

## **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.

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[(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;

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- (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.]*

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**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.]*