

# Executive Summary

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The State Government proposes to develop new caravan parks and camping grounds legislation to replace the existing *Caravan Parks and Camping Grounds Act 1995* (CPCG Act). The overarching objective is to provide a legislative framework which meets the needs of consumers, operators and regulating authorities, reduces red tape and safeguards the health and safety of users.

The anticipated outcome from the development of the new legislation is an improvement in:

- clarity in the interpretation of the legislation;
- consistency of application of the legislation by local governments;
- consistency of application of the legislation by State government agencies; and
- flexibility of the prescribed requirements under the legislation for existing and new developments.

This consultation paper seeks your comments on proposals outlined in this paper. In particular, the new legislation will focus on the health and safety standards of sites designated for the use of a caravan, campervan or tent.

It is proposed that the new legislation focus on **holiday parks**<sup>1</sup> (previously known as caravan parks and camping grounds), recognising that these have a variety of users. The term 'holiday park' will provide the flexibility to allow the market to drive the supply of accommodation types. It is proposed that all holiday parks be subject to the same health and safety standards regardless of whether they are operated by a public sector body or a private operator.

Residential parks<sup>2</sup> are proposed to be assessed as residential developments under relevant development and planning policies. Park homes are currently defined as 'vehicles' under the CPCG Act but treated as buildings with wheels – they have to comply with the Building Code of Australia (BCA). It is proposed that the treatment of park homes be clarified by transferring the certification process of park homes to the *Building Act 2011* (the Building Act).

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<sup>1</sup> See definition in *Table 3: Proposed definition in new legislation* of this consultation paper.

<sup>2</sup> Residential parks are also known as park home parks. They contain long-stay sites and some only cater wholly to long-stay occupiers.

The proposed licensing regime focuses on a management plan proposed by the operator. The management plan is assessed by the licensing authority for its compliance with minimum health and safety standards, its delivery of products to the identified market segment(s) and the addressing of environmental and risk matters. When approved, it will form the basis for the licence. This model is expected to be sustainable, support commercial viability and meet changes in the market as it is consumer focused.

It is proposed to increase the scope of the Act to include public sector bodies.

Where possible, the headings of the consultation paper are set out in accordance with the provisions in the CPCG Act. Proposals are developed to facilitate the review of this complex piece of legislation. Comments are encouraged for the entire CPCG Act, and not just restricted to the matters raised in this consultation paper.

Please note: unless marked “Private and Confidential”, all correspondence and submissions will be regarded as public documents and may be made available on the Department’s website.

The review of the CPCG Act and the development of new legislation address Recommendation 1 of the *Western Australian Caravan and Camping Action Plan 2013-18* and are supported through the State Government’s Royalties for Regions program.

Recommendation 1 of the *Western Australian Caravan and Camping Action Plan 2013-18* is as follows:

*Review legislation and regulations, including the Western Australian Caravan Parks and Camping Grounds Act (1995) and Regulations (1997), to increase the supply of caravan parks and campgrounds to meet visitor demand and commercial market realities.<sup>3</sup>*

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<sup>3</sup> Recommendation No. 1. Tourism Western Australia, *Western Australian Caravan and Camping Action Plan 2013-18*.