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## ## CAMPING AND TEMPORARY ACCOMMODATION ON PRIVATE LAND

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**Objective:** To establish a clear and consistent process for assessing and granting approval for temporary accommodation on privately owned land

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**Date of adoption:** *Minute No.*

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**Date of amendment:**

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**Date of last review:**

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**Legislative References:** *Caravan Parks and Camping Grounds Regulations 1997*  
*Caravan Parks and Camping Grounds Act 1995*  
*Local Government Act 1995*  
*Planning and Development Act 2005*  
*Planning and Development (Local Planning Schemes) Regulations 2015*  
*Shire of Broomehill Town Planning Scheme No. 1*  
*Shire of Tambellup Town Planning Scheme No. 2*  
*Building Act 2011*  
*Public Health Act 2016*  
*Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974*  
*Bush Fires Act 1954*

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**Internal References:**

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### POLICY PURPOSE

The purpose of this Policy is to establish a clear and consistent process for assessing and granting permits to camp and/or temporarily reside on privately owned land under the *Caravan Parks and Camping Grounds Regulations 1997*, where this is at the discretion of the Shire of Broomehill-Tambellup.

This Policy applies to all properties located within the Shire of Broomehill-Tambellup.

Camping and temporary accommodation will only be permitted on land zoned Residential, Special Rural, Rural Residential or Farming under the applicable Local Planning Scheme, being either the Shire of Broomehill Town Planning Scheme No. 1 or the Shire of Tambellup Town Planning Scheme No. 2 (Schemes).

### DEFINITIONS

Definitions for terms used in this Policy are consistent with the *Caravan Parks and Camping Grounds Act 1995*, *Caravan Parks and Camping Grounds Regulations 1997* (Regulations), 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;

- A tent, camper trailer, yurt, or other temporary structure associated with camping; or
- A park home, sea container or other transportable structure, whether designed or adapted for residential use.

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

**Dwelling** – for the purpose of this Policy the term “dwelling” as defined in the Residential Design Codes Volume 1 means a building or portion of a building being used, adapted, or designed or intended to be used for the purpose of human habitation on a permanent basis by a single person, a single family, or no more than six persons who do not comprise a single family.

## **POLICY**

### **Requests for short-term camping on private property for longer than 5 nights**

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. A maximum length of stay of 10 days may be permitted on any lot without an approved dwelling. This includes the first 5 days of stay permitted under regulation 11(1)(a) of the Regulations.
2. A maximum length of stay of 28 days may be permitted on any lot with an approved dwelling.
3. A maximum of 1 caravan and 1 tent may be permitted for any lot under 1 hectare in size.
4. A maximum of 2 caravans and 2 tents may be permitted for any lot over 1 hectare in size. Under regulation 12 of the Regulations, the Shire’s approval for more than one caravan on a lot is limited to a period not exceeding 3 months. Any approval for more than one caravan exceeding 3 months requires referral to the Minister.

### **Requests for long-term camping (temporary accommodation) on private property for up to 24 months**

A completed “Application for Temporary Accommodation” with the supporting documentation outlining the following information must be provided:

1. A statutory declaration confirming the purpose and an agreement to vacate upon expiration.
2. Proof of property ownership.
3. A sketched site plan indicating:
  - a) Location of the temporary accommodation
  - b) Effluent Disposal System
  - c) Ablution facilities (if not contained within the caravan)
4. Building permit for the permanent dwelling.

When assessing applications for temporary accommodation, the Shire will consider the following:

- a) Impact on social surroundings;
- b) Visual impact; and
- c) Environmental amenity.

Upon receipt of a complete application and payment of the prescribed fee, the Shire will determine the application within 63 days, after which the application is taken to have been refused. Where the Shire refuses an application, grants approval subject to conditions or a shorter period than requested, or subsequently revokes an approval, the applicant may within 35 days apply to the Minister under regulation 11B of the Regulations.

### **APPROVAL CONDITIONS**

The following conditions may be included on an approval for temporary accommodation:

#### **1. Type of Accommodation**

- a) Temporary accommodation will only be permitted in a caravan or THOW and not an outbuilding (Shed).
- b) The caravan or THOW must remain in a condition that readily permits its removal from the site at all times.
- c) Sleeping and cooking facilities must be confined to the caravan or THOW only.

#### **2. Duration**

- a) Camping approval may be granted for one caravan or THOW for up to 24 months.

#### **3. Placement**

- a) The caravan or THOW must be located in accordance with the boundary setbacks as stipulated in the applicable Scheme.

#### **4. Utilities**

- a) The caravan or THOW must be connected to an approved potable water source and septic system.
- b) An application to construct or install an apparatus for the treatment of sewage is to accompany the temporary accommodation application, and the Approval to Construct and subsequent Permit to Use issued by the Shire's Environmental Health Officer before occupancy of the temporary accommodation can commence.
- c) Power connections must comply with safety standards (e.g., overhead cables or protective measures)

#### **5. Facilities**

- a) The caravan or THOW is to be fully equipped and must include a compliant and appropriate fire extinguisher, fire blanket, shower, toilet, hand basin, cooking facilities, smoke alarm and kitchen sink with hot and cold water.

## 6. Maintenance

- a) The site must remain tidy, and waste must be managed responsibly.

## 7. Bushfire Requirements

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:

- a) 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.
- b) Camping is not permitted on any day where the Fire Danger Rating is declared as 'Extreme' or 'Catastrophic'.
- c) A camp must be evacuated immediately if the WA State Government issues any bushfire warning (advice, watch and act, or emergency) that relates to the property where that camp is located.
- d) 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.
- e) Campfires are permitted/prohibited in accordance with the Shire's annual Fire Break Order.

## REMOVAL

Temporary Accommodation facilities are to be removed within 28 days of the practical completion of the dwelling or when the Temporary Accommodation approval expires.

## REVOCATION

The Shire has the right to revoke temporary occupation approval if it is at any time dissatisfied with the amenity of the site or if any condition of the approval is not being complied with. Before revoking an approval, the Shire will give written notice of its intention to revoke and allow the holder 35 days to show cause why the approval should not be revoked and will consider any written response received within that period.

## OTHER

- a) The use of an off-site dump point will not be considered an appropriate means of wastewater disposal.
- b) Living in a shed is prohibited, and temporary accommodation in tents will not be supported for approval.
- c) The extension of approval will not be considered if the building of the dwelling has not substantially commenced.