additional residents.

This is recommended as a way to achieve equity with other ratepayers when taking into account that:

- A vacant property where a THOW is established will continue to be charged rates as though it were vacant, as a THOW is unable to be classified as an improvement.
- A property with an existing house where a THOW is established will continue to be charged the same rates, whereas a property where the owner extends the house or adds an ancillary dwelling (granny flat) will see their rates increase when revaluation occurs.

BUDGET IMPLICATIONS

Proposed application and annual permit fees have been included in the draft schedule of fees and charges for 2025/26 that will be presented to Council in due course.

LEGAL IMPLICATIONS

The proposed policy will help to mitigate potential legal risks by providing the Shire with a framework to assess applications for camping permits made under the Regulations.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications as no assets are being created or acquired.

STRATEGIC IMPLICATIONS

The Shire of Plantagenet Corporate Business Plan 2022/23 – 2025/26 provides:

At *Outcome 2.2 Infrastructure* the following Strategies:

Strategy 2.2.1:

‘Long term planning and development guided by the Planning Vision.’

At *Outcome 4 Performance & Leadership* the following Strategies:

Strategy 4.1.3:

‘A Shire that is open and transparent with its community.’

Strategy 4.1.4:

‘Continuous improvement in service delivery.’

Accordingly, the recommended outcome for this report aligns with the Corporate Business Plan.

RISK MITIGATION IMPLICATIONS

This item has been evaluated against the Shire of Plantagenet’s Risk Assessment and Acceptance Criteria. The level of risk is considered to be Low on the basis of the recommendations of this report, as ongoing risks can then be managed by routine procedures and with currently available resources.

STRATEGIC RISK IMPLICATIONS

There are no strategic risk implications for this report.

REGIONAL IMPLICATIONS

There are no regional implications for this report.

OFFICER COMMENT

The proposed policy that is discussed in this report will enable the Shire to take a clear and consistent approach to assessing and approving applications to camp on private land.

The proposed policy provides opportunities for appropriate forms of camping to occur while including appropriate risk mitigation measures that address the health and safety requirements of the Regulations.

Feedback and concerns raised during public consultation will be assessed and the opportunity to make further revisions to the draft revised policy considered.

The outcomes of public consultation will be reported to the Council alongside a recommended final policy position.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That Council:

- 1. Adopts the proposed Council Policy Camping and Temporary Accommodation Permits for the purpose of public consultation.**
- 2. Publishes public notice inviting comment on proposed Council Policy - Camping and Temporary Accommodation Permits for a minimum of 21 days.**

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
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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

Mount Barker • Kendenup • Narrikup
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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.



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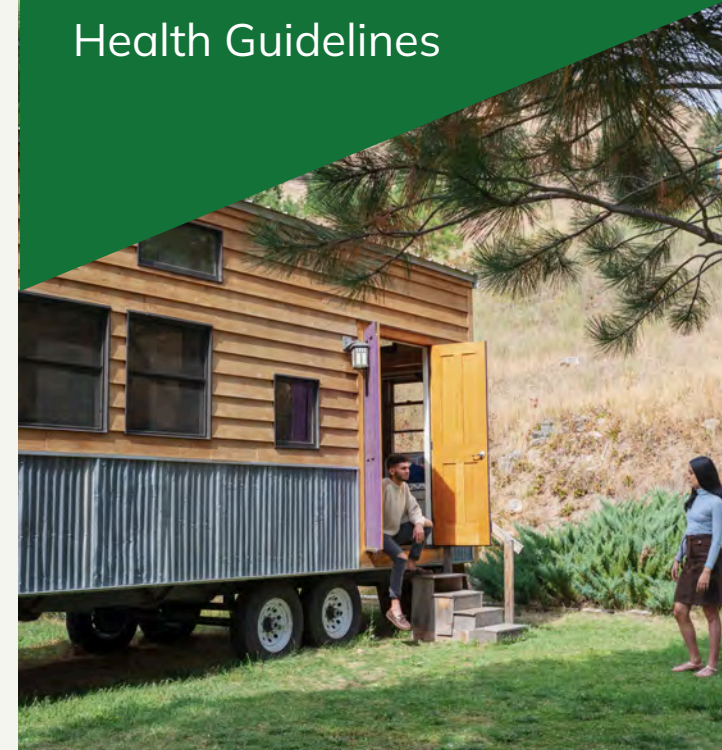


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TEMPORARY ACCOMMODATION (INCL. TINY HOMES ON WHEELS)

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

