SEE-CHANGE!

Home and belonging
- caravan park living
on the Mornington Peninsula

2004
For information try:

WAYSS
(9770 2867)
www.wayssltd.org.au
Housing information and referral service

Office of Housing
www.dhs.vic.gov.au – then click on public housing link
Public housing information and bond assistance

Peninsula Community Legal Centre
(5975 3600)
Tenancy advice, information and advocacy for private rental tenants, caravan park and rooming house tenants

Mornington Peninsula Home and Community Care (HACC)
A range of in home and centre based support services, plus advice and assessment and referral, for older people and people with disabilities

Tenants Union of Victoria
(9416 2577)
www.tuv.org.au
Questions about your tenancy arrangements

Housing for the Aged Action Group Inc.
(1800 637 389)
www.older tenants.org.au
Free, confidential and quality advice to older people who rent their home: tenancy advice, housing options, outreach care & housing, public housing advice, referral & support

Peninsula Community Legal Centre
(5975 3600)
Caravan-specific information

Onsite Caravan park residents’ and workers’ network
Through Shelter Queensland (07 33993 2433)
www.qshelter.asn.au
Information about what’s happening in Queensland

Please note the above organisations and/or contact points represent a sample of possible referral and information sources and are not a comprehensive listing.
home and belonging

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Caravan Park Project Report

August 2004
Acknowledgements

This is a community based report. The project and the report are the result of the time and expertise generously given by local caravan park residents, community advocates, and managers, owners and Mornington Peninsula Shire (MPS) staff, in particular, the Social Planning and Community Development Team. It speaks to the commitment of MPS and the broader community to work towards achieving good health and well-being outcomes for people living and working on the Mornington Peninsula. Many thanks to all the participants for their contribution.

This report was prepared for the MPS by Sabra Lazarus with contributions from other Shire staff members, the Triple A Housing Reference Group and local agency and community members.

Telephone the Shire’s customer service on 5950 1111 or 1300 850 600 to receive a copy of the report, or go to the Shire’s website www.mornpen.vic.gov.au

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“See-Change!”: Caravan Project Report

Social Planning and Community Development Team
Sustainable Communities Group
MPS

Adopted by MPS Council, 18 October 2004

Cover Illustration by Sabra Lazarus

Photography by Stephen Eastop
1. Summary

Project Brief

To research and document the impact of the increasing loss of caravan parks on Peninsula residents who consider themselves permanent caravan park residents and to present the findings at a community forum.

Overview of Findings

The report speaks to the significant changes occurring in caravan parks on the Mornington Peninsula including closures and changes to the nature of permanent accommodation provided by parks. It is particularly concerned with understanding the issues confronting residents who live permanently in Caravan Parks. In this context, the report discusses current and future stresses challenging the housing security of these residents, their health and well-being, and the health and well-being of the broader community.

The project and the report provide an initial insight into some of the issues and identify a clear community need to further investigate and address the issues surrounding caravan parks.

The following issues are addressed:

What is driving the closures and changes?

- increases in property values
- increases in land tax
- gentrification of park accommodation
- legal vulnerability (lack of tenancy rights) of Caravan Park residents

What impact these changes might have on residents, owners and the broader Peninsula community?

- decrease in the number of caravan parks and sites available for people on the Peninsula
- lack of security of tenure for caravan park residents
- potential increase in homelessness on the Peninsula, resulting from closures and changes to caravan parks
- loss of housing diversity stock on the Peninsula
- loss of a particular community of people – changes to the cultural diversity of the community
Approximately 460 permanent residents live in caravan parks across the Peninsula. These residents consider the caravan parks their home and have strong connections to their immediate neighbourhoods in the parks and to local communities across the Peninsula. The residents reflect the diversity of the broader Peninsula community. They include a number of retired older residents, single men (a number of whom are non-custodial fathers), single mothers and a smaller number of families. Unfortunately, the housing security of these residents is under threat both from changes outside the park (closures being driven by increasing property values and land tax) and from changes within the park (the move away from the traditional caravan and annex to the transportable home). The concerns of permanent caravan park residents include security of tenure, homelessness and tenancy rights. For the MPS, the issues are maintaining the cultural diversity of the Peninsula, ensuring the health and well-being of caravan park residents, and addressing the overall housing needs of the MPS.

The challenges confronting permanent caravan park residents are not unique to the Mornington Peninsula, but are part of a growing trend across south-eastern Australia. Caravan parks located either on the coast or the city fringe are experiencing the greatest pressure from increasing property values. The situation on the Peninsula appears to be escalating with a number of parks having already closed, particularly in the past 12 months.

Recommendations

1. That Council adopt the Caravan Park report and release it to the community
2. That Council refer for consideration to the 2005-2006 budget the allocation of resourcing to advocate on the position of housing

These recommendations were adopted at the Council meeting on 18 October 2004 at Rosebud.
Project Aims

The MPS Caravan Park project provided an opportunity to expand on the Shire’s role in supporting and encouraging community health and well-being and in caring for the Peninsula and its diverse communities, particularly local caravan park residents, within a sustainable framework.

Its aims were:

• to document the impact of the increasing loss of caravan parks on Peninsula residents who call a “caravan park their home”
• to assist with establishing a forum presenting the outcomes of the above and other relevant works to the Peninsula community on 24 June 2004

The project is a short-term project with an allocation of 200 hours of labour.

Limitations of research

One of the major shortcomings of the project was that I was unable to speak to as many people as I would have liked, so some people didn’t get the opportunity to have their say. This was, unfortunately, a result of limited resources.

There are a number of caravan park resident voices that are absent from the research and report including:

• holiday makers
• people in crisis accommodation
• people living in caravans outside of parks, for example in friends’ gardens

These residents were not included because they were outside the scope of this brief. However, these issues are worth investigating at some time in the future as they provide a further glimpse into the hidden pressures and resultant trends of the Shire’s changing communities.
2. Demographic Profile

MPS is a diverse municipality in terms of its land use and economic base, with a mixture of urban areas, resort towns, tourist developments, rural land and parkland. The earliest settlements in the Shire serviced the surrounding rural districts, but proximity to Melbourne and the coastal environment quickly made tourism and providing a destination for retirees the key drivers in local residential development. This has lead to the creation of a contiguous urban area along most of the Port Phillip coast. The expansion of the Melbourne metropolitan area into the northern region of the Shire has given areas such as Mt Eliza and Somerville characteristics of “dormitory suburbs”, with most people working in other areas to the north, such as Frankston and Dandenong. Significant industrial expansion after the Second World War in the east of the Shire (around Hastings and Crib Point) was a further impetus to residential development, while road transport improvements (notably the Mornington Peninsula Freeway) increased residents’ access to work in areas to the north and stimulated growth across the municipality, including in rural areas, such as Red Hill.

These influences continue to shape the population of MPS. The Shire regularly provides new residential opportunities for suburban expansion in the southern suburbs of Melbourne (especially Frankston and Frankston South) and a retirement destination for Melbournians. The flow of empty-nesters and retirees from the eastern and south-eastern suburbs should continue, especially as the population of Melbourne ages.
The attraction of the inner suburbs of Melbourne for tertiary education, employment opportunities and the “bright lights” should ensure the out-migration of some young adults in their late teens and twenties.

The MPS consists of a population of approximately 132,000 people (2001 ABS Census) spread across 40 distinct towns and communities with a mixture of urban areas, resort towns, tourist development and rural land. The Shire is approximately 720 square kilometres in size and is almost entirely surrounded by the seas of Port Phillip and Western Port. Approximately 193 kilometres make up the coastline. The population is growing at different rates across the Peninsula. Some areas, such as Southern Peninsula have a large ageing population, where many households comprise aged pensioners who have either aged in that place over time, or have retired to the Peninsula to enjoy a more relaxed lifestyle. Other areas have a significant proportion of young family and lone person households.
The increasing number of households seeking to make the Peninsula their home (either for lifestyle change or due to more affordable housing rates than Melbourne) exacerbates existing tensions in the housing market on the Peninsula. The availability of residential land is decreasing across the Shire and consolidation of housing is occurring in many areas i.e. low density conversion to medium density units etc. The State Government’s Melbourne 2030 strategy recognises this dilemma and outlines a new planning framework that restricts urbanisation and the rezoning of land in green belt areas. It aims to promote increased residential density in “activity centres” close to transport and services. However, Melbourne 2030 does little to respond to the impact of gentrification and dislocation of vulnerable and disadvantaged communities in the housing market who require safe, secure, affordable and appropriate housing.

Another more recent issue is the loss of low-income housing in caravan parks that once offered long term housing and/or emergency housing. Increased State Government land taxes are impacting on the cost of maintaining caravan parks. Sales, closure threats or rezoning appear imminent for some. The stock of affordable housing, already scant on the Peninsula, is now under such a variety of pressures that it is virtually “drying up”.

To this end, the Shire is involved in a range of activities in relation to housing affordability as part of its commitment to Sustainable Communities. The Triple A (Affordable Appropriate and Available) Housing Policy was adopted by Council in 2002 and a Housing Reference Group was established comprising a range of housing and associated agencies across the Peninsula.

Affordable and secure housing is fundamental to health and well-being. The Shire’s Health and Well Being Action Plan states that a lack of secure and affordable housing impacts on the ability of people to live stable and healthy lives. As a result of this finding, a number of strategic objectives have been established to work in partnership with others to facilitate an increased range of low income and special needs housing options on the Peninsula. It was in this context that the caravan park project was initiated.
3. Living with Caravans

“Who would want to live like that, spend a quarter of a million dollars, look how close they are, their roofs almost touch each other, and you never see anybody, I can’t understand it.”

(Source: Community interview 2004)

The above words are those of a local caravan park permanent resident; he was pondering the fate of his near neighbours who lived on a relatively new housing estate. His views clearly demonstrate that what constitutes desirable housing is far broader than we might first anticipate and what is a desirable to one person may be totally inappropriate to another.

This report attempts to represent a number of different community voices and interests. It acknowledges the diversity of opinions, shared experiences, and the differing personal investments in caravan parks that exist within the community. Through these voices, it will describe the current situation on the Peninsula and express the range of experiences and opinions that were encountered during the project.

Caravans are part of the Australian physical and cultural landscape, you might have bought a jam donut from one, picked up some tourist information, returned your library book, had your blood pressure checked, or found yourself on holiday. You might be in your mum’s backyard, or you might live in a caravan park - caravans are everywhere!

There is a certain nostalgia associated with the caravan; it’s a cultural icon. The caravan represents the “endless” holiday. But beyond the iconography and the cultural nostalgia, it is important to acknowledge that in Australia, as in other countries, the caravan is used as a form of housing, including emergency, short and long-term housing.

The 2001 ABS statistics identified approximately 61,463 people living long-term in caravan parks across Australia (Ed Wensing: “The risk of homelessness among long-term caravan park residents: The results of a national study”, Australian Housing and Urban Research Institute (AHURI) (Appendix 3)). It has been estimated that 10,000 residents live permanently in Victorian caravan parks (Peter Corish: “Summary of changes impacting on caravan parks” (Appendix 5)).
The idea of the legitimacy of caravans as a housing option elicits a range of responses. Some commentators argue that caravans are a sub-standard housing option and form an inappropriate response to an ongoing housing crisis. Their view is that caravan parks are a last resort and are neither desirable nor appropriate. Others argue that the parks are a legitimate housing option which people choose for lifestyle reasons.

Notwithstanding this divergence of opinions around whether caravan parks are an asset or a blight, or somewhere in-between, what is evident is that caravan parks, their residents, owners and managers are part of the diversity of what makes up the Mornington Peninsula. On the Peninsula, the caravan park is just part of the way we live. Changes to, and closures, of parks will impact on the broader community. We may need to reflect on what we want our community to look like now and into the future.

A healthy community has the capacity to embrace and accommodate difference. It has the mechanisms to achieve just and equitable outcomes for its members. Mechanisms that facilitate the empowerment of both groups and individuals within the community. It is a community where people have the capacity to determine the way they live their lives individually and together.

The challenges ahead include:

- maintaining cultural diversity - ensuring that we have a diverse and vibrant community,
- ensuring the health and well-being of our community and,
- developing sustainable ways of working together to achieve these outcomes.

### 4. About the Mornington Peninsula

Mornington Peninsula Shire is located on the fringe of Melbourne’s outer southern suburbs. In 2001, the total population of the municipality was estimated at 132,716. Based on the 2001 census information, the Shire is expected to increase by just over 23,100 people to 155,834 by 2011, which represents an average annual growth rate of 1.6%. This prediction is based on an increase of just over 11,400 households during the period, with the average number of persons per household falling marginally from 2.49 to 2.39.

What we know about the Peninsula population and housing

- public housing waiting lists are increasing and current housing services on the Peninsula are at or over capacity with regard to demands for crisis, supported or short term housing,
- there is a growing demand for nursing homes, hostel and accommodation for the aged on low income,
• house prices, land prices and private rental prices have increased considerably over time,
• there is a low proportion of public housing stock compared to other areas of Melbourne,
• there is no emergency accommodation, no youth hostels and limited housing opportunities for older persons.

(Source and for further information please see the MPS Triple A Housing Policy and MPS website)

Change

The socio-economic changes we are experiencing on the Peninsula are not unique, and to most of us are not new. The media has acknowledged the increasing popularity of coastal living and its consequences. The now famous ABC-TV soap “Sea Change” provided urban dwellers with a fictional fuzzy warm look into the ebb and flow of coastal life. In contrast, a recent series of articles in The Age newspaper described some of the consequences of sea change as the “battle for the beach”. They acknowledged the pressures and changes that are occurring within our community. Caravan parks are part of this story.

Bob Birrell from Monash University had this to say about the extent and implications of this sea change:

“Residents, academics and planning experts warn that coastal property price and development boom - $1.5 billion in buildings was approved along the Victoria’s coast in 2003, including Geelong – is having significant social effects on coastal towns…”

(“Coastal Conflict, Surf Coast property boom drives locals out of town,” The Age, Jan 15, Royce Millar and David Rood, pg 4)

This is what locals had to say about the changes around them:

“When I just came there were no surrounding houses, now it’s all built up. The owners of these houses were under the impression that the caravan park would be gone in two years.”

“Over the last five years prices (houses) have almost doubled and some instances tripled (Hastings).”

“There have been huge changes - a “boom”. Housing development, shopping, roads are busier and a change in the social environment.”
“In the seventeen years the area has come ahead, with houses and shopping centres. It’s come ahead from a seaside village to a town.”

(Source: Community interviews 2004)

Profile of Caravan Parks on the Mornington Peninsula

At the time of writing, there were 34 caravan parks across the Peninsula. These parks provided the following accommodation:

- tourist accommodation (including annuals)
- crisis accommodation
- permanent accommodation

There are approximately 460 people living permanently in caravan parks across the Shire. A number of parks on the Peninsula have closed; are in the process of closing; or have recently been sold. Increasing levels of land tax and residential development were the drivers behind the recent closures of two parks. Others, for example, the Dromana Tourist Park and the Hastings Caravan Park, have been sold and are undergoing significant changes, including increasing the number of mobile/transportable homes and reducing the number of traditional caravans and annexes.

Profile of residents living in caravan parks

The people currently living in parks across the Peninsula reflect similar trends found across Australia. They include:

People who rent:

- couples, families and singles who find it difficult or too expensive to access mainstream tenancies
- people leaving institutions, and families who have moved to be near institutions
- people changing jobs
- people with disabilities
- people in crisis
- people who like flexible lifestyles
- people who are waiting for social housing
People who own their own vans/mobile homes:

- retired people
- people on limited incomes who have saved
- older single men who value independence and like the park community

(Source: No place for home NSW residential parks 2002)

People who live in parks on the Peninsula include:

- young people
- single men and women
- single non-custodial fathers and retirees
- a smaller number of families

**Caravan Parks and the provision of crisis accommodation**

On the Peninsula, caravan parks are used to provide emergency and/or crisis accommodation. This occurs because there is no alternative emergency accommodation available.

This is a description of the type of referrals made by a local organisation to caravan parks:

> “Most of the contact that the centre has with the caravan park is via crisis accommodation referrals, which may include families/young adults dealing with family breakdown, women and children escaping domestic violence, and single homeless men and women.”

(Source: Community interviews 2004)

While there was general agreement amongst community advocates who were making referrals that they had no other choice, there were differing opinions as to whether caravan accommodation was an appropriate for crisis accommodation. Some advocates argued that communal aspects of caravan parks were an advantage to some people in crisis, others expressed the view that the conditions were totally inappropriate and that rather than calming the crisis, such conditions exacerbated it. Managers and owners also had mixed responses with respect to their willingness to accept referrals or not.
Why people live in parks on the Peninsula

People move into parks for a variety of reasons. Some are attracted by the lifestyle; for others it may provide a place to pause and take time out, or it may be the only choice available to them. Here is a sample of some of the response from residents who were interviewed:

“I have lived at the park for the past 17 years. Previously I lived on a farm, where everything was supplied. I wasn’t going to buy a house at 50. My children had all grown up and the farm work had finished. I bought a relocatable home which is as good as a house.”

“Life and stuff – a whole heap of things, needed somewhere to live, needed to move on; it was a good idea at the time. I was new to the Peninsula and the Peninsula was a good hour’s distance from family. The beach. I intend staying here.”

“We were looking for somewhere to settle after travelling around Australia and decided on this park. We wanted a base; we sold our home and furnishings to travel.”

“I was living with my sister on the Peninsula, after my marriage broke up. Both my mum and sister had lived on the Peninsula. I came from Endeavour Hills and loved it down here.”

(Source: Community interviews 2004)

Residents talk about living in caravan parks on the Peninsula

Overwhelmingly, the permanent residents that I spoke to were happy to call the park their home. Here is a small sample of what they had to say:

“Oh, it’s lovely, perfect – 2 room cabin with en suite – I just love it. It’s only an hour to do all the housework and it’s cosy. If we go away people will keep an eye out – you’re safe.”

“Last week my husband had to go to hospital – I was by myself. It’s the first time in 71 years that I have slept by myself – I went to bed and slept like a log- if anything was wrong you know to can just open your window and yell.”

“My home is cool. It’s the pretty house, tinsel all around it, its Christmas all year!”
“It’s like a community, a lot of people look after each other. If you live in a house, you can live next door to someone for 20 years and you never say hello, it’s a different way of living, more Australian, a more laid back attitude.”

“I liked it because it was mine; I had my own freedom to do what I wanted... It gave me my independence again.”

(Source: Community interviews 2004)

The research confirmed that in the main, people who are permanent residents in caravan parks choose to live in parks. Increasingly, people who are making this choice are investing considerable amounts of money to achieve it. With the demise of the older style caravan and annex, people are required to purchase or rent a mobile home/cabin at a considerably higher cost.

An increasing number of retirees are choosing to live in parks. They see parks representing all the positives of a communal life-style that they require without the loss of independence they may experience in a retirement village or nursing home. These people value their independence, freedom and the support of a caring community. To many, life outside the park can be isolating. It should be noted that people who had previously lived in the older style caravan equally valued these life-style principles, however, without the financial means to continue to live in a caravan park, they have lost this housing option.

5. Resident Issues

Residents and community advocates identified a number of issues which affect the quality of life for park residents. They raised the following grievances:

Not all parks are created equally, some parks were identified as providing sub standard and inappropriate housing

“Some younger people who were living in an older caravan. Rain was coming in and there was mildew, and mould all through the kitchen. They didn’t have any other options. The standard of housing was a sub-standard ’70s van. They were also treated badly; they felt that they were glared at and given a hard time.”

(Source: Community interviews 2004)

Not all management practices are equally as effective in providing a safe and secure home environment for residents

“A lot depends on the particular manager.”
“Suggestions that are made if they are going to cost a lot of money they go under the carpet. If it’s small they might do it. You’ll often hear if you raise an issue that you are the only one that has complained.”

“Too much of it is left up to the good nature of the owner; there is not enough recognition of the people living in the parks rights.”

“If I had the money, I might move. It’s all the restrictions and the park rules of the owner that is making it very difficult to live here. We don’t need the restrictions at this time in our lives.”

“People are frightened that they will lose their homes and be kicked out if they complain.”

“With regard to managers, we are referring high need people. The reality is that their interactions are complex and demanding.”

“The owner does a good job. As long as you have a decent owner that’s the main thing. They cut the hedges; mow the lawns for you, that’s a really good thing if you’re an elderly person”.

(Source: Community interviews 2004)

Not all people are treated equally - discrimination

Residents experience discrimination through:

- systemic or structural discrimination:
- community attitudes
- access to community resources

Residents and community advocates had to say about systemic discrimination:

- Caravan park residents have the least protection under the Residential Tenancies Act.
- The 90 day rule is a huge issue for tenants. This is a big issue because of the demographic of people in parks. There are a lot of retired people and also people who can’t afford private rental. The latter group are particularly vulnerable. They will often be evicted before the 90 days are up. It is common practice to evict before 90 days.
- Caravan park tenants are loathe to take action – to use their legal rights, because they have to go back and live there, and are subject to the will of the owner. So the tribunal sees the least number of complaints from Caravan Park tenants, even though they have lots of issues.
Residents spoke of their inability to get bank loans to purchase mobile homes, as they had no title; they were forced to take personal loans at greater expense.

Residents also spoke of difficulties in organising insurance for their homes.

Community Attitudes

People also encountered a range of responses to the fact that they lived in a caravan park, including being perceived as belonging to a lower class – “trailer trash”:

“These sorts of perceptions are based on ignorance – from years and years ago. Parks weren’t run properly. It’s all changed now; nobody wants to live in that environment. We provide good facilities and good management.”

“If you identify yourself as living in a caravan park, people look down on you – it’s pretty much because they’ve got money – born with silver spoons in their mouths.”

(Source: Community interviews 2004)

Although these responses were not the universal experience:

“I haven’t encountered any negative reactions outside. If you live in a caravan park it depends on how you describe it. If you say we live in a cottage in the park they say fantastic.”

(Source: Community interviews 2004)

Access to Community Resources

A general lack of access to community resources was also a recurring theme of people living in parks. People identified the following concerns:

- lack of access to bulk billing doctors
- limited and expensive public transport
- lack of access to dental services

“This relates to fact that the majority of people living in parks are on fixed incomes, pensions and benefits and don’t have the money to pay, for example, the $55 dollars required to visit a non-bulk billing doctor.”

(Source: Community interviews 2004)
Unfortunately, none of these issues are new for park residents and community advocates. These issues are part of the history of caravan parks in Australia and remain painfully current. Caravan park residents are recognised as having few tenancy rights and remain one of the most legally vulnerable housing communities. Their security in housing has little to do with social justice and more to do with an archaic feudal land system, where the tenant is under the auspice and control of the owner and/or manager rather than being subject to community expectations and an equitable rule of law.

6. Challenges facing Caravan Parks and residents

There is a crisis looming for existing caravan parks, their residents, employees and owners. The crisis comprises a number of factors including:

- gentrification both of the broader community and within caravan parks
- increases in property values and land tax
- lack of tenancy rights
- lack of security for residents, managers and owners

Each of these factors contributes to changes we are witnessing in the way caravan parks operate, the type of housing they offer and, in fact, whether they can continue to exist at all.

Gentrification

Gentrification can make caravan parks disappear. The pressure exerted by the process of gentrification and its impact on the physical, social and cultural landscape is evident in these two examples:

Example 1:

A new housing development replaces an existing caravan park in Sorrento. The development and its houses are described in the following terms:

“The style of the houses is ‘contemporary coastal’….The houses will all be two storeys with four bedrooms and a three car garage. Prices $790,000 – $890,000”

(Source: Domain, The Age, 2004)

Obviously, the new residents will bear little resemblance to the previous holiday makers and residents. Where will they relocate to?
Example 2:

Gentrification is also occurring within existing caravan parks. The days of the traditional caravan and annex are numbered due to gentrification. The old van and annex is being replaced by a newer mobile or transportable home. Although cabins are not new to caravan parks, there is little doubt that the older style van is under threat. Indicating the new type of accommodation available in parks, a local caravan park is described in the following terms:

“Peninsula Parklands is a brand new development in Hastings which will provide a peaceful and serene lifestyle, close to the ever growing facilities of this bay side community...prices of these modern transportable homes, begin at $65,990”

(Source: The Independent, June 2004)

Lack of Tenancy Rights

A serious and ongoing issue for residents is their lack of adequate protection under the Residential Tenancies Act. This has a huge impact on their quality of life. Describing her work with park residents, one community advocate said: “The biggest surprise to tenants was how few rights they had.” (Source: Community interviews 2004)

Tenancy rights for residents are further complicated by the failure of legislation to keep up with the significant changes occurring in caravan parks across the State. In many instances, the parks are being transformed into retirement villages and/or large mobile/transportable home sites. The failure of the law to respond to these social changes further disenfranchises the residents who are reliant on inadequate legislation based on outdated information and ill-informed concepts regarding the current situation in caravan parks.

Increases in Property Values and Land Tax

Increases in Property Values and Land Tax were identified by managers and owners as the most significant issue affecting the viability of caravan parks.

They had this to say:

“Land tax is a big issue for all parks and as you can see with this park, it’s not all about holiday makers; I think that any caravan park that provides 50% plus of their accommodation to permanents should be exempt from land tax just like retirement villages are.”

“The park had previously been subject to approximately $400 land tax per annum (4 years ago), currently subject to approximately $8000.”
“The additional costs...are passed on to the residents...If valuations of the property increase then as things stand the land tax burden will also increase. I am absolutely concerned about the valuation. The increase could be substantial, it’s not unlike ‘bracket creep’ with income tax, to find yourself in the next bracket and the costs go up.”

(Source: Community interviews 2004)

Others in community said:

“Mr Dixon said the crunch time for local operators would come later this year...Land tax doesn’t just rise as the value of land rises. There is a huge spike in land tax when the value of the land hits 1.08 million. When it hits that there is a huge leap in the rate.”

“The caravan park industry on the Peninsula is changing, largely due to land tax,’ said Ray Webb, MPS Planning Manager.”

(Source: Tina Hildebrand, Mornington Peninsula Leader, March 2004)

Rising property values and land tax also impact on the future security of owners, employees and, in particular, residents of caravan parks.

Managers and owners had this to say:

“We can’t budget for it (land tax) because we don’t know what the valuation will be, then you have to try and recover this money – that’s the sort of thing that will affect our survival...It could all be swallowed up for subdivision.”

“Over the past two years people have invested considerably in their homes. Some units have cost up to $100,000. We have said that we will continue. We have had offers to buy - but you don’t know.”

(Source: Community interviews 2004)
For residents, the issue of security of their housing was paramount. Overwhelmingly, residents felt that their housing was becoming increasingly insecure and that they were limited in what they could do to confront this issue. The worst case scenario for them is the loss of their housing - and the possibility of homelessness. At best, they live with ongoing uncertainty and fear.

To appreciate the impact that this insecurity has on residents, imagine for a moment:

- that you have been served with a notice to leave your home,
- or perhaps the original conveyancing had been mishandled and you find out that, after all, you don’t own your own home,
- or that the tenancy agreement you signed has been subject to a recent change in the laws which rendered it worthless.

For residents who are facing the possibility of either significant change to the caravan park they are living in or the possibility of closure, this is part of their reality – dealing with an immediate future characterised by insecurity and fear. Locally on the Peninsula, we have experienced the sale of the Dromana Caravan and Tourist Park and the Hastings Caravan Park and the closures of Bay Breeze and Miami Caravan Parks.
This is how a past resident described the sale of the Dromana Caravan and Tourist Park and the changes that followed the sale:

“If you had an older caravan you had to renew to update to a new cabin.

I would have needed $47,000 for a small block, I payed $12,000 for the van and I would be paying weekly fees of approximately $30-35, nobody really knows what is going on. It was $35,000 for the smallest block; it was worked out on the square metres.

My sister has a contact at the bank. I can’t even get someone to ring to say that they won’t lend me the money. It affected me because I suffer from depression, it sent my mood down. I will end up renting – but will stay on the Peninsula because I work down here.”

(Source: Community interviews 2004)

Closures

The closure of a caravan parks involves the physical dismantling and removal of homes. Structures which may have existed for over 20 years are taken apart and their occupants move on. When the Bay Breeze Caravan Park in Rosebud closed down, eight permanent residents lost their homes. Along with the residents were holiday-makers who had been returning over many years. We witnessed the loss of a community of people who had shared a home. For people living outside a park, it is akin to loosing your immediate neighbours from surrounding streets; your neighbourhood is dismantled and deserted. Put simply, Bay Breeze looked liked a “disaster area”, as these images indicate:
Closures
The changes to caravan parks and their closures impact most significantly on those park residents who have the least access to economic and social resources, in short the most vulnerable in our community - those who may lose their home on the Peninsula. The changes/closures have also refocussed discussion on the legal vulnerability of all caravan park residents, whose tenancy has the least protection under the law. The ability to purchase a mobile home and lease does not provide any additional protection for residents. They are still subject to the same degree of housing insecurity as those who may be renting. This is a fact that is often unknown to the new population of park residents prior to their entry into the park. Due to the recent closures, it is an issue that has caused a degree of fear and stress for them. For park residents, fear of homelessness and actual homelessness are part of their housing experience.

7. Conclusion

Caravan parks, their residents, owners, managers and workers are a unique part of what makes the MPS a diverse, vibrant and healthy community. They are currently under significant threat with considerable and rapid changes occurring within parks and a number of parks having closed, or existing under threat of closure. The experiences of other states, particular Queensland, would suggest that this process will not abate and we can expect more changes and closures in the future.

We are already experiencing the consequences of these changes in the social, economic and environmental landscape of the Shire. For some people, these changes equate to homelessness; for others they speak to the shrinking opportunities of living and working on the Peninsula.

Are Caravan parks worth saving?

Ultimately, this is the key question for the community to consider. How do we approach this question? We might look through this and other reports searching for evidence to support either the positive or the negative, so that we might come to an informed decision. Alternatively, we might rephrase the question and ask ourselves – is our home worth saving? Not everyone wants to live or holiday in a caravan park, but lots do. For the 460 people who live in caravan parks on the Peninsula, the park, the van, cabin or mobile home is their home. The right to the home of their choice is central to this discussion.

Discussions with residents and other stakeholders indicated that caravan parks have the capacity to achieve health and well-being outcomes for permanent residents and the broader community, and in many instances do so. Caravan parks can provide:

- healthy places and spaces (quality natural and built places that contribute to good health and community well-being)
• sense of hope and belonging (community well-being and confidence through meaningful connection to community and place, experiencing hope and happiness)

• healthy lifestyle choices (individual and community responsibility that encourages healthy living)

• quality of life for all (fair and just access to community resources and empowerment)

• active local communities (creation of and support for opportunities and involvement in community life)

The project was able to identify examples of caravan park living where health and well-being of residents was enhanced by their housing choice. Residents spoke of their satisfaction and pleasure with their physical and social environment. They also spoke of the fantastic locations, the pleasure of the physical environment – trees and birds. They talked about the comfort and convenience of their physical homes – “big enough” with somebody else to handle the “other” jobs, like outside maintenance. They spoke about a supportive and caring community, of street parties, Christmas lights, of never being alone, of giving and taking. A number of parks had strong connections with community organisations which increased residents’ access to community resources and broader community life. Most importantly residents talked about “their” housing choice, and “their” lives. Caravan parks were not incidental to them, but a choice that they had pursued, enjoyed and wanted to continue.
This is not suggesting that many caravan park residents did not experience duress as a consequence of living in a park. Talk of closures, bad or inconsistent management, bullying, few or no tenancy rights, insecurity and fear may also be part of living in a caravan park. In the main, people who have chosen to live permanently in caravan parks do so on limited incomes – retirees and people on pensions or benefits - and because of this have limited access to community resources. These people pointed to an inadequate and expensive public transport system and a lack of dental services and bulk billing doctors on the Peninsula.

It was clear from the research, that the majority of people I spoke to, including, residents, managers, owners and community advocates, expressed a desire for parks to continue. This, however, represented one of few points of agreement between stakeholders. For example, owners prioritised the land tax issue and their business and personal security. Residents, while they recognised the impact that increasing property values and land tax were having on their security, were also concerned about their lack of legal protection and their overall powerlessness. Community advocates raised the issue of an ongoing “housing crisis” and discussed the pros and cons of the appropriateness of caravan parks as a housing option. They also raised issues around inconsistencies in park management practices and the vulnerability of some of the people staying in parks.

During the research, it became apparent that a multitude of complex issues surround caravan parks, their owners, managers and residents. The degree of complexity was beyond the scope of the research and report. Therefore the report should be read as the beginning of an ongoing conversation that the community needs to have.

The challenge ahead is to ensure that caravan parks continue to exist but that these homes:

- meet the expectations of residents
- provide a quality of life
- provide a sense of health and well-being that each of us has a right to expect

The way forward

The findings contained within this report were delivered as part of the Community Forum on caravan parks on the Mornington Peninsula held this June 2004. The forum was a success. A range of speakers participated including: Jean Phillips (Mornington Peninsula Triple A Housing Reference Group), Peter Corish (Victorian Caravan Parks Association ), Andrew Manning (Frankston City Council), Allan Cowley (MPS) and Sabra Lazarus (MPS). Over a 110 people attended the forum, including residents, caravan park owners, ad managers, developers, local community agencies, state government department representatives and state tenancy and advocacy groups. Consequently, the forum generated a lot of discussion.
As part of the outcomes of the project, commitments have been made to:

- report back to Triple A Housing reference Group
- deliver a final report to Council
- work with agencies to hold a meeting for residents (i.e. Legal Service, Tenants Union and Housing for the Aged Action Group)

In addition the forum has generated considerable community interest within the Shire, across the State and interstate. There have been a number of follow-up newspaper articles. As well, there have been requests for information from community organisations, the State Government and other local governments (as far a field as Brisbane). The Minister for Local Government and Housing has requested a briefing from relevant public servants on the issues of caravan park closures as a result of the forum.

In response to this interest, we will be making:

**Recommendations**

1. That Council adopt the Caravan Park report and release it to the community.
2. That Council refer for consideration to the 2005 - 2006 budget the allocation of resourcing to advocate on the position of housing.

These recommendations were adopted at the Council meeting at Rosebud on 18 October 2004.

**8. The last word**

The context for the discussion in this report was the caravan as a home. When I asked people to define what home meant to them, overwhelmingly their responses were about the emotional attachments to a sense of place, and while the physical manifestations of a “home” may differ considerably amongst individuals, people drew a clear distinction between a home and a house.

What follows are some examples of how Peninsula residents and workers described home:
“Home is about the memories and the people who are in it and not the walls... As a child I moved a lot so I never had that attachment to say the street... home is not about the actual buildings you’re in, you can make a home of anything, it’s not just bricks and mortar.”

“Home is a haven from the chaos of the world.”

“Security, I guess, love and warmth. My dog is part of my home. If you were to ask me in summer, I’d be thinking more social.”

“I am 64 years old, and the third longest person [living] in the park, most of them have gone. I came from Langwarrin, my marriage was over and I bought my place from a friend. I live by myself. I love my mobile home, it’s like a big flat, one bedroom, lounge, dining room, bathroom, all you need.”

(Source: Community interviews 2004)

Appendix 1

Research Methodology

The process included the following actions:

- Collecting and analysing information caravan park owners, regarding the factors relevant to their decision to either continue to operate a park or to sell for subdivision development. Why do any parks continue to operate? What factors impact on the viability of the business? What changes could support the continuation of the parks?

- Collecting and analysing background information from a range of sources relevant to caravan parks as homes for people e.g. what proportion of caravan sites are occupied by permanent residents, how has this proportion changed over time, what are the factors influencing this pattern, what is the general profile of caravan park residents?
• Undertaking action research including qualitative research with local caravan park residents, relevant workers and others, including the level of satisfaction with their current accommodation in terms of adequacy/appropriateness, accessibility and affordability, and consideration of housing preferences e.g. to what extent is the caravan park a “housing choice” and to what extent a “last resort”.

• Documenting findings in an appropriate format/medium to be presented to the Shire’s forum on caravan parks in June 2004 and also used as an advocacy tool to the State and Federal governments to take up the issue across affected coastal areas.

• Liaising with the Shire’s Social Planner and a sub-group of the Triple A Housing Reference Group.

• Presenting the findings to the 24 June forum followed by a presentation to Executive and Council about the project, process and findings and suggested way forward.

Information Sources

Community Consultations

Community consultations were the primary source of information. Over 50 people were interviewed. The following interviews were conducted:

• a number of informal meetings with key stakeholders across the Shire.
• community consultations with community advocates and caravan park residents
• a number of one to one interviews with caravan park owners, managers, residents, and community advocates.
• discussions with relevant MPS staff

A considerable about of time was spent in discussion and listening.

Additional Sources

• government and community reports
• other local government staff
Appendix 2

Values and Principles

The following values and principles underpin this report:

- MPS Community Plan 2002 -2004
- MPS Sustainable Peninsula
- MPS Health and Well Being Action Plan – “Health Hope and Happiness”, which promote a sense of place and belonging
- MPS Access and Equity Policy – “Just, Not Just the Same”
- MPS Triple A Housing Policy – which encourages and supports the provision of a range of housing options

Copies of these policies are available on the Shire’s website: http://www.mornpen.vic.gov.au/ (under community and health)

Appendix 3

On the Margins? Housing risk among caravan park residents

An overview of the results of a national study on the risk of homelessness among long term caravan park residents

An AHURI Research project

Ed Wensing FAPI MPIA
Research Associate
Urban Frontiers Program
University of Western Sydney

Paper presented at the MPS Caravan Park Community Forum 24 June 2004

Typology of Caravan Parks

Caravan parks vary across several dimensions. The following are some of the more obvious dimensions:

- Tourists vs. permanents
- Nature of permanent renters – “owner renters”, “renter renters”
- Geographical location – highly desirable to utterly unpleasant
- Luxury to derelict
Well managed to poorly managed
Perceptions by caravan park residents

Numbers of people living permanently in caravan parks
At the 2001 ABS Census approximately 61,463 persons Census were usually residing (long term) in caravan parks.
An increase of about 6,263 persons compared to the 1996 ABS Census.

Number of caravan park establishments and their capacity
There has been an increase in the overall number of caravan park establishments in Australia between 1987 and 2001, from 2,649 to 2,728 caravan park establishments.
From 1987 to 1997 the capacity of caravan parks rose from 278,316 to 286,740 sites.
(Note: since 1998 only caravan parks with more than 40 sites are included in the Survey of Tourist Accommodation.)
Between 1992 and 1997 the capacity of short term establishments increased in all jurisdictions except Tasmania and the NT. During this period the capacity of short term parks across Australia increased by some 19,400 sites, whereas the capacity of long term caravan parks decreased by approximately 19,400 sites.
There have been slight reductions in the number of establishments in New South Wales and Queensland over the same period.
Large parks continue to contribute to the overall increase in the capacity of caravan park establishments in Australia.

Characteristics of the residents
A number of findings about individuals and households can be drawn from the 1996 and 2001 ABS Census of Population and Housing. (Although in some areas the data is not directly comparable.)

- In 2001, 23 per cent of individuals living in caravan parks were aged over 65 years, and another 19% were aged between 55 and 64 years. (i.e. 42% were over 55 years if age.)
- In 1996 nearly one-half of all households who reside in a caravan are single person households. The proportion of two family households living in caravan parks is 0.2 per cent.
- In 2001, 60 per cent of households who reside in caravan parks are single person households. A further 6 per cent are also single parent families, and the proportion of “other family” living in caravan parks is 0.8 per cent.
At the 1996 Census, some 11 per cent of households who reside in a caravan park had not changed their address in the five years prior to the Census. Whereas in 2001, some 38 per cent indicated they were at the same address five years earlier. (It is very difficult to compare these figures because the question was phrased differently in 2001 compared to 1996 and the returns also indicated a high no response rate in 1996.) However, the results do indicate that a large proportion of households in caravan parks spend at least 12 months in a caravan park and are not short term occupants.

In 1996 some 52 per cent of caravan dwellers earned under $400 per week compared with 23 per cent of all households. Only 3 per cent of households in caravans earned over $1,000 per week compared to 21 per cent of all households.

In 2001, 62 per cent of households who reside in caravan parks earned less than $500 per week. This is significantly higher than for Australia as a whole, where on average 29 per cent of households earned less than $500 per week.

In 2001, almost 10 per cent of individuals who lived in caravan parks were unemployed. Those in employment were in lower paying occupations, and 80 per cent of individuals in caravan parks had no recognised post-school qualifications.

In 1996 just over one-half of households in caravans owned their dwelling outright. Approximately 15 per cent rented their dwelling from a private landlord, while only 0.3 per cent of caravans were rented from a public landlord.

In 2001, 54 per cent of households who live in caravan parks own their dwelling outright (the Australian average is 40 per cent), approximately 30 per cent rented their dwelling from a private landlord (the Australian average is 21 per cent), only 0.1 per cent rented from a State/Territory housing authority, and only 0.3 per cent rent from a community/co-operative housing group (the Australian average for renting from a social landlord is 5 per cent).

Nearly 41 per cent of those households in a caravan who rent privately were in rental stress (i.e. paying more than 30 per cent of their income on rent) compared with 27 per cent of all households.
Comparison of ABS and AAA Tourism data

The study benefited enormously from access to AAA Tourism’s national listing of caravan parks. While some allowances must be made for how the different data sets are collected and their purpose, the juxtaposition of the two data sets reveals some interesting observations.

**Number of establishments:**

- Around 84 per cent of all caravan parks in Australia are listed on the AAA Tourism database and about 65 per cent of all caravan parks in Australia participate voluntarily in the AAA Tourism star rating system.

**Capacity of caravan parks:**

- According to the ABS STA, the total capacity of caravan parks in terms of the number of sites was 286,740 sites as at December 1997. From January 1998 only caravan parks with 40 or more powered sites are included in the STA. In 2001, the ABS STA estimates the capacity of all caravan parks at 268,619 sites.

- The total capacity of the parks listed with AAA Tourism in 2002 is 226,429 sites. This is about 79 per cent of the total number of sites when compared with the ABS STA data. It is significant to note that there are 552 parks with less than 40 sites in the AAA Tourism data base which suggests that the ABS STA is not collecting data from a significant portion of the sector.

**Number of permanent residents compared to permanent sites:**

- The ABS 2001 Census identifies approximately 61,400 people residing in caravan parks excluding visitors and holiday makers. For a variety of reasons, the Census is an under-enumeration of permanent residents in caravan parks.

- The AAA Tourism data base identifies approximately 78,600 sites as permanent sites, for which the occupancy rate is unknown.
Characteristics of individuals/households and park rating:

- According to the ABS 2001 Census, most individuals living in caravan parks are likely to be elderly, unemployed or retired or if in the workforce in lower paying occupations, have no post-school educational qualifications, have a high mobility rate and are predominantly Australian born and English speaking. According to the ABS 1996 and 2001 Census, most households in caravan parks are likely to be sole person households or couples with no children or sole parent household, have relatively low incomes, higher proportions of home ownership and rental than occurs in the wider community and higher rates of housing stress.

- Most caravan parks that participate in the AAA Tourism rating system are in the low to middle range of the star ratings with a relatively basic level of amenities. Only a very small proportion of permanent sites have self-contained facilities. There are a large proportion of caravan parks that do not participate in the rating scheme and it is reasonable to conclude that if they did, most of them would not rate very highly. Interviews with various industry sources confirm this view.

It is reasonable to conclude therefore, that most people living permanently in caravan parks, either as a lifestyle choice or as a last resort and against their will, live in very basic conditions with minimal facilities and amenity compared to conventional forms of housing.

Comparative Assessment of conditions 1993 - 2001

A comparative assessment of conditions relating to caravan parks between 1993 and 2001 carried out by the Family Action Centre at the University of Newcastle shows many disparities in the approach to issues around caravan park residency continue to persist and that in some jurisdictions the situation had not changed markedly in the period 1993-2001.
Key issues raised in the focus group discussions and key stakeholder interviews

Three distinctive sub-groups can be identified as using caravan parks. They are:

- People making a deliberate choice to live in a caravan park for reasons of lifestyle, including affordability and flexibility compared to other forms of housing. Within this sub-group there are a large proportion of retirees who own their dwelling but rent a site or rent both the caravan and the site. Many of them are on fixed incomes from superannuation or pensions and have been living in caravan parks for several years. They have made a choice, albeit a constrained choice depending on their circumstances at the time they made the decision to do so.

- Itinerant or seasonal workers in the construction industry, farming and fruit pickers or other lower paid jobs who chose to live long term or permanently in caravan parks also as a lifestyle choice. They tend to be renter renters rather than owner-renters so they can move with the availability of work, although, according to caravan park industry association sources, there are a significant number of construction workers that own their dwelling in the manufactured housing estates in and around Sydney. For this group, the caravan park is an affordable and flexible form of housing.

- People who move into a caravan park as a last resort because there is no other suitable alternative at a particular time in their lives...They are not there by choice. They may have exhausted all other avenues or they simply do not have the means to gain access to housing in any of the mainstream sectors or they may already be on the public housing waiting list. They may have rent debts, they may not have money for a bond and rent in advance, they may have a range of personal crises in their lives and have complex support needs, and they may have been homeless previously. Many of them are unemployed or on sickness benefits or are no longer in the active workforce.

A wide range of risk factors make long term caravan park residents vulnerable to homelessness. These include:

- failure to pay rents;
- personal and life circumstances including previous housing careers;
- park closures or changes in market sector;
- lack of security of tenure, including lack of written occupancy or tenancy agreements and often no appeal rights;
- park design and amenities;
- park rules and management styles.
More often than not it is a combination of several factors at any given time that are the cause of homelessness.

The current rate of closure or change in market sector that is occurring is resulting in an overall decline in the number of caravan sites available for permanent accommodation. Those most at risk include:

- residents who own their dwelling and rent the site. Owners of dwellings (often the elderly) face the loss of their only investment and face the prospect of homelessness, especially if the relocation of the caravan or cabin is greater than its capital value or unless they can find another park to relocate to and have the necessary upfront costs to do so; and
- residents who rent both the dwelling and the site. This often includes families and those with disabilities who may have failed to maintain tenancies in the private rental market. They face the loss of their housing of last resort.

Focus group participants confirmed that homelessness is particularly relative to their own experiences and perceptions of what constitutes adequate and appropriate housing for their current circumstances. Many of those who are in a caravan park as a last resort did not necessarily see themselves as being homeless without shelter, but saw it as a transitory arrangement while they got their lives together. They certainly expressed strong feelings of wanting something more permanent and did not see a caravan or any other type of dwelling in a caravan park providing that kind of housing.
Policy Implications

The notion that caravan park dwellers are not permanent still pervades policy makers and program delivery agencies.

A range of policies and actions are required by all spheres of government to meet the immediate needs of people living long term in caravan parks, including those whose housing is threatened by park closures or change in market sector.

These include:

- appropriate mechanisms for monitoring the patterns of use of caravan parks, the possibility of closure or change in market sector leading to a loss of permanent accommodation (State/Territory Governments can set the framework for monitoring with Local Government and the caravan park industry involved in collecting or providing information at regular intervals);

- improved security of tenure arrangements between residents of caravan parks and caravan park owners/operators, including written site lease agreements, especially in jurisdictions where this is not already a requirement (State/Territory Governments can improve the legislative provisions relating to security of tenure with greater enforcement carried out by appropriate State Government agencies. A self-enforcement or self monitoring regime by caravan park industry bodies will not work in this area and Local Government cannot undertake this function where they own and/or manage caravan parks);

- priority access to public or community housing for those in desperate need of housing because of eviction or park closure (Commonwealth/State/Territory Government public housing agencies, community housing providers and better coordination with SAAP agencies);

- better dissemination of information about the positives and negatives of living long term in caravan parks or manufactured housing estates, including information about legal rights and responsibilities for all the parties involved (Commonwealth/State/Territory Governments, tenancy groups, and other housing providers, including the caravan park industry); and

- improved resourcing of advisory and support services (Commonwealth/State/Territory Governments with Local Government playing a provider role);

- consideration of compensation for forced relocations to cover the rehousing and/or relocation costs where such costs are not covered by the park owner’s legal obligations (State/Territory Governments).
Interventions are required earlier so as to avoid the necessity of having to meet housing needs by living in a caravan park as a last resort. Current practices of using caravan parks as crisis accommodation or as exit routes from supported accommodation appear to be in response to severe pressures in that sector.

A wide range of policy responses are required involving all spheres of government, the community services sector and the private sector. These include:

- increased supply of public rental housing, especially in small rural and provincial towns and in metropolitan areas;
- increased supply of community housing;
- greater investment in low-cost private rental housing;
- improvements in the network of crisis accommodation services, especially in rural and provincial centres;
- increased provision of suitable exit routes for people leaving crisis accommodation services; and
- enhanced access to a range of support services, either before they need to access a caravan park as a last resort or immediately after so the “homeless career” path is severed.

A whole-of-government, whole-of-community response is required to ensure this sector of the housing market is properly recognised and serviced so as to reduce the need to resort to this kind of housing as a last resort and to reduce the risk of homelessness amongst those who actively choose this form of housing for reasons of lifestyle choice.

Links

Final Report


Positioning Paper

1. Is it legal to live permanently in a caravan park?
Yes, it is legal to live permanently in caravan parks & manufactured home communities in Victoria.

2. What % of the population live in caravan parks?
There are no clear figures available regarding the percentage of the State's population living in these communities, an estimate is between 12,500 & 20,000.

There is a small population in Victoria which have been designated by the owners as 'Retirement Villages'.

3. What standards have been developed for regulation of the industry?
Standards for regulation of the caravan park industry are currently being formulated.

Caravan parks are regulated by the Residential Tenancies (Caravan Parks & Movable Dwellings) Regulations 1999, covering design standards, fire safety, water & sewerage standards & licensing requirements. The Residential Tenancies Act 1997 prescribes the rights & responsibilities of park owners & residents, however it is only applicable once a resident has lived in a park for 90 consecutive days, unless by written agreement with the park owner. The Building Act 1993 and the Health Act also apply.

4. What is the situation relating to security of tenure?
In February 1989 the Caravan Parks & Movable dwellings Act was proclaimed followed by the Amendment Act 1989. The legislation provides a degree of protection for tenants including access to the residential Tenancies Tribunal.

Once a resident is covered by the Residential Tenancies Regulations 1999, the legislation provides a degree of protection for residents including access to the Victorian Civil & Administrative Tribunal. 90 day "no reason" notices to vacate are a concerning feature of the legislation. The Act is currently under review.

5. Are any caravan parks designated as Retirement Villages?
There are parks in Victoria which have been designated by the owners as 'Retirement Villages'.

A small number of parks in Victoria are operated as Retirement Villages, but no solid data. Some parks advertise as providing a retirement option.

6. What Government agencies are involved in the control of standards & Tenancy matters?
The Dept of Housing the Office of Local Government and local Councils, the Minister for fair Trading & Women’s Affairs.

Office of Housing for public/social housing systems, housing policy Consumer & Business Affairs Victoria for funding for tenancy services, enforcement/compliance with the RTA, Dept. of Infrastructure and local Councils for enforcement/compliance of health & building codes, & Dept. of Justice for funding & operation of the Tribunal.

7. How adequate is current legislation?
The Caravan Park Residents’ Network believes the legislation falls short of its intentions.

Current legislation ineffective in dealing with key issues, including affordability, standards, & security of tenure. Lack of enforcement an issue.

Appendix 4

Caravan Parks in the City of Frankston 2004 - What are the Issues?

Andrew Manning - Manager Social Strategy & Planning
(03) 9784 1957, andrew.manning@frankston.vic.gov.au

Paper presented at the MPS Caravan Park Community Forum 24 June 2004

What do the Stats show?

Research conducted by Beverley Kliger & Associates and Institute for Social Research, Swinburne University in 2003.

- 6 caravan parks in municipality: Carrum Downs (2), Seaford (2), Frankston South (1), Langwarrin (1).
- 2001 ABS census indicates 382 people living in caravans.
- 60% are single people.
- 67 families with children living in caravans - 67% of whom were sole parent families.

What Did the Research Show?

- That caravan parks in Frankston are used as permanent accommodation for older people, for crisis and transitional accommodation.
- Evidence of Melbourne housing and emergency relief agencies refer homeless people to Frankston caravan parks, especially Seaford Beach Caravan Park.
- Ghettoisation of homeless people and poverty

Local Knowledge of Issues

- The Frankston Community Support and Information Centre’s survey (2002) of emergency relief requests results supported view that people seeking housing are drawn to Frankston.
- The survey showed that of the new clients, more than half were not from Frankston and the most prevalent problem was the inability to pay for housing.
- History of disputes and violence requiring police intervention resulting in the accommodation being inappropriate particularly for women and children
- Not necessarily affordable rents as rents can be between $180 –250 per week and require payment of utility costs.
• Some caravan parks require bond ‘key money’ though operators do not lodge with the bond authority.
• No tenancy protection for 90 days, people are often moved out within the 90-day period.
• Caravan parks are often a last resort providing unstable housing.
• It is difficult to provide social support within a caravan park
• Tenants do not have security of tenure and have no protection of the Residential Tenancies Act for 3 months.
• Costs are often high as rent often including ‘hiring charges’ and GST and utility costs can be passed directly onto tenants.

What Other Pressures Are There?

• High priced real estate – development pressures, especially on the foreshore areas.
• Possible contraventions with local planning
• Social Isolation
• State Policy Impacts eg land tax, future use of crown land.

Regulatory Issues – What Must They Do?

• Caravan Parks must be registered with local Councils under the Health Act.
• Annual inspection to assess cleanliness & maintenance of common facilities (ie toilets, showers, laundry) and hired cabins or caravans.
• Requirements for each park to have an emergency management plan which is assessed by CFA officers.

Regulatory Issues – What Are the Concerns?

• Used predominantly as permanent mobile home villages but designed for short term stay
• Concerns about the building safety of the structures, ie lots of add on verandahs etc
• Concerns about gas and electrical safety, ie lots of gas heaters are not suitable for a caravan
• Concerns about plumbing works and illegal connections in particular into the stormwater system

Regulatory Issues – What Are the Residents Concerns?

• Difficult residential complaints, for example:
• smoke from wood burning heating - no distance to dissipate,
• noise from residents – clash of retirees and young people,
• build up garbage with higher numbers of occupants.

What is Council Going to do?
• Adopted Social Housing Policy & Action Plan.
• Securing funds for Housing Officer.
• Establish a local Housing Forum.
• Advocacy on critical issues.
• Lever greater social housing stock and stock diversity into City.
• Undertake systematic health/building compliance checks

Closing Comments
• Frankston is the “end of the train line”.
• Many park residents have complex personal needs.
• High proportion of families in inappropriate accommodation.
• Capacity of support from Community Organisations stretched to the limit eg legal aid.
• Poor health & building compliance.
• Exploitation by some operators.
• Development Industry demands.
Appendix 5

Concessional Treatment for Caravan Parks with Respect to Victorian Land Tax

Peter Corish
Proposal prepared by Victorian Caravan Parks Association
Paper presented at the MPS Caravan Park Community Forum 24 June 2004

A. Why are caravan parks important?

1. Provide low rent housing for approximately 10,000 Victorian households.¹
   (i) Stock of all low rent properties is decreasing.
   (ii) Number of families on low to moderate incomes increasing.
   (iii) Temporary crisis accommodation is often provided by caravan parks.

2. Provide traditional affordable family holidays for average Victorians.²
   (i) Allow average Victorians to share access to desirable coastal and inland waterway locations.
   (ii) Currently provide approximately 25% of visitor nights in regional Victoria.³
   (iii) Are vitally important to tourism economy in these areas.

3. Form the basis of an industry which generates significant economic activity
   (i) Primary economic activity is not all generated at the site. Victoria manufactures more caravans than any other state and there is a thriving industry with respect to the provision of ancillary services.
   (ii) The huge numbers of visitors to caravan parks in tourist destinations provide a significant spend to the benefit of local goods and services providers.

B. Why are parks under threat?

1. Property values have risen dramatically as a result of a property investment boom.
   (i) Greatest impact in coastal ‘seachange’ towns, Metropolitan Melbourne, and large provincial tourist cities.
   (ii) Land is valued on the highest and best use which, in many of the above locations, is often greater than the value of the caravan park business.
   (iii) Land tax increases exponentially with increasing land values to a top marginal rate of 5%.
(iv) The incorporation of increased land taxes into site fees and accommodation charges is likely to exceed the ability to pay by traditional customers.

(v) Operators will then find that a radical change to the nature of their businesses or sale to developers will become increasingly attractive.

C. What makes caravan parks unique, warranting concessional land tax treatment?

1. Low income to land area ratio.
   (i) Low density, single story accommodation.
   (ii) Cabin/van accommodation is lower in density when compared with apartments, hotels & motels because of the detached nature of each unit.
   (iii) Derive income primarily from the land alone as the dwellings which occupy the land are generally not owned by the owner of the land.
   (v) Analogous to land used for primary production where income is also derived almost solely from the land and which is exempt from land tax.

2. Provide housing options for low income households.
   (i) Principal place of residence for a natural person is exempt from land tax.
   (ii) Residents of caravan parks which pay land tax are effectively being denied the same exemption, in that taxes paid by parks are inevitably passed on to residents through higher fees.

D. What can be done about it?

1. Take no action. Possible outcomes will include:
   (i) Possible closure of all parks within 40 km radius of Melbourne, as has already happened in Sydney.
   (ii) Extensive loss of low cost housing options close to facilities.
   (iii) Lack of alternative permanent sites/parks will force residents to more distant and isolated areas.
   (iv) Exclusion of average Victorians from beachside holiday locations which will increasingly become the preserve of wealthy retirees.
   (v) Significant reduction in tourism income to these coastal towns.
2. Provide exemption from land tax in proportion to residential and holiday use of parks.

(i) Current precedent exists with concessional rates of GST applying to long term use of sites, both residential and holiday sites.

(ii) Park operators would provide annual returns of concessionally taxed income as a proportion of total income.

(iii) The site value would be reduced by this concessional percentage and land tax calculated on the reduced value.

NB - However, this option does not address the effect of land tax on the small group of parks involved exclusively with short term tourist stays.

3. Cap the quantum of land tax while operating as a caravan park.

(i) Cap valuation of land on which tax is payable to $M1.08, the third highest threshold.4

(ii) At this level, park residents/occupiers would not be too adversely affected by increased tax levels being passed on in fees.5

(iii) If the park is sold for redevelopment, then the value of the concessional rates for the last 5 years would be repaid.

(iv) This is similar to the Residential Use Rate in the Local Government Act.6
Recommendation

In the opinion of VCPA, option D.3. provides a solution which benefits all parties:

(i) It allows park operators to continue to provide long term services even if this provides a comparatively lower yield on the land value, and reduces the likelihood of the land being sold.

(ii) Residents in caravan parks will be protected against significant increases in rent.

(iii) The average Victorian can continue to enjoy low cost access to highly desirable holiday destinations.

(iv) The Government will forego negligible income as a percentage of total land tax revenues.  

(v) The proposal defers land tax liability and much of the concessional treatment is recouped if the park is sold for redevelopment. Thus, the obligation for land tax is passed on from the consumer to the developer.
Footnotes

1 ABS Tourist Accommodation Australia, March Quarter 2003. Of 418 parks surveyed, 8,493 sites were occupied by residents. This extrapolates to over 10,000 taking into account the actual number of parks in Victoria is approximately 600.

2 ABS Tourist Accommodation Australia, March Quarter 2003. Of 418 parks surveyed, 15,292 sites were occupied by long term holiday site dwellings, suggesting this would be closer to 20,000 if all Victorian parks were considered. The great majority of these sites are in popular coastal or inland waterway locations.


4 Capping the land value at the second highest threshold would produce a 3 fold increase in land tax for only a 60% increase in site value.

5 On the basis of an average park size of 100 sites, this equates to $1.40 per week. Anything higher could be difficult to justify to residents who see house owners having no land tax liability for their principal residence.

6 The “Residential Use Rate” clause in the Local Government Act states that if an allotment is significantly increased in value due to its proximity to other valuable property to the point where council rates become a burden (eg a house surrounded by commercial property), then a concessional rate can be struck. If or when this allotment with the concession rates is sold at the high market price, then the last five years of concessional rates must be repaid.

7 A recent survey of Victorian parks identified only 14 whose site value exceeded $1,080,000. This represented approximately 10% of respondents. Over 60% of respondents had land values below the threshold.
Appendix 6

Strategic Planning & Pressures on Caravan Park Living

Allan Cowley  -  Senior Strategic Planner -  MPS Council

Paper presented at the MPS Caravan Park Community Forum 24 June 2004

Changes in the Planning Perspectives on Caravan Park Living

- Caravan parks historically viewed as primarily holiday accommodation – the 50’s and 60’s
- In the 70’s – 80’s more permanent occupation of caravan parks became apparent but permanent occupation of a caravan was not permissible until 1986. There was a period when caravan parks were apparently considered more appropriate in industrial zones rather than residential areas (examples around Dandenong and even the Mornington Caravan Park is within an industrial zone).
- Post 1986 - The great revelation – some people live in caravans!! It is recognised that some caravan parks have a residential function and this leads to a period of "normalisation" – the development of residential standards for caravan parks.

Strategic Planning Process

The number of caravan park residents increased by 42% between 1996 and 2001 and although the resident population of caravans and cabins is a very small proportion of the total resident population of the Shire, it is nearly double the proportion for Victoria as a whole.

In addition, the 2006 count of sites suggests that there is a substantial pool of accommodation provided in caravan parks – even discounting the short term sites.

The vast majority of parks, on both coasts of the Peninsula, are:

a) within the Urban Growth Boundary
b) within a residential zone
c) often relatively near to town centres/facilities or the foreshore

The following plan shows the location of caravan parks on the Peninsula and is probably a surprise to no one, with the majority of parks along the Port Phillip coast, but also a significant number on the Western Port side.
The Pressures

1) Melbourne’s population growth and housing demand.
Melbourne 2030, the State Government’s primary metropolitan planning policy, anticipates that the population of metro Melbourne will increase by approx 1 million in the next 25 years, primarily through natural increase and in-migration.

This represents a 31% increase in population (up from 3.4m). However because household sizes are decreasing, this population growth will create a demand for some 626,700 new dwellings. – A 50% increase in households and assumed dwelling demand.

Work on the distribution of this housing demand (the Regional Housing Statement) indicates that the south east region of Melbourne, including the Mornington Peninsula, will face a demand for approx 198,500 new dwellings. – A 60% increase on the current housing stock.

While there still need to be major decisions regarding how much of this demand can and should be accommodated, where and how, it is apparent that the general level of housing demand, combined with the "sea change factor" i.e. the increasing attraction of coastal areas, will tend to increase both the demand for and price of coastal residential real estate. This is exactly where most of the existing caravan parks are located.
The "displacement" of existing caravan parks and the disruption of existing social networks would be a big enough problem for residents of parks if there was a replacement alternative available. However, a second element of Metro Strategy is likely to substantially limit the future development of long term caravan sites.

2) The Urban Growth Boundary and the Green Wedge Zone.
Concern about the impact of population growth and development pressure on the conservation, recreational and agricultural areas on the fringe of Melbourne, as well as the long term costs of urban sprawl have led to a much stronger definition of the limits to urban growth – known as the Urban Growth Boundary.

There is a general prohibition on residential development outside of the Urban Growth Boundary and this has been reinforced by the recent introduction of the Green Wedge Zone, which has replaced the Rural Zone in many areas under most pressure from Metro growth, including the Peninsula.

The Peninsula has long been recognised as a major recreational area for metro Melbourne and there is provision for caravan parks in the Green Wedge Zone. However, while it is possible that there will be approvals for new holiday accommodation caravan parks, it is most unlikely that there would be approval of parks to be used for permanent accommodation, as this would inconsistent with the principle of excluding residential development from the green wedge areas.

3) Demand for Holiday Homes
One factor that may somewhat ease the pressure for new dwellings on the Peninsula is the stock of approx 20,000 holiday homes, which may, over time take up some of the demand for permanent housing.

However the displacement of the holiday home market may further impact on the availability of "rental" accommodation in caravan parks.

Given the economic costs of holding a caravan site in one ownership, there may be a strong incentive for owners, looking to realise some of the value of the caravan park site, to enter into long term leases, aimed at the displaced holiday home owner market - which is likely to increase the up front costs of locating to a caravan park.

Some of the implications /scenarios resulting from these factors

Clearly there is a squeeze on caravan parks - and particularly the availability of sites for rent combined with private ownership of the caravan or cabin. There are economic push and pull pressures (in terms of land tax and increasing residential values) and major limits on new residential caravan parks.
Elements of a future scenario:

- Some caravan parks may continue to operate on the site rent basis as this seems to be an economically viable model if the aim is a cash flow rather than lump sum capital gain – but the market pressure will remain. Even if land tax is reduced, the economic return on assets is likely to decrease over time, as the value of the land asset increases, assuming site rents are not increased at the same rate.
- Other caravan parks may continue to operate outside the urban growth boundary providing visitor accommodation (and no doubt some informal level of transitional and temporary accommodation) but without provision for residential occupation.
- Some parks may convert to long term leases and a proportion of existing residents may be able to take up such leases i.e. meet the "entry fee".
- Residential caravan parks may generally be "displaced" to the outer fringe areas - where competition form residential development may be less intense – but with residents possibly facing reduced access to services and facilities and higher costs of living etc.

Perhaps the critical question is: what are the options for that group of caravan park residents who are currently unable to access other forms of housing in either the private, public or community housing sectors, including those people who currently choose caravan park living but may be unable to meet the increasing costs to maintain this "choice"?

Response

This question requires careful consideration of Caravan Park living as a long term form of accommodation. There is still a degree of ambivalence towards the principle of permanent occupation of a caravan or mobile home that reflects some of the changes in planning perspective outlined earlier.

One option is to decide that caravan parks are not an appropriate form of residential accommodation and to "do nothing" to interfere with the process of conversion.

The AHURI report notes that most people who are permanent residents of caravan parks live in very basic conditions with minimal facilities and amenity compared to conventional forms of housing, and with limited security of tenure and a depreciating asset.

This would suggest that the aim should be to provide alternative forms of public and community housing, possibly including a requirement for re-housing plans as part of caravan park closure, but not necessarily providing long term support for this form of housing.
The problem with this option is that there is no clear commitment to the provision of alternative emergency housing or long term affordable housing. In addition, it is clear from the AHURI research that while living in a caravan park is the "last resort" for some people, there are a substantial number of people who choose caravan park living, and there needs to be careful consideration about what aspects of caravan park living are valued and how these can be included in any alternative.

**Caravan Park Living as a Model for Affordable Housing?**

Why do people choose caravan park living? Of course not all caravan parks are equal but some comments suggest advantages of such as:

- Being able to choose a much smaller dwelling size than the private housing market is willing to provide, and not having to tie up all your assets in a home.

- Caravan parks can be seen as small private villages with a greater sense of community reinforced by the shared spaces within a park and a sense of security from onsite management.

- The option of owning the van/cabin and renting a site provides a combination of individual choice (of dwelling) and cost control (by not having to purchase the site).

Can some of the attractions/advantages of caravan park living be incorporated into housing association projects? Can caravan park living provide a model for affordable and appropriate housing for some households – even if some standards need to be improved to overcome concerns?

Perhaps it is more important to consider where you live, how much space you have for the size of your household, access to service and facilities, how much security and support you have and your general cost of living, rather than simply the fact that your dwelling is classified as a caravan or mobile home.
1. **THE ISSUE**

Following the recent adoption and commitment by MPS to **See – Change! Home and belonging, caravan park living on the Mornington Peninsula** this is an excellent opportunity to ensure that ALL of the State Legislation relative to Caravan Parks is being complied with.

Furthermore, in light of the inspections of all caravan parks within the Mornington Peninsula Shire (MPS) as part of an ongoing education program to park owners¹, undertaken by Ron Elleray, Environmental Health Officer, I was invited to inspect some of the parks to ascertain whether certain structures within the parks complied with current State Building Legislation.

It became apparent that in some parks, structures have been constructed in contravention of the Building Act 1993 (the “Act”), and Building Regulations 1994 (the “Regulations”).

I have also formed the opinion that other Legislative controls in place for caravan parks, the Residential Tenancies Act 1997 (the “Act, RT”) and Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 1999 (the “Regulations, CP&MD”) are not being complied with.

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¹ Media Release 9 July 2003
Shire officers will concentrate on the facilities and services in caravan parks that protect the basic health and safety of residents and occupiers. The CFA will assist in respect to Emergency Management Plans, fire fighting facilities and ensuring there is sufficient space between and around caravans and movable dwellings for fire-fighter access.
The Act (RT) is quite explicit in its purpose –

to provide for the regulation of caravan parks and movable dwellings.

Definitions contained within the Act (RT) include:

“caravan” means -
(a) a movable dwelling; or
(b) an immovable dwelling situated in a caravan park—but, except in Part 14, does not include such a dwelling occupied in pursuance of a contract of employment;

“movable dwelling” means –
a dwelling that is designed to be movable, but does not include a dwelling that cannot be situated at and removed from a place within 24 hours;

Section 517

The Building Act 1993, except Part 12A, does not apply to movable dwellings situated in a caravan park but does apply to buildings situated in a caravan park that are not movable dwellings.

The Regulations (CP&MD) state as their objectives –

The objective of these Regulations is to provide for—
(a) registration of caravan parks; and
(b) standards of design, construction and installation and maintenance of movable dwellings in caravan parks; and
(c) standards for facilities and services in caravan parks which protect the basic health and safety of residents and occupiers.

The following from the Regulations (CP&MD) are the specific areas of non-compliance and are due to a number of reasons.

20. Notice to council
A person who intends to install an unregistrable movable dwelling or rigid annexe in a caravan park must provide the council with details of the siting, structural design and proposed erection of the dwelling or annexe at least 7 days prior to installation or in such lesser time as is determined by the council.

Penalty: 10 penalty units.

“unregistrable movable dwelling” –
means a movable dwelling constructed on a chassis but does not include a registrable movable dwelling or a camper trailer.
“rigid annexe” means - an annexe which has walls and a roof constructed of non-flexible materials;

23. Notice to council
Prior to the installation of a prefab in a caravan park, the person who is the owner of the prefab must provide the council and the caravan park owner with details of the structural design and proposed installation of the prefab.
Penalty: 10 penalty units.

“prefabricated holiday unit” means – a dwelling other than a tent or annexe that is intended for use by an occupier other than a resident and is designed to be erected on site from pre-constructed components but does not include a dwelling that cannot be situated at and removed from a place within 24 hours;

35. Fire prevention and safety
(1) Subject to sub-regulation (2), a caravan park owner must, to the satisfaction of the council—
(a) provide fire fighting facilities in or in relation to the caravan park; and
(b) ensure there is sufficient space between and around dwellings in the caravan park for access for fire fighters.
Penalty: 10 penalty units.
(2) The council must consult with the relevant fire authority before determining any matter under sub-regulation (1).

36. Emergency management plans
(1) A caravan park owner must, to the satisfaction of the council, prepare an emergency management plan providing for evacuation procedures to be followed by residents and occupiers in a fire or other emergency that may affect the caravan park.
Penalty: 10 penalty units.
(2) A caravan park owner must comply with sub-regulation (1)—
(a) if the caravan park is in operation before 1 July 1999, by 1 January 2000; or
(b) otherwise, before the caravan park commences operation.
(3) A caravan park owner must notify residents and occupiers of the evacuation procedures in the emergency management plan by—
(a) giving them a copy of the evacuation procedures before they take up residence or occupy a site at the caravan park; and
(b) displaying a copy of the evacuation procedures in a prominent position in—
(i) the caravan park office; and
(ii) every building in the caravan park that contains communal facilities.
Penalty: 10 penalty units.
(4) The council must consult with the relevant fire authority before determining any matter under this regulation.
37. Flood prone land

If a caravan park is in an area which is liable to flooding within the meaning of the Building Regulations 1994, the caravan park owner must give written notice of that fact—

(a) to the owner of an unregistrable movable dwelling or registrable movable dwelling with attached rigid annexe before the dwelling or annexe is installed on a site in the caravan park; and
(b) to the resident of such a dwelling before the resident takes up residency of that dwelling on that site.

Penalty: 10 penalty units.

38. Termite areas—rigid annexes

If a caravan park is in an area that the council has designated under the Building Regulations 1994 as an area likely to be subject to infestation by termites, the caravan park owner must not permit a rigid annexe to be installed in the caravan park unless the rigid annexe is protected against termite infestation to the satisfaction of the council.

Penalty: 10 penalty units.

2. AREAS OF NON COMPLIANCE

Act (RT)

20. Notice to council

Even if the park owners wanted to comply with this regulation it appears that there is no nominated person/team and/or procedure in place.

23. Notice to council

Again even if the park owners wanted to comply with this regulation it appears that there is no nominated person/team and/or procedure in place.

35. Fire prevention and safety

This has been discussed with some park owners, representatives of the CFA and Ron Elleray. It is linked to both Regulations [CP&MD] 20, 23 and 36

36. Emergency management plans

Compliance with this regulation is almost complete\(^2\). In addition it has been flagged within the Shire’s “Municipal Fire Prevention Plan 2004” to undertake regular inspections to assess fire hazards (commencement of a 3 year program starting 04/05)

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\(^2\) Improved Safety in Caravan Parks (Annual Report)

There are stringent requirements on all caravan parks to have fully documented emergency management plans. The Shire, in conjunction with the CFA, has reviewed 43 caravan park plans. Several amendments resulted from this review, and the Shire and CFA are now satisfied that the revised plans will effectively deal with an emergency. There are five plans from seasonal parks still to be completed.
37. Flood prone land

The Shire has numerous caravan parks that are currently within “designated flood prone land”. I am not aware that any park owners advise residents of this fact.

38. Termite areas—rigid annexes

The entire Shire has been designated as being subject to infestation by termites. I am not aware that any park owners advise residents of this fact.

Requirement to obtain building permits

Section 517, Act [RT]

The Building Act 1993, except Part 12A, does not apply to movable dwellings situated in a caravan park but does apply to buildings situated in a caravan park that are not movable dwellings.

Section 212, Act, Council to administer building provisions in its municipal district

(1) except where otherwise expressly provided in this Act or the building regulations, a council is responsible for the administration and enforcement of Parts 3, 4, 5, 7 and 8.

3. WHY HAS IT HAPPENED?

As the Municipal Building Surveyor, I must ensure that MPS complies with the requirements of Section 212 of the Act and is not exposed unduly to litigation or insurance claims.

Confusion has surrounded the erection of structures within caravan parks for numerous years for a variety of reasons (refer below) with park owners and residents alike having been relatively immune from compliance.

1. Legislation definition confusion
2. Insufficient council staff to undertake enforcement action
3. Poor advice from Local Government and relevant associations
4. The shift from the “caravan and annex” to the now must have timber decks, carports and the more permanent nature of these structures
5. The evolving use from holiday to permanent living (cheaper more affordable accommodation)
Most regulators, but more so park owners, have concentrated on the words can be removed within a 24 hour period and as with most buildings of this nature, if the manpower is available, just about anything can be removed within the specified time. I believe that the words that clarify this situation are, can be situated . . . within a 24 hour. (refer definitions removable dwelling page 2)

Currently of the structures erected the following may require a Building permit and can be categorised into 4 main categories –

a. Timber decks/veranda’s
b. Sheds
c. Carports
d. Dwellings

a.a Timber decks require in all cases footings to be placed that are capable of with standing the imposed loads, timber of dimensions to adequately support pre determined live loading, rafters of a suitable size and spacing to withstand wind loading including the installation of adequate tie downs & connections and in some cases the construction of complying handrails and balustrading

Note prefabricated/demountable decks do not require a Building permit unless in excess of 1 metre in height

b.a Whilst the Act exempts sheds less than $10^2$ metres, some structures within parks are starting to be constructed in excess of this size (refer also notation regarding building permit exemptions)

NOTE this is the least area of concern

c.a Carports attached to existing structures that do not affect the structural adequacy and have a commercial cost of less than $5000 generally do not require a Building Permit to be issued (refer also notation regarding building permit exemptions)

d.a With the construction of the larger multi roomed buildings this has seen a similar increase in the construction of attached carports to these structures. Unless these are true “movable units/prefabs” then a building permit will be required

The photos attached in appendix 1 show the variety and type of the structures that are now starting to become common place within parks.

The State Government has drafted legislation to amend the provisions for the exemptions from the Regulations that apply to some minor structures and building work. It is envisaged at this stage that the issue of a building permit will now be required for the majority of building work/structures. The introduction of this amendment should be around June 2005.
4. WHAT CAN WE DO

I propose that prior to the introduction of this amendment to undertake the following–

In consultation with the Municipal Fire Prevention Officer, member of the Environmental Health Officers Team, member of the Statutory Planning Team and a representative from the CFA to compile clear written information to all caravan park owners within MPS to ensure that they fully understand the requirements of the State Legislation, being but not limited to–

1. Written approval must be obtained from Council prior to placement of all moveable units/prefabs and rigid annexes on site
2. Submission of Emergency Management Plans. End date for compliance will be provided linked to future registration date
3. All sites to be reinspected in the company of the CFA to ensure that adequate fire fighting facilities are provided and that adequate space is provided between structures for the fire fighters. This may require in some cases a substantial cost to install fire fighting equipment and in extreme cases the relocation of some units. End date for compliance will be provided linked to future registration date
4. That building work requires a building permit to be issued (Planning Permits may also be require) and that in the future very few exemptions will exist

5. REDUCING RISK

Once implemented, the impact on caravan park owners and residents will range from no change through to, the re-siting of some structures and installation of fire services. This will impact financially on the above groups but will ensure that MPS is full filling its responsibilities under both the Act and Act RT. Furthermore this will ensure that the Shires responsibilities to “risk management” are being maintained.

Peter Phillips
Home is...security, I guess, love and warmth. My dog is part of my home. If you were to ask me in summer, I’d be thinking more social.

Home is a haven from the chaos of the world.

Home is about the memories and the people who are in it and not the walls...As a child I moved a lot so I never had that attachment to, say, the street...home is not about the actual buildings you’re in, you can make a home of anything, it’s not just bricks and mortar.

Housing Rights are Human Rights