



POLICY NO	CP/HTH-3761	
POLICY	Licensing of Overflow Sites in Caravan Parks and Camping Grounds	
RESPONSIBLE DIRECTORATE	Community Development	
RESPONSIBLE OFFICER	Environmental Health Officer	
COUNCIL ADOPTION	Date: 20 April 2010	Resolution No: 9101
REVIEWED/MODIFIED	Date: 15 March 2011	Resolution No: 9415
	Date: 24 November 2015	Resolution No: 11185
REVIEW DUE	Date: November 2017	
LEGISLATION	<i>Caravan Parks and Camping Grounds Act 1995</i> <i>Caravan Parks and Camping Grounds Regulations 1997</i>	
RELATED POLICIES	CP/HTH-3762 Licensing of Temporary Caravan Parks and Camping Grounds	
RELATED ORGANISATIONAL DIRECTIVES	Nil	

PURPOSE:

To provide a consistent approach to the approval of overflow areas in Caravan Parks and Camping Grounds.

DEFINITIONS:

Camp Site includes to camp in a vehicle, but not a caravan

Long Stay Site means a site at a caravan park which is to be occupied consecutively by the one person or group of persons for any period of time

Overflow Area means an area of a facility specified as an overflow area in the licence for the facility.

Permanent Licence means a licence under section 7 of the Act for a facility which remains in force for one year in accordance with Regulation 52 and must be renewed each year.

Short Stay Site means a site at a caravan park which is to be occupied consecutively by the one person or group of persons, for no longer than 3 consecutive months

POLICY STATEMENTS:

The *Caravan Parks and Camping Grounds Regulations 1997* allow Local Government to approve overflow areas within licences with the following mechanisms:

20. Use of overflow area

The licence holder of a facility is to ensure that an overflow area of the facility is used only-

- (a) with the approval of the local government;*
- (b) for the period of time specified in that approval; and*
- (c) in accordance with any conditions specified in that approval.*

48. Overflow areas

A local government may specify in a licence for a facility, an area of the facility as an overflow area.

50. Licence to specify number and types of sites and other conditions

A local government is to endorse on each licence, as conditions of the licence —

(a) the maximum number of sites that may be used at the facility, other than at any overflow area;

(b) where the facility has an overflow area, the maximum number of sites that may be used at any overflow area when the area is in use;

(c) the maximum number of sites of particular types that may be used at the facility, other than at any overflow area; and

(d) where the facility has an overflow area, the maximum number of sites of particular types that may be used at any overflow area when the area is in use.

In assessing applications for overflow areas within Permanent Licences the following will be taken into consideration:

1. APPLICATION

A facility must apply for use of any overflow area each year as part of their annual licence and must designate clearly on the site map accompanying the application a single specific area which will be used as overflow.

2. SERVICES AND FACILITIES

Any overflow area designated as part of a permanent licence must comply fully with Schedule 7 of the Regulations. There will be no reduction in services or facilities approved for sites within an overflow area.

3. LICENCE

Where an overflow area is approved as part of a permanent licence it shall be in accordance with the following:

- a. Up to 10% of a facility's sites may be designated as overflow area.
- b. The overflow area may be used for no more than three months in any year.
- c. The overflow area should be a single designated area separate from other areas of the facility and able to be closed outside of the licenced period.
- d. Where possible the overflow area will not include the most desirable sites within a park.

4. NON-COMPLIANCE

Where routine monitoring has found an overflow area has been occupied outside of the licensed period, favourable consideration will not be given to maintaining the overflow area in the subsequent licence renewal. In this case any sites within the overflow area will be licensed as either short stay sites or camp sites with the appropriate fee applied.

EXPLANATORY NOTES:

1. APPLICATION

An accurate site map will allow Shire officers to more easily monitor compliance. It is important the site map is reviewed annually to capture any changes made to the park layout.

2. SERVICES AND FACILITIES

Overflow sites must be provided with the same services and facilities as other sites in accordance with Schedule 7 of the Regulations. Overflow sites are not allowed to

have lesser services and facilities, however parks are charged a lower fee to reflect the lower occupancy rate.

3. LICENCE

- a. Up to 10% of the facilities sites may be licensed as overflow. This is to be calculated from the number of sites for the purposes of calculating the required amenities (two camp sites are equal to one caravan site).
- b. As the fee for an overflow site is one quarter of the fee for a short stay site, it is reasonable to allow overflow sites to be occupied for one quarter of the year. Parks may choose which three months they will operate their overflow sites.
- c. The overflow area should be easily distinguished from other areas to allow it to be closed outside of the licenced period. Overflow sites must not be scattered throughout the park. This will make it easier for parks to ensure people do not use overflow sites outside of the licenced period and also for Shire officers to monitor occupancy of overflow sites.
*In larger parks multiple overflow areas may be acceptable where the requirement to close the overflow area/s can be met.
- d. The most desirable sites within a park should not be licenced as overflow, as occupants are likely to want to stay in these sites year round. Desirable sites may include those close to a waterfront area, or other more natural setting.

4. NON-COMPLIANCE

If an overflow area is found to be occupied outside of the licensed period, it will be converted to either short stay or camp sites with the appropriate fees payable upon renewal of the licence. This will prevent ongoing non-compliance with the policy.

RISK:

Risk: Failure to comply with legislative requirements leading to damage of reputation and/or financial loss.

Control: Review policies and procedures in accordance with review schedule.