Caravan Parks and Camping Grounds Amendment Regulations 1999

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the Caravan Parks and Camping Grounds Amendment Regulations 1999.

2. The regulations amended

The amendments in these regulations are to the Caravan Parks and Camping Grounds Regulations 1997.*

[* Published in Gazette 20 June 1997, pp. 2871-946.]

3. Regulation 8A inserted

After regulation 8 the following regulation is inserted —

8A. Definition of “camp” in this Part

In this Part —

“camp” when used as a verb, includes to camp in a vehicle.

4. Regulation 11 amended

(1) Regulation 11(1) is repealed and the following subregulation inserted instead —

(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;

(b) for up to 24 consecutive hours in a caravan or other vehicle on a road side rest area;
(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;

(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

(c) 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 authorized by the Minister to give permission under this paragraph.

(2) Subregulation 11(2) is amended —

(a) by inserting after “(1)” —

“ (a) ”;

(b) after paragraph (a) by deleting “or”;

and

(c) after paragraph (b) by deleting the full stop and inserting —

“: 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 building licence issued to that person in respect of the land is in force.”
(3) After regulation 11(2) the following subregulation is inserted —

“(3) In this regulation —

“building licence” means a building licence under section 374 of the Local Government (Miscellaneous Provisions) Act 1960;

“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 as such by a traffic sign erected in accordance with a written law;

“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.

5. Schedule 8 amended

Schedule 8 is amended by deleting the definition of “camp”.

By Command of the Governor,

ROD SPENCER, Clerk of the Executive Council.