
LOCAL GOVERNMENT

LG301

Caravan Parks and Camping Grounds Act 1995

**Caravan Parks and Camping Grounds
Amendment Regulations 2020**

SL 2020/12

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Caravan Parks and Camping Grounds Amendment Regulations 2020*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Regulations amended

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

4. Regulation 3 amended

In regulation 3 insert in alphabetical order:

builder means a building service practitioner registered under the *Building Services (Registration) Act 2011* section 17 in the class of building practitioner;

5. Regulation 32 amended

In regulation 32(1), (1a) and (4)(a) delete “registered under the *Builders’ Registration Act 1939*”.

6. Regulation 36 amended

In regulation 36(1) and (4)(a) delete “registered under the *Builders’ Registration Act 1939*”.

7. **Part 4A inserted**

After regulation 40 insert:

Part 4A — Manufactured homes and attachments

40A. Terms used

In this Part —

attachment means an attachment to a manufactured home that —

- (a) is used as an extension of the habitable area of that manufactured home; and
- (b) has walls and a roof and can be assembled or dismantled within 24 hours by no more than 2 people;

flexible attachment means an attachment made entirely of flexible material except for —

- (a) the supporting frame; and
- (b) any windows or doors, which may be made of flexible or rigid material;

manufactured home —

- (a) means a structure that —
 - (i) is not a vehicle, train, vessel or aircraft; and
 - (ii) is movable or capable of movement; and
 - (iii) is fitted or designed for habitation; and
 - (iv) immediately prior to 1 July 2019 was located at a place with purported approval;
- and
- (b) unless the contrary intention appears, includes an attachment;

purported approval means approval given, purportedly under regulation 30(1), for a manufactured home to be brought onto a place, notwithstanding that —

- (a) the manufactured home was not a park home; or
- (b) the place was not a facility;

rigid attachment means an attachment that is not a flexible attachment.

40B. Manufactured homes and attachments

- (1) These regulations (other than the provisions listed in the Table and regulations 30, 31, 34, 35 and 36) apply

to and in relation to a manufactured home in a facility and an attachment in a facility as if —

- (a) a manufactured home were a caravan; and
- (b) a manufactured home were a park home; and
- (c) a manufactured home were not —
 - (i) a building for the purposes of Schedule 7 clause 11(1); or
 - (ii) a residential building for the purposes of Schedule 7 clause 11(3);
- and
- (d) an attachment were an annexe; and
- (e) a flexible attachment were a flexible annexe; and
- (f) a rigid attachment were a rigid annexe; and
- (g) in regulations 15(1) and 19(1)(k) the following words were deleted —
 - (i) “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”; and
 - (ii) “under its own power or by being towed,”;
- and
- (h) in regulation 15(2) the words “moved, under its own power or by being towed.” were deleted and replaced with “moved.”; and
- (i) in Schedule 5 clause 4(2) the word “parked” were deleted and replaced with “located”.

Table

r. 3 def. of <i>park home park</i>	r. 4
r. 5	r. 9
r. 32	r. 65(d)(i)
r. 72	Sch. 5 cl. 3
Sch. 7 cl. 52(1)	

- (2) Regulations 30, 31, 34 and 35 apply to and in relation to a manufactured home and an attachment as if —
 - (a) a manufactured home were a caravan; and
 - (b) a manufactured home were a park home; and
 - (c) an attachment were an annexe; and
 - (d) a rigid attachment were a rigid annexe; and

- (e) in regulations 30(2)(b) and 31(2) a reference to the certificates referred to in regulation 32(1) or (1a), and (2) or regulation 32(4)(a) and (b) were a reference to the certificates referred to in regulation 40C; and
 - (f) in regulations 34(2)(b) and 35(2) a reference to the certificates referred to in regulation 36 were a reference to —
 - (i) certificates issued before 1 July 2019, purportedly under regulation 36; or
 - (ii) the certificates referred to in regulation 36 as modified by subregulation (3).
- (3) Regulation 36 applies to and in relation to a rigid attachment to be attached to a manufactured home in a facility as if —
- (a) a manufactured home were a caravan; and
 - (b) an attachment were an annexe; and
 - (c) a rigid attachment were a rigid annexe.

40C. Manufactured home certificates

- (1) A person who wishes to bring a manufactured home on to a facility must show the local government and the licence holder of the facility —
- (a) a certificate issued before 1 July 2019 in relation to the manufactured home, purportedly under regulation 32(1), (1a) or (4)(a); or
 - (b) a certificate signed and dated by a builder stating that the manufactured home has been constructed in accordance with the requirements of the Building Code applicable with respect to a particular class or classes, specified in the certificate.
- Penalty for this subregulation: a fine of \$4 000.
- (2) A person who wishes to bring a manufactured home on to a facility must show the local government and the licence holder of the facility —
- (a) a certificate issued before 1 July 2019 in relation to the manufactured home, purportedly under regulation 32(2) or (4)(b); or
 - (b) a certificate signed and dated by a professional engineer stating —
 - (i) that in the opinion of the engineer the manufactured home is structurally sound; and

- (ii) the wind velocity that the manufactured home has been constructed to withstand; and
- (iii) that the manufactured home is able to be moved within 24 hours of any services attached to it being disconnected; and
- (iv) if the manufactured home is assembled from components — that the manufactured home is able to be moved within 24 hours of it being split into components.

Penalty for this subregulation: a fine of \$4 000.

- (3) A builder or professional engineer must not make a statement in a certificate referred to in subregulation (1)(b) or (2)(b) that is false in a material particular if the builder or professional engineer —
 - (a) knew the statement was false; or
 - (b) made the statement with disregard as to its truth or falseness.

Penalty for this subregulation: a fine of \$4 000.

R. NEILSON, Clerk of the Executive Council.