



Western Australia

Caravan Parks and Camping Grounds Act 1995

Caravan Parks and Camping Grounds Amendment Regulations 2024

Caravan Parks and Camping Grounds Amendment Regulations 2024

Contents

1.	Citation	1
2.	Commencement	1
3.	Regulations amended	1
4.	Regulation 9 amended	1
5.	Regulation 10 amended	2
6.	Regulation 11 amended	2
7.	Regulations 11A and 11B inserted	2
	11A. Camping on private land with local government approval	2
	11B. Camping on private land with Ministerial approval	4
8.	Regulation 12 amended	5
9.	Regulation 13 amended	6
10.	Regulation 14 amended	6
11.	Regulation 15 amended	6
12.	Schedule 4 amended	6
13.	Schedule 9 Division 1 heading inserted	7
	Division 1 — Transitional provisions for <i>Caravan Parks and Camping Grounds Regulations 1997</i>	
14.	Schedule 9 clause 1 amended	7
15.	Schedule 9 clause 2 amended	7
16.	Schedule 9 clause 6 amended	8
17.	Schedule 9 clause 8 amended	8
18.	Schedule 9 Division 2 inserted	8

Caravan Parks and Camping Grounds Amendment Regulations 2024

Contents

Division 2 — Transitional provisions for *Caravan Parks and Camping Grounds Amendment Regulations 2024*

9.	Definitions	8
10.	Camping on private land: existing applications and approvals	9

Caravan Parks and Camping Grounds Amendment Regulations 2024

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Caravan Parks and Camping Grounds Amendment Regulations 2024*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published on the WA legislation website;
- (b) the rest of the regulations — on 1 September 2024.

3. Regulations amended

These regulations amend the *Caravan Parks and Camping Grounds Regulations 1997*.

4. Regulation 9 amended

In regulation 9 in the Penalty delete “\$3 000.” and insert:

\$5 000.

5. Regulation 10 amended

In regulation 10 in the Penalty delete “\$1 000.” and insert:

\$2 000.

6. Regulation 11 amended

(1) Delete regulation 11(1)(a) and insert:

(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

(2) Delete regulation 11(2).

(3) In regulation 11(3) delete the definition of *permit*.

7. Regulations 11A and 11B inserted

After regulation 11 insert:

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.

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;
 - (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.

8. Regulation 12 amended

In regulation 12(1) delete the Penalty and insert:

Penalty for this subregulation: a fine of \$2 000.

9. Regulation 13 amended

In regulation 13 delete “11(2)” and insert:

11A, 11B

Note: The heading to amended regulation 13 is to read:

Suitability of land for camping to be considered before approval under r. 11A, 11B or 12(2) given

10. Regulation 14 amended

In regulation 14 in the Penalty delete “\$2 000.” and insert:

\$5 000.

11. Regulation 15 amended

(1) At the end of regulation 15(1) insert:

Penalty for this subregulation: a fine of \$5 000.

(2) In regulation 15(2) delete the Penalty and insert:

Penalty for this subregulation: a fine of \$5 000.

12. Schedule 4 amended

(1) Delete Schedule 4 Part 2 item 5 and insert:

5.	Regulation 15(1).....	500
5A.	Regulation 15(2).....	500

- (2) In Schedule 4 amend the provisions listed in the Table as set out in the Table.

Table

Provision	Delete	Insert
Sch. 4 Pt. 2 it. 1	200	500
Sch. 4 Pt. 2 it. 2	100	200
Sch. 4 Pt. 2 it. 3	100	200
Sch. 4 Pt. 2 it. 4	100	500

13. Schedule 9 Division 1 heading inserted

At the beginning of Schedule 9 insert:

Division 1 — Transitional provisions for *Caravan Parks and Camping Grounds Regulations 1997*

14. Schedule 9 clause 1 amended

In Schedule 9 clause 1 delete “Schedule —” and insert:

Division —

15. Schedule 9 clause 2 amended

In Schedule 9 clause 2 delete “Schedule” and insert:

Division

16. Schedule 9 clause 6 amended

In Schedule 9 clause 6 delete “Schedule,” and insert:

Division,

17. Schedule 9 clause 8 amended

In Schedule 9 clause 8(1) delete “Schedule” and insert:

Division

18. Schedule 9 Division 2 inserted

At the end of Schedule 9 insert:

Division 2 — Transitional provisions for *Caravan Parks and Camping Grounds Amendment Regulations 2024*

9. Definitions

In this Division —

amending regulations means the *Caravan Parks and Camping Grounds Amendment Regulations 2024*;

commencement day means the day on which regulation 6 of the amending regulations comes into operation;

existing local government application means an application for approval under regulation 11(2)(a) or (c) made, but not decided or withdrawn, before commencement day;

existing local government approval means —

- (a) an approval in force under regulation 11(2)(a) or (c) immediately before commencement day; or
- (b) an approval given on an existing local government application;

existing Ministerial application means an application for approval under regulation 11(2)(b) made, but not decided or withdrawn, before commencement day;

existing Ministerial approval means —

- (a) an approval in force under regulation 11(2)(b) immediately before commencement day; or
- (b) an approval given on an existing Ministerial application.

10. Camping on private land: existing applications and approvals

- (1) An amendment made to these regulations by the amending regulations —
 - (a) does not apply to an existing local government application or existing Ministerial application; but
 - (b) applies to an existing local government approval and existing Ministerial approval.
- (2) Accordingly —
 - (a) an existing local government application and existing Ministerial application must be decided as if the amending regulations had not been made; but
 - (b) an existing local government approval is taken to be, and may be revoked as, an approval under regulation 11A; and
 - (c) an existing Ministerial approval is taken to be, and may be revoked as, an approval under regulation 11B.

N. HAGLEY, Clerk of the Executive Council