

Beckingham, Vanessa

From: Rob Manning [emhb@exmouth.wa.gov.au]
Sent: Friday, 22 May 2009 5:40 PM
To: Committee, Economics & Industry Standing
Cc: Phil Anastasakis
Subject: RE: Submission to the Inquirey into the Provision Use and Regulation of Caravan Parks and Camping Grounds in WA
Attachments: Submission into the Provision Use and Regulation of Caravan Parks and Camping Grnds.22 May 09doc.doc

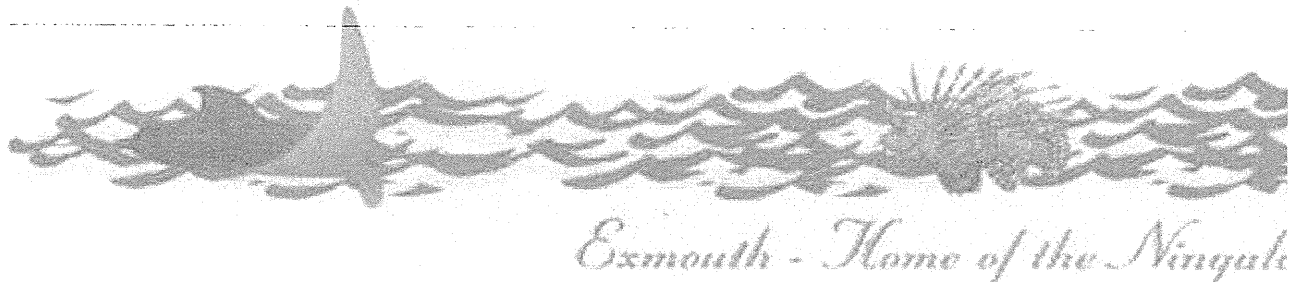
Hi Vanessa,

Pls find very rough, brief submission attached.

Regards

Rob Manning
Executive Manager Health & Building

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From: Committee, Economics & Industry Standing [mailto:laeisc@parliament.wa.gov.au]
Sent: Friday, 15 May 2009 11:44 AM
To: Rob Manning
Cc: Phil Anastasakis
Subject: RE: Inquiry into the Provision Use and Regulation of Caravan Parks and Camping Grounds in WA

Dear Rob

Can I confirm the meeting on the 2 June as discussed, and lock in a time of 10.30am at your Shire Offices in Exmouth?

25/05/2009

Also, could you please advise who will be attending?

Thank you

Vanessa Beckingham
Research Officer
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Legislative Assembly Committee Office
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From: Committee, Economics & Industry Standing
Sent: Friday, 8 May 2009 11:51 AM
To: 'Rob Manning'
Cc: Phil Anastasakis
Subject: RE: Inquiry into the Provision Use and Regulation of Caravan Parks and Camping Grounds in WA

Rob, thank you for your response.

If you could have your response to us by the 22 May (two weeks) it would be greatly appreciated, as we are running on quite a tight time schedule for reporting back to Parliament. This would also allow the Committee to peruse your submission before our trip up to visit Exmouth and Coral Bay on the 2 June.

As to your question regarding the terms of reference, these are the only points that the Committee is seeking input on. There are no other papers or information to comment upon.

Thank you and regards

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From: Rob Manning [<mailto:emhb@exmouth.wa.gov.au>]
Sent: Friday, 8 May 2009 10:37 AM
To: Committee, Economics & Industry Standing
Cc: Phil Anastasakis
Subject: RE: Inquiry into the Provision Use and Regulation of Caravan Parks and Camping Grounds in WA

Dear Vanessa,

Your email is timely as just yesterday I left a message on the voice mail for Warren Pearce of WALG enquiring whether there are any additional information/papers to comment on or is it that you are seeking comment on the 4 items listed as the terms of reference.

Also please be advised that although the original request for comment was received at this office a couple of weeks ago, I have only recently returned from annual leave. Hence the delay in responding.

As I have quite a bit to catch up on and my dept is currently down by 1 of 3 staff are you able to give me an

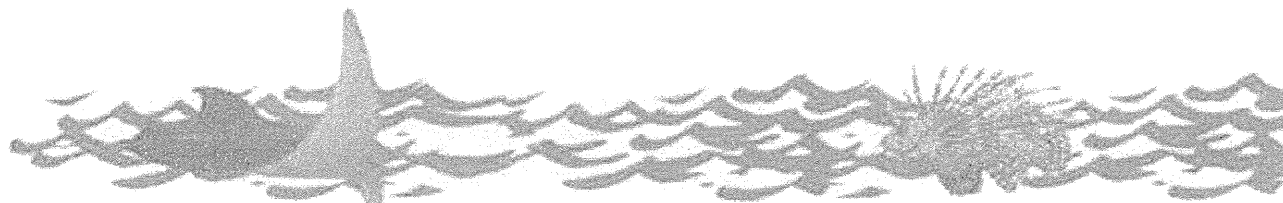
25/05/2009

indication as to when you will be needing the comment by at the latest.

Kind regards

Rob Manning
Executive Manager Health & Building

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From: Committee, Economics & Industry Standing [mailto:laeisc@parliament.wa.gov.au]
Sent: Friday, 8 May 2009 9:58 AM
To: Rob Manning
Cc: Phil Anastasakis
Subject: Inquiry into the Provision Use and Regulation of Caravan Parks and Camping Grounds in WA

Dear Mr Manning

On the 23 March 2009 the Chair of the Economics and Industry Standing Committee, Dr Mike Nahan MLA, wrote to your Chief Executive Officer requesting that the Shire of Exmouth make a submission to the Committee's Inquiry into the Provision, Use and Regulation of Caravan Parks (and Camping Grounds) in Western Australia. The Inquiry's terms of reference are that the Committee will investigate the:

1. Structure, conduct and performance of the caravan park industry;
2. Demand, supply and costs, and trends thereof, of caravan park sites and related services;
3. Supply and demand for long- and short-stay sites including camping sites;
4. Impact of existing legislation, and state and local government policies regulating caravan parks, particularly relating to:
 - maintaining a viable caravan park industry,
 - protecting the rights of operators and users, and
 - providing an adequate mix of long- and short-stay facilities and sites.

I understand that a submission to the Inquiry would fall under your jurisdiction. The Committee would appreciate your attention to this matter, as the Shire of Exmouth has been identified as a key regional area for examination of the above issues.

To this end, the Committee has also identified Exmouth and Coral Bay as areas that it will visit in order to

25/05/2009

examine first-hand the issues faced by the Shire and other stakeholders in relation to caravan parks and camping grounds. The Committee intends to be in the area on the 2 June 2009 and would like to meet with the Shire for a briefing on relevant issues.

I look forward to your response regarding a submission to the Inquiry and potential meeting with the Committee members.

Please do not hesitate to contact me on the number below should you have any queries.

Regards

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Submission into the Provision Use and Regulation of Caravan Parks and Camping Grounds in WA

Prepared By: Rob Manning, Executive Manager Health & Building
Shire of Exmouth
22 May 2009

The Act

Section 3. The ambiguity over the far reaching coverage of 'Public Sector Body' as referenced in this section must be resolved.

In investigating this matter it was communicated to me that the exclusion of the Act from binding government agencies was not meant to also exclude lessees and other commercial operators running camping businesses on State land such as National Parks.

Most other new or pending revisions to other legislation are now or in draft for seeking to bind the crown. At the very least any revision of the Act must ensure that commercial operators conducting camping businesses on State lands such as National Parks are required to comply with the Act & Regs. If not to ensure basic health and safety it will also ensure a level playing field for businesses that are required to pay rates, licencing and have an appropriate level of services and facilities.

This may require a different classification of facility and specification of the types of facilities required so as not to negatively impact on the nature based experience.

Part 2. The Act must make provision for delegating certain functions such as licencing, from the 'local government' (being the Council of the local government) to the CEO. If not for an initial licence there is no logical reason not to provide for delegated authority in relation to the subsequent annual renewals. However, in reality, there is no need for the granting of an initial Lic to come before the Council as if it were a new facility, the Council would have most likely already considered the development as an application for Planning Approval.

Part 3. As above in relation to the delegation of the responsibility to the LG CEO to appoint an Authorised Person as opposed to this function only being possible by the local government – being the Council.

The Reg's

The current format of the Reg's has to be the single most convoluted, difficult to read, mish mash of legislation ever constructed. EG there are not one or two areas of the legislation that covers Park Homes, without doing a detailed assessment of the Regs, different requirements about park homes appear in about 6 or 7 regs/clauses etc.

The numerous Schedules that specify provisions that would normally be regarded as regulations make it a very confusing and difficult to read / follow piece of legislation.

Reg.11. The intent of this clause/reg is not clear. That is, what is 'a person' intended to mean. Is it one person and one person only; is it one group of people as in one camp/caravan; or is any number of people as long as each individual 'person' only camps for 3 nights and they have permission.....

The common interpretation is that it is one company of people, as in relatives that come to visit (eg Uncle and Aunt) for a few days.

Once the above is clarified, again the function of approving these circumstances should be that which can be delegated to the LG CEO and in turn delegated to the appropriate manager.

Reg.12. As opposed to Reg 11, Reg 12 only specifically discusses 'caravans' and not 'camps'. There may be occasion where for either a festival or some other special need that the LG may want consider granting approval for more than 3 nights for more than one caravan or camp (being a tent).

Reg.20. The application and interpretation of 'overflow areas/sites' is one that currently varies from Shire to Shire and therefore creates some inconsistency throughout the State.

For the purposes of provision of sanitary facilities, many Shires generally allow overflow sites to be considered as 'camp' sites. Therefore, only requiring half as many facilities as caravan sites. However, in tourist destinations that experience a wide peak period, overflow sites/areas are being almost permanently occupied for over 3 months. Whilst the regs make provision for the LG to specify what the peak period is, it may be appropriate for the LG to be given some guide as to what is the maximum consecutive use of an overflow site before it should be considered a short stay site.