

CCI sub 40

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From: Carmela & Terry Izzard [mailto:terence.izzard@ccisub40.com.au]
Sent: Thursday, 30 April 2009 4:12 PM
To: Committee, Economics & Industry Standing
Subject: Submission
Attachments: Caravan Parks and Camping Regulation Submission 1st May 09.zip

Hard copy to follow with enclosed attachment.

Terence Izzard
Chairman of Hillview Lifestyle Village
Liaison Committee

The Principal Research Officer
Economics and Industry Standing Committee
Legislative Assembly
Parliament House
PERTH WA 6000

Mr T Izzard

Dated 30th May 2009

Submission

To the inquiry reference: **Caravan Parks and Camping Act & Regulations 1995 &1997**

I wish to draw your attention to the Section 26 of the regulations which states the penalty for exceeding 8km per hour. When I refer to section 6 of this Act it states, Local Government authorises a person by them under the Local Government Act, as you will see as per my attachment (hard copy) from Andrew Waddell MP Member for Forrestfield, the Kalamunda Shire have stated they have not had to deal with the speeding issue in the Shire, yet within the Shire of Kalamunda we have Hillview Lifestyle Village Kalamunda Rd, Spring Vale Caravan Park Maida Vale Rd, Discovery Holiday Park Hale Rd Forrestfield and Crystal Brook Caravan Park Orange Grove all of which are within the Shire of Kalamunda.

In consideration of these Acts and Regulations does the Shire of Kalamunda have an Authorised Officer? At this juncture may suggest that a Volunteer Authorised Officer could be appointed under the Local Government Act, and I highlight the fact that there are Volunteers under the Bush Fire Act, State Emergency Services, The Department of Environment and Conservation and The St John's Ambulance.

I would be willing to be an Authorised Officer (Volunteer) under the appropriate Act.

However I digress and address the ambiguity within the Acts and Regulations: it places an impost upon the Park Owner and or their Managers and or Agents imposes upon them within these Acts that they cannot uphold reference speeding, animals within the facilities. For example Division 2 duties of Licensed Holders part 3, powers of entry and inspections. Powers of entry Section 19 (d) states that an Authorised Officer may stop, enter, inspect or detain any vehicle in a Caravan Park or Camping Ground.

This is not possible because I believe that the Shire of Kalamunda does not have an Authorised Officer.

Part 4, Enforcement.

Section 22 Legal Proceeding to be taken by Authorised Person.

Infringement Notices:

23 (1) (2) (3) in fact this in tire section plus Section 24 Continuing Offences.

Schedule 8 Definitions

Facility road means a road or path inside a facility for the use of vehicles and this Section omits any reference to Pedestrians, I draw to the Committees attention that all roads within a facility are pedestrian shared pavements.

I also draw to the attention of the Committee of Industry and Standing that are covered by the Acts and Regulations that they are virtually unenforceable due to the onus of proof upon the prosecution.

I seek that the Committee amends the Acts and Regulations so that they are workable for the benefit of all concerned.

I am prepared to appear before any Committee.

Yours sincerely
Terence Izzard
Chairman of Hillview Lifestyle Village
Liaison Committee