



POLICY NO	CP/HTH-3762	
POLICY	Licensing of Temporary Caravan Parks and Camping Grounds	
RESPONSIBLE DIRECTORATE	Community Development	
RESPONSIBLE OFFICER	Environmental Health Officer	
COUNCIL ADOPTION	Date: 20 April 2010	Resolution No: 9103
REVIEWED/MODIFIED	Date: 21 June 2011	Resolution No: 9490
	Date: 24 November 2015	Resolution No: 11186
REVIEW DUE	November 2017	
LEGISLATION	Caravan Parks and Camping Grounds Act 1995 Caravan Parks and Camping Grounds Regulations 1997	
RELATED POLICIES	CP/HTH-3761 – Licensing of Overflow Sites in Caravan Parks and Camping Grounds	
RELATED ORGANISATIONAL DIRECTIVES	Nil	

PURPOSE:

To provide guidance for the approval of temporary licences under the Caravan Parks and Camping Grounds Act 1995 and Regulation 54 of the Caravan Parks and Camping Grounds Regulations 1997.

DEFINITIONS

Definitions are taken from the Act and the Regulations

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

Caravan means a vehicle that is fitted or designed for habitation.

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

Nature Based Park means a facility in an area that-

- a) is not in close proximity to an area that is built up with structures used for business, industry or dwelling-houses at intervals of less than 100 metres for a distance of 500 metres or more; and
- b) has been predominantly formed by nature; and
- c) has limited or controlled artificial light and noise intrusion.

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

Permanent Licence means a license 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

Temporary Licence a licence issued under the Caravan Parks and Camping Grounds Act and in accordance with the Caravan Parks and Camping Grounds Regulation 54.

Vehicle means a conveyance (other than a train, vessel or aircraft) capable of being propelled or drawn on wheels

POLICY STATEMENTS:

Regulation 54 states that:

(1) A local government may, on payment of the fee set out in item 3 of Schedule 3, grant a temporary licence for a facility which is to remain in force for such period of less than one year, as is provided in the licence.

(2) A local government is to endorse on a temporary licence for a facility as conditions of the licence —

- (a) the maximum number of sites that may be used at the facility;*
- (b) the maximum number of sites of particular types that may be used at the facility; and*
- (c) the services and facilities that are to be provided.*

1. APPLICATION

An application for a temporary licence must:

- a. provide justification for the temporary licence (why it is needed, who the main users are); and
- b. detail the services and facilities that will be provided at the facility; and
- c. demonstrate legal entitlement or signed written permission from the owner to occupy the land.

When considering an application under Regulation 54 the following will be taken into account:

2. SERVICES AND FACILITIES

In granting a temporary licence the Shire of Wyndham East Kimberley will accept and endorse as conditions of the licence levels of services and facilities in line with those required for a Nature Based Park under Schedule 7 of the Regulations.

3. LICENCE

- a. A temporary licence may include short stay sites and camp sites.
- b. A temporary licence will only be issued upon completion of an inspection of the facility by a Shire officer to confirm the facility meets minimum standards.

EXPLANATORY NOTES:

Justification

For the purposes of policy statement 1a justification may include a temporary licence for an approved public event or for overflow sites outside of a facility with a permanent licence where there is a demonstrated need.

The intention is to avoid temporary licences being issued for facilities which compete with parks holding permanent licences while providing lesser services and facilities.

Services and Facilities

Schedule 7 clause 23 prescribes 2 toilets for every 20 sites and at least as many showers and hand basins as is approved. For the purposes of a temporary licence issued under this policy no less than one hand basin and one unisex shower must be provided for every 20 sites.

RISK:

Risk: Failure to comply with minimum health and safety standards resulting in illness or injury to members of the public.

Control: Inspection by Shire officer and compliance with minimum requirements based on legislative requirements for Nature Based Parks.

Risk: Failure to provide adequate caravan sites during peak tourist season, leading to economic loss for the town and decrease in tourist numbers.

Control: Policy provides for temporary licence to be issued where there is a demonstrated need for an overflow facility.

Risk: Issue of temporary licence in direct competition with existing permanent parks allowing a competitive disadvantage.

Control: Policy requires a demonstrated need to justify the temporary licence, with the intention to prevent unfair competition.

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.