



Consultation Paper

Frequently Asked Questions (FAQs)

Proposal for Caravan Parks and Camping Grounds Legislation

This list of Frequently Asked Questions (FAQs) has been created in relation to an invitation for comments on Consultation Paper 'Proposal for Caravan Parks and Camping Grounds Legislation'. The consultation paper can be found on the Department of Local Government and Communities' website here: www.dlqc.wa.gov.au/CPCG-Consultation-Paper

The consultation paper is an initiative of the Western Australia Caravan and Camping Action Plan, which is supported by the State Government's Royalties for Regions program to improve caravan park and camping experiences.

If you have any queries in relation to the consultation paper not covered in this publication, please contact:

Principal Policy Officer – Caravans and Camping Review

Email: caravan@dlqc.wa.gov.au

Telephone: (08) 6551 8700

Freecall (country only): 1800 620

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For a Translating and Interpreting Service (TIS) telephone 13 14 50.

Questions in relation to the consultation paper

1. Why has a consultation paper been released and where do I find it?

The consultation paper is an invitation for public comment on proposed changes to caravan parks and camping grounds legislation, which includes replacing the current *Caravan Parks and Camping Grounds Act 1995*.

It contains detailed information on the proposed changes and guidance questions to assist people wishing to submit comments on all or part of the paper.

The consultation paper and feedback form can be found here:

www.dlgc.wa.gov.au/CPCG-Consultation-Paper

2. Why should I comment on the consultation paper?

You have an opportunity to influence the future of caravanning and camping. It is important that comments from all different perspectives are considered. Comments can be made on all or part of the consultation paper.

3. What is the Consultation Paper Feedback Form?

The Consultation Paper Feedback Form has been developed to assist you in preparing your submission. It has four sections: About You, Your Caravan and Camping Experiences, General Comments and Guidance Questions. The latter contains all the proposals and guidance questions from the consultation paper.

It is recommended that the form is used with the consultation paper. Please note: it is not necessary to answer all sections or all guidance questions for your submission.

To assist the Department of Local Government and Communities in processing the submissions, please use the feedback form.

4. How can I provide my comments without reading the consultation paper?

You can provide your comments through the feedback form without referring to the consultation paper. However, it is encouraged that you read the consultation paper to get a better understanding of the scope of the legislation. The consultation paper and feedback form can be accessed online at: www.dlgc.wa.gov.au/CPCG-Consultation-Paper

5. Can I just comment on what matters to me?

Yes, you can comment on all or part of the consultation paper. It is fine to only fill in the parts of the feedback form that matter to you.

6. Are there issues which this review of the legislation cannot address?

The Caravan Parks and Camping Grounds legislation is to:

- provide for the management of health and safety risks in relation to caravanning and camping;
- control and licence caravan and camping grounds; and
- provide standards in respect of caravans.

The legislation cannot address broader issues in relation to caravan and camping, such as:

- Land use and zoning issues
- Land availability
- Building standards and building approval
- Security of tenure
- Park closures and relocation of tenants
- Competition issues in relation to development of holiday parks.

7. When will the new caravan parks and camping grounds legislation be in place?

Extensive consultation will be undertaken, including the release of a second consultation paper which will summarise responses to this paper and propose final solutions for comment.

The new legislation will then need to be drafted and will pass through the Western Australian Parliament before it becomes law. Therefore it is difficult to predict when the new legislation will be in place.

8. Who does the caravan parks and camping grounds legislation affect?

Caravan users, campers, long-stay tenants and any other person who stays in caravan parks, caravan park operators, state government departments and local governments.

9. Why conduct a review?

The current legislation and associated regulations are outdated and do not have the flexibility to cope with changes to the market and consumer expectations. This has stifled the ability of operators to respond to different market segments and consumer needs.

10. What is the Western Australia Caravan and Camping Action Plan 2013-2018?

The WA Caravan and Camping Action Plan makes 11 recommendations to improve the supply, delivery and promotion of the caravan and camping sector. One of these is to review and update the legislation. The Action Plan is funded by the State Government's Royalties for Regions program.

More information can be found here:

www.tourism.wa.gov.au/Infrastructure_and_Investment/caravan_and_camping/Pages/Western_Australian_Caravan_and_Camping_Action_Plan_2013-2018.aspx

11. Who is overseeing the consultation process?

The Department of Local Government and Communities is overseeing the consultation process. It is assisted by an Interagency Advisory Group consisting of seven State Government Departments and the WA Local Government Association.

12. What happens to my contact details and can I be anonymous?

All responses to the consultation paper may be made publicly available on the Department of Local Government and Communities' website. If you prefer your name to remain confidential, please indicate this in your submission. If you would like to ensure your submission remains confidential, please mark it 'Private and Confidential'.

13. Can I submit as an individual and on behalf of an organisation?

Yes, submissions can be made individually and/or on behalf of an organisation. You will need to make two submissions, one as an individual and one on behalf of your organisation.

14. Who can I send questions to about the consultation paper?

If you have any queries in relation to the consultation paper, please contact:

Principal Policy Officer – Caravans and Camping Review

Email: caravan@dlgc.wa.gov.au

Telephone: (08) 6551 8700

Freecall (country only): 1800 620 511

Fax: (08) 6552 1555

15. Is the aim of the review to force people to stay in caravan parks?

No. The review is intended to increase choices for consumers and also increase flexibility for operators to cater to consumer needs. This should result in a wider range of holiday options.

16. Will the review increase costs for private operators?

The paper contains proposals to extend the licence period for caravan parks and tie the frequency of inspections to the level of compliance with the legislation. These proposals should reduce the costs for private operators.

The review is intended to provide a more flexible operating environment which will allow operators to readily respond to different market segments. There will be no significant burden on existing compliant facilities through the introduction of the new legislation.

17. Will the review affect housing affordability for caravan park tenants?

The caravan parks and camping grounds legislation focuses on the management of health and safety risks in relation to caravan and camping facilities. There will be no significant burden on existing compliant facilities through the introduction of the new legislation. It is not expected that there will be an increase in charges for tenants.

18. Will the review affect security of tenure of caravan park tenants?

This is outside the scope of the Caravan Parks and Camping Grounds legislation. Security of tenure is governed by the *Residential Parks (Long-Stay Tenants) Act 2006*.

19. Will the review allow 'free' or 'bush' camping?

There will be no changes to the regulation of 'free' or 'bush' camping in the proposed new legislation.

20. Will people be allowed to stop and camp in roadside rest areas?

People will still be allowed to stop at roadside rest areas to combat fatigue, this includes up to 24 hours at '24 hour roadside rest areas'. Main Roads WA is the state government agency that manages these areas.

21. More roadside rest areas should be set up. Will there be more facilities for campers at roadside rest areas?

This is outside the scope of the legislation.

The WA Caravan and Camping Action Plan initiatives include the upgrading and development of new and existing '24 hour roadside rest areas' in high priority areas and the installation of black waste dump points in strategic locations around the State. These initiatives are under the management of Main Roads WA and are funded by the State Government's Royalties for Regions program.

22. Will park homes be required to have higher building standards, increasing costs to consumers?

Park homes will continue to comply with the same building standards under the Building Code of Australia. The review is not increasing the level of building standards for park homes. The legislation is only proposing that the certification process of park homes be transferred to the *Building Act 2011*. Park homes will be treated as buildings, not vehicles under the proposed changes. Your comments are sought on this in the consultation paper.

23. Why should I license my caravan or campervan?

A caravan or campervan has to be able to be moved under the current caravan parks and camping grounds legislation. Interference with a caravan so as to render it unable to be moved under its own power or by being towed attracts a penalty of \$2000.

An unlicensed caravan or campervan is inconsistent with the intention of the mobility requirements of the legislation as it cannot go on the road without the licence. It is important for the safety of occupants that caravans and campervans can be readily relocated in an emergency as they do not provide the same level of protection as buildings.

24. What could changes to the legislation offer me as an operator?

Changes to the legislation could offer operators greater flexibility to cater to consumer expectations through the use of a proposed management plan model, which allows the design of your park to suit your targeted market segment.

Other benefits for operators could include:

- An extension of licence periods.
- Less frequent inspections as a reward for meeting the approved management plan requirements.
- A decrease in administrative tasks.

25. What benefits will changes to the legislation bring me as a holiday maker?

Increased choices at holiday parks, as operators have more flexibility to cater to your needs. This should result in more affordable and a wider range of options for holidays.

26. What benefits will changes to the legislation bring to Recreational Vehicle (RV) owners?

The proposed changes are intended to increase flexibility in the legislation for operators to cater to the needs of consumers. This should result in an increase in holiday choices and more affordable options for holidays, and encourage the development of facilities that can cater to RV owners.

27. Why is it proposed that the new caravan parks and camping grounds legislation be called the Holiday Parks Act?

Caravan parks have evolved to offer different types of accommodation products including cabins, chalets, caravans, park homes and tents. The terms 'caravan parks' and 'camping grounds' are no longer an accurate description of current facilities which offer a wider variety of holiday accommodation types.

The term 'holiday park' will provide flexibility in the legislation to allow the market to drive the supply of accommodation types.