

Western Australia

**Local Government Model By-laws (Caravan
Parks and Camping Grounds) No. 2**

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Local Government Model By-laws (Caravan Parks and Camping Grounds) No. 2

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Western Australia

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS)
ACT 1960

Local Government Model By-laws (Caravan Parks and Camping Grounds) No. 2

Local Government Department,
Perth, 15th February 1974.

L.G.D. 514/71.

HIS Excellency the Governor in Executive Council, acting pursuant to the powers conferred by sections 200 and 258 of the *Local Government Act 1960*, has been pleased to cause the draft model By-laws set out in the Schedule hereto to be prepared and published, in substitution for the *Local Government Model Bylaws (Caravan Parks and Camping Grounds) No. 2* published in the *Government Gazette* on the 31st August 1970.

2. Councils of municipalities proposing to adopt the draft model by-laws now published should, where they have adopted the former (No. 2) Model By-law, resolve to substitute the new by-laws for that previously adopted and frame the adopting resolution so as to show an appropriate title at by-law 1 and the name of the Council in the last definition of by-law 2.

R. C. PAUST,
Secretary for Local Government.

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Part I — General

1. Citation

These by-laws may be cited as the *Local Government Model By-laws (Caravan Parks and Camping Grounds) No. 2*.

2. Interpretation

In these by-laws, unless the context otherwise requires —

“**camp**”, when used as a noun, includes any portable shed or hut, tent, tent fly, awning, blind or other thing used as, or capable of being used as, a habitation or for dwelling or sleeping purposes; and the verb “to camp” shall be construed accordingly;

“**caravan**” means a vehicle designed, or fitted, or being capable of use, as a habitation or for dwelling or sleeping purposes;

“**caravan park**” means an area of land containing sites for the parking of caravans or for the erection of camps;

“**on-site caravan**” means a caravan made available, in a caravan park, by the person conducting it, for hire and use by the public;

“**owner**” when used in reference to a caravan includes the licensee or person in charge of the caravan;

“**proprietor**” means the owner or occupier of land which is used as a caravan park;

“**site**” means an area demarcated as intended for use as the parking place of a caravan or for the erection of a camp;

“**the council**” means the executive body of the municipality of.

Part II — Conduct of persons

3. Caravan park not to be used for other purposes

A person shall not use a caravan park for any purpose other than for the parking and use of caravans and towing or towed vehicles used in connection therewith, or for the erection and occupation of buildings and camps authorised by these by-laws and the *Health Act (Caravan Parks and Camping Grounds) Regulations 1974*.

4. Overcrowding of caravan parks

A person shall not park or permit the parking of a caravan or vehicle used for towing that caravan or for carrying camping equipment, on any part of a caravan park if the number of caravans for which it is registered are already parked on that caravan park.

5. Caravans to be parked in parking sites

A person shall not park a caravan or vehicle used for towing that caravan or for carrying camping equipment, on any part of a caravan park other than a caravan parking site, an area set aside for the storage of vehicles or the visitors car park, except whilst he is booking in or out of the caravan park.

6. Approval required if remaining for more than 6 months a year

- (1) A person shall not cause or permit any caravan (other than an on-site caravan) or any vehicle used for towing a caravan or for carrying camping equipment, to be parked or remain, on a caravan park for more than six months in any one year, except with approval in writing of the Council.
- (2) A person shall not occupy a caravan or camp in the same caravan park for more than six months in any one year, except with the prior approval in writing of the Council.

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7. Caravans to be removed

- (1) Except with respect to on-site caravans, a person who parks a caravan or vehicle used for towing that caravan on a caravan park, under the authority of these by-laws, shall forthwith remove that caravan and any annexe erected by or for him and any vehicle used for towing that caravan from that park upon the termination of his occupancy of any site on that park.
- (2) A person removing a caravan or vehicle to an area set aside for the storage of vehicles shall be taken to have complied with this bylaw.

8. Speed limit in caravan parks

A person shall not allow a vehicle to exceed a speed of more than 8 km/h whilst within the confines of any caravan park.

9. Parking caravans or camping on other land

- (1) Subject to this by-law a person shall not park a caravan or erect a camp on any land that is not a caravan park except —
 - (a) during the hours of daylight; or
 - (b) where the caravan is not used as a dwelling or for sleeping purposes.
- (2) With the consent of the Council a person may use a caravan —
 - (a) as a temporary dwelling, during the period of construction of a dwelling on the same land; or
 - (b) where it is parked on the same land as a dwelling occupied by the owner of the caravan in conjunction with the dwelling itself for residence by one or more members of the family of the occupier of that dwelling.
- (3) The Council shall not consent to the use of a caravan under this by-law as a temporary dwelling or in conjunction with a dwelling for a period of more than six months at any one time but the Council may give its consent more than once, and may

permit more than one caravan to be so used by an owner if that permission is authorised by an absolute majority of the Council.

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Part III — Caravan Parks

10. Caravan parks to comply with these by-laws

A person shall not establish, carry on or conduct a caravan park on any land under his control except in conformity with the provisions of these by-laws and unless there are provided on that land amenities complying with the requirements of these by-laws and of the *Health Act (Caravan Parks and Camping Grounds) Regulations 1974*.

11. Caravan parks to be registered

- (1) A person shall not establish, carry on or conduct a caravan park on any land under his control unless that caravan park is registered for the purpose by the Council.
- (2) A certificate of registration issued by the Council in Form 2 in the Schedule to these by-laws shall be prominently displayed at all times in the caravan park so as to be legible by patrons and prospective patrons.

12. Annual registration

Every caravan park shall initially be registered for the period ending on the 30th day of June next following the date of registration, except where the registration is effected in the months of May or June, when it shall extend to the 30th day of June in the year next following, and thereafter a certificate of registration shall be issued for the year ending the 30th day of June, on the payment of an annual registration fee of \$10, or \$5 for a transit caravan park.

13. Extensions or alteration

- (1) The proprietor shall obtain the prior approval of the Council for any proposed extensions or alterations to a caravan park.
- (2) Where any work is carried out with the approval of the Council under this by-law the Council shall amend the registration

accordingly when the work is completed to the satisfaction of the Council.

14. Application for registration of caravan park

- (1) A person wishing to register a caravan park shall make written application to the Council in Form 1 in the Schedule to these by-laws, specifying the land used or to be used —
 - (a) where the caravan park was in use prior to the commencement of these bylaws, within one month after the commencement; or
 - (b) in any other circumstances, before commencing or continuing work on the establishment of that caravan park.
- (2) The application shall be accompanied by a plan for retention by the Council together with specifications and particulars setting out —
 - (a) the position of the caravan park in relating to any adjacent streets, roads, dwellings, streams or sources of water supply;
 - (b) the layout of the caravan park showing the positions of all roads, sites, sanitary conveniences, ablution facilities, laundries, utility rooms, gully traps, drains, fire places, water points, power points, kitchens and any other buildings;
 - (c) the number and designation of closets, urinals, showers, laundries and hand wash basins;
 - (d) the materials used and method of construction of all buildings;
 - (e) the provision to be made for water supply, drainage and the temporary storage and the disposal of refuse and rubbish or sewage effluent and liquid wastes;
 - (f) the provision to be made for fire prevention.

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15. Requirements for registration

- (1) The Council shall not register any caravan park unless any appropriate provisions of the *Town Planning and Development Act 1928*, and the *Metropolitan Region Town Planning Scheme Act 1959*, have been complied with.
- (2) The Council shall not register any caravan park unless the land used or to be used is at least 4 000 square metres in area and has, or provision is made for it to have —
 - (a) grasses planted wherever practicable;
 - (b) any portion set aside for the standing of vehicles treated to the satisfaction of the Council;
 - (c) an entrance road of 6 metres width and interior roads of not less than 4 metres width and so treated as to permanently prevent dust arising therefrom to the satisfaction of the Council;
 - (d) an area of not less than 90 square metres for each site, with a maximum number of 50 sites per hectare;
 - (e) no portion of a caravan, or of a building associated with the caravan park, nearer to a street than the building line of that street or, where there is no building line, nearer than 7.5 metres;
 - (f) no portion of a caravan nearer to a side or the rear boundary of the land than 2.5 metres;
 - (g) every site clearly demarcated and bearing a distinguishing mark or number; and
 - (h) where the land abuts a residential area or whenever the Council so requires, accommodation for a caretaker, either on the land or, with the consent of the Council, in close proximity thereto.

16. Existing caravan parks

- (1) Notwithstanding the provisions of these by-laws, the Council may register for a period of one year a caravan park which does

not conform with the provisions of these by-laws if that caravan park was in use at the commencement of these bylaws.

- (2) The Council may, with the consent of the Minister and subject to such conditions as the Minister may impose, extend the registration of a caravan park granted under this by-law beyond a period of one year and those conditions shall, notwithstanding any other conditions that may be imposed by the Council under this by-law, be complied with by the person conducting the park.
- (3) In granting registration of a caravan park under this bylaw, the Council may impose conditions which shall be complied with by the person conducting the park.

17. Transit caravan parks

- (1) The Council may, with the consent of the Minister, register any caravan park as a transit caravan park to be used for overnight parking only, where —
 - (a) there is no caravan park within a radius of twenty-four (24) kilometres;
 - (b) no more than ten (10) caravans are to be accommodated at any one time;
 - (c) that transit caravan park area (other than the toilet and ablution facilities) is separated from any commercial enterprise; and
 - (d) at least —
 - (i) one water closet for each sex;
 - (ii) one shower and one wash basin for each sex;
 - (iii) one set of laundry facilities;
 - (iv) one water tap for general use with waste disposal gully;
 - (v) refuse bins; and
 - (vi) power points where electricity is available,

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are provided for the use of the occupants of the transit caravan park.

- (2) Where any caravan park is registered as a transit caravan park to be used for overnight parking only the requirements of these by-laws applicable to the construction and facilities of caravan parks generally shall not apply.
- (3) In granting registration of a transit caravan park under this by-law, the Council may impose conditions which shall be complied with by the person conducting that park.

18. Buildings permitted on caravan parks

A caravan park shall not have buildings erected thereon, other than —

- (a) a residence and ancillary buildings for the use of a caretaker;
- (b) buildings for sanitary, ablutionary and laundry facilities, in conformity with the *Health Act (Caravan Parks and Camping Grounds) Regulations 1974*.
- (c) annexes of light construction erected by, or for, a person parking a caravan on the land, for use during his occupancy and removal on his departure;
- (d) camps, for temporary occupation, constructed of material suitable to the proprietor and the Council, within an area of the park specifically set aside for camping purposes;
- (e) a restaurant, cafe, cafeteria, kitchen, dining room or kiosk approved by the Council;
- (f) a workshop, toolshed, garage or storage shed approved by the Council; and
- (g) recreation facilities approved by the Council for the use of the occupiers of the caravans and camps.

19. On-site caravans

Where a person carrying on or conducting a caravan park makes on-site caravans available there —

- (a) he shall not, at any time, make on-site caravans available in any number exceeding forty (40) per centum of the number of caravans for which the caravan park is registered;
- (b) he shall not, without the authority of the Council, make any one or more on-site caravans available for hire and use by the same person for any period exceeding in the aggregate, six months, within the space of one year;
- (c) he shall, upon an on-site caravan being vacated, thoroughly cleanse the caravan and its utensils including all bed linen, if supplied, before rehiring; and
- (d) he shall maintain all on-site caravans in a movable condition at all times.

20. Electricity

- (1) Where a supply of electricity is available to the land on which a caravan park is situated, the caravan park shall be provided with electric power and lighting points installed in accordance with the *Electricity Act Regulations 1947*, and S.A.A. wiring rules Part I and S.A.A. Code No. CC7, “Electrical Installation in Caravans and Caravan Parks”, to which every parked caravan may be connected.
- (2) Where the supply of electricity has a current of a pressure exceeding 40 volts, a person shall not connect or permit to remain connected the electrical installation of a caravan to that supply, unless that caravan is branded, by means of a transfer or other identification approved by the State Electricity Commission and located in a prominent position readily identifiable from the exterior of the caravan, as complying with the Standards Association of Australia Code No. CC7 —

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”Electrical Installations in Caravans and Caravan Parks.” by the State Electricity Commission or by some other competent authority in the State or elsewhere.

21. Health requirements

Where the Council establishes a caravan park it shall conform with the requirements of these by-laws and of the *Health Act (Caravan Parks and Camping Grounds) Regulations 1974*.

Part IV — Offences

22. General offence

A person who contravenes any provision of these by-laws commits an offence and is liable to a penalty not exceeding \$100 and to a daily penalty of \$10 for every day that the offence continues after conviction.

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Part V — Refusal or cancellation of registration

23. Cancellation of registration

Where the person carrying on or conducting a caravan park has been convicted of an offence against these by-laws and, thereafter, again contravenes any of those provisions, the Council may, by notice in writing served upon him, and, where he is not the owner of the caravan park, upon the owner, cancel the registration of the premises as a caravan park and subject to the succeeding provisions of this clause, those premises shall thereupon cease to be used as a caravan park.

24. Refusal to register or renew registration

A Council may refuse to register, or to renew the registration of, a caravan park.

25. Appeal

- (1) A person aggrieved —
- (a) by the cancellation of the registration of a caravan park;
 - (b) by the refusal of a Council to register, or to renew the registration of, a caravan park; or
 - (c) by the provisions of any condition imposed by a Council,

may, within 14 days of the receipt by him of notice of the decision, appeal to the Minister against the decision and, pending the determination of the Minister that caravan park shall, unless the Minister otherwise directs, be deemed to be duly registered.

- (2) The determination of the Minister on an appeal under this by-law is final and where the appeal is dismissed the land shall forthwith cease to be used as a caravan park, unless a further registration is granted by the Council in respect thereof, pursuant to these bylaws.

Notes

- ^{1.} This is a compilation of the *Local Government Model By-Laws (Caravan Parks and Camping Grounds) No. 2* and includes the amendments referred to in the following Table.

Compilation table

Citation	Gazettal	Commencement
<i>Local Government Model By-Laws (Caravan Parks and Camping Grounds) No. 2</i>	31 Aug 1970 p. 2799-803	
	22 Feb 1974 p. 585-9	