

Living in a Caravan (Other than at a Licensed Caravan Park or Camping Ground)

Statutory context Caravan Parks and Camping Grounds Act 1995
Caravan Parks and Camping Grounds Regulations 1997

History Adopted

Policy Statement

The Shire of Narrogin recognises the diverse housing needs within the community, including the option of living in caravans. In alignment with the Caravan Parks and Camping Grounds Regulations 1997, the Shire aims to establish a policy to ensure the safe and sustainable use of caravans for temporary residential purposes within the Shire.

Purpose:

The purpose of this policy is to provide clear guidelines and regulations for individuals living in caravans within the Shire of Narrogin. This policy aims to balance the needs of residents with the broader community's interests, promoting a safe, healthy, and harmonious living environment.

Policy Basis

This policy is developed in accordance with the Caravan Parks and Camping Grounds Regulations 1997 and seeks to strike a balance between promoting affordable housing options and safeguarding the amenity and safety standards of the community.

The Policy does not bind the local government in respect of any application for approval but the local government is to have due regard to the provisions of this Policy and the objectives which the Policy is designed to achieve before making its determination.

Objectives:

The objectives of the Living in a Caravan Policy are:

- To provide clear guidelines for Guidelines for landowners seeking to live on their property whilst constructing their permanent dwelling.
- To provide Guidelines for persons to occupy a caravan on a property where there is an existing dwelling for no longer than 6 weeks.
- To provide Guidelines for persons to occupy a caravan on a property where there is an existing dwelling for no longer than 3 months.

Definitions

A Caravan has the same meaning as one caravan.

- Caravan means a vehicle that is fitted or designed for habitation, and unless the contrary intention appears, includes an annexe.
- Annexe means an attachment to a caravan, of a prescribed type or description, used as an extension of the habitable area of that caravan.

Statement

Clause 11 of the Caravan Parks and Camping Grounds Regulations 1997 states:

11. Camping other than at caravan park or camping ground

(1) A person may camp —

- (a) for up to 3 nights in any period of 28 consecutive days on land which he or she owns or has a legal right to occupy, and may camp for longer than 3 nights on such land if he or she has written approval under subregulation (2) and is complying with that approval; 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.*
- (2) *Written approval may be given for a person to camp on land referred to in subregulation (1)(a) for a period specified in the approval which is longer than 3 nights —*
- (a) *by the local government of the district where the land is situated, if such approval will not result in the land being camped on for longer than 3 months in any period of 12 months; or*
 - (b) *by the Minister, if such approval will result in the land being camped on for longer than 3 months in any period of 12 months; or*
 - (c) *despite paragraph (b), by the local government of the district where the land is situated —*
 - (i) *if such approval will not result in the land being camped on for longer than 12 consecutive months; and*
 - (ii) *if the person owns or has a legal right to occupy the land and is to camp in a caravan on the land while a permit has effect in relation to the land.*

Policy Provisions

1. Caravan on site for no more than 6 weeks

- (a) The use of a caravan for no more than 6 weeks on a site with an existing 'Single House' is permitted so long as the consent of the person who owns or has a legal right to occupy the land is given and no nuisance is created.

2. Caravan on site for no more than 3 months

- (a) The use of a caravan for no more than 3 months on a site with an existing dwelling is permitted so long as the consent of the person who owns or has a legal right to occupy the land is given and:
 - (i) An Application for Approval to Camp Other Than at a Caravan Park is lodged and approved.

3. Temporary Accommodation in a Caravan

- (a) Temporary Caravan Accommodation for a term of 3 months to 12 months is not permitted unless Development Approval is granted by the Shire.
- (b) Temporary Caravan Accommodation may only be considered for properties zoned:
 - (i) Residential;
 - (ii) Rural Townsite
 - (iii) Rural;
 - (iv) Rural Residential; and
 - (v) Rural Smallholdings.

- (c) The applicant must hold a current building permit for the construction of a dwelling on the property prior to the approval being considered.
- (d) Temporary Caravan Accommodation is limited to a period of one (1) year.
- (e) Temporary Caravan Accommodation will only be permitted in a caravan and not an outbuilding and the following additional conditions apply:
 - (i) The caravan must remain in a condition that readily permits its removal from the site at all times;
 - (ii) The caravan is not to be located within an outbuilding when used for Temporary Caravan Accommodation;
 - (iii) The caravan must be situated within the property and comply with all setback requirements;
 - (iv) Sleeping and cooking activities must be confined to the caravan;
 - (v) Toilet, bathroom and laundry facilities must be provided to the minimum health standards required by the Building Code of Australia and the Health Act. These facilities may be in a shed constructed on-site and alongside which the caravan is parked; and
 - (vi) All facilities must be inspected before occupation of the temporary accommodation.
- (f) All ablution facilities must be connected to an on-site sewage treatment and effluent disposal system approved by the Shire and must not cause a nuisance.
- (g) Irrespective of Clause 3.(d). subsequent approvals of Temporary Caravan Accommodation may be considered subject to the caravan being removed from site and a new approval sought prior to it being camped in for a further term.
- (h) Council reserves the right to revoke an approval notice for Temporary Caravan Accommodation if it is at any time dissatisfied with the rate of progress of the dwelling, with the amenity of the site or the general terms of the approval not being complied with.

Procedures

Forms and Templates

– End of Policy

Notes