



**NEXT GENERAL MEETING: TUESDAY, 16<sup>th</sup> February 2016, COMMENCING 10.00 a.m.  
at Centenary Pavilion, Centenary Ave, Wilson**

**TREASURER'S REPORT:**

As Richard is indisposed\*, only the balance of \$9450.41 as at December 31<sup>st</sup> 2015 can be reported.

*as per Committee Minutes 23/01/16*

\*We wish Richard a speedy recovery to good health.

**MEMBERSHIP OFFICER'S REPORT:**

Our Membership has increased over the last month or so and this has been heartening for me as the membership officer, hopefully it will continue to grow even further as time goes on.

There are things being considered which should increase our numbers considerably and that should increase our bargaining power in the future.

*John Ransom*

**REMINDER BANK TRANSFERS:**

1. Specify your **Name & Park on Bank Receipts.**
2. Complete Membership form **including the date and reference number of bank receipt**, mail to:  
Treasurer, PHOA address, or email details.  
**Bankwest BSB 306086 A/c 024180-2**

**CHAIRMAN'S ADDRESS:**

***Residential Parks (long-stay tenants) ACT 2006 Review***

The next stage of the review is now available online at [www.commerce.wa.gov.au/resparkreview](http://www.commerce.wa.gov.au/resparkreview) for perusal and comment by all interested parties, and I encourage all able park home owners to read the proposals suggested and for your comments to DOCs prior to the 31<sup>st</sup> March 2016.

It would appear that “**Eviction without Cause**” will be removed from the ACT; however there are still areas where we consider further action should be taken to give more security of tenure.

**Compensation.** It would appear that compensation will still only be available for persons on long term leases; however those persons on Periodical Leases should also be included, as the majority of park home owners don't get a choice on the type of lease offered.

**Rent Increases.** These should be set to CPI rates plus 1%, many parks have a set percentage each year, well in advance of CPI rates, Homes West tenants are subject to CPI rent reviews.

**Deceased Estates.** As there is no incentive for park owners/management to sell a home should the home owner pass on, because under the present situation rent will continue ad infinitum, a time period should be set (6 or 12 months) for the park owners/management to sell the home at a price obtained through an independent

valuer, (or a price acceptable to the beneficiaries) after which time the rent would cease. This situation can be further exacerbated if there are new empty homes on the park ready for sale.

**Default Notices.** Where parks use this system to maintain order throughout the park, there should be a sunset clause written into the ACT, if the resident receives a default notice and takes action to remedy same, then the sunset clause should come into effect to prevent the owner concerned, living under a threat of eviction for as long they are a resident. (Example being if the Default notices were caused by grandchildren making excessive noise; there is a resident here on this park that has received 2 notices and although the grandchildren now drive cars, the resident still has 2 default notices creating undue pressure).

**Act now, as there is a way of life under threat.**

*John (Fleg) Flegeltaub*

**Membership Rates**

The Committee is keen to increase its membership base and believes that this might best be achieved by eliminating the “couples” rate so that each member of a household will register for membership. It proposes that, from 1<sup>st</sup> July 2016, the rate for membership be set as \$15.00 **per household** and that those who join and pay on/after February 16<sup>th</sup> 2016 will have current membership through to 1<sup>st</sup> July 2017 at which time the membership rate will increase to \$20.00 per household.

**Minimising Expenses**

The Committee is reviewing options that will reduce the production and distribution costs of the newsletter. Be assured that ALL households will continue to receive a printed copy of the newsletter even if local distributors are not available.

**MEETINGS 2016**

February 16	Tue 10.00 am	Wilson	<b>General*</b>
March 19	Sat 10.00 am	Woodman Pt.	Committee
April 16	Sat 10.00 am	Woodman Pt.	Committee
May 18	Wed 10.00 am	Serpentine	<b>General*</b>

The last General Meeting was inquorate  
(attended by too few members).

**Attendance by ANY member at ANY meeting is ENCOURAGED.**

**General meetings require a quorum of Members to be present.**

## COMMITTEE MEMBERS 2015-2016

### COMMITTEE

John (Fleg) Flegeltaub (President)	0427 770 686
Richard Hopps (Treasurer)	0416114413
John Ransom (Membership)	0408 094 266
Margaret Lesham (Catering)	9274 5591
	0422 500 697
Jennifer Engwirda (Newsletter Editor)	0439 814 377
John Wood (Committee Member)	
Dr Eileen Webb (Associate Member)	

### WA LAW REFORM

#### **Caravan and Camping Grounds Act (CP&CG) 1995:**

The latest submissions received in response to the 2<sup>nd</sup> "Consultation Paper – proposal for holiday parks and camping ground legislation" are being considered. See: <https://www.dlhc.wa.gov.au/Publications/Documents/Holiday-parks-camping-grounds.pdf>

#### **Residential Parks (Long Stay Tenant) Act (RP(LST)) 2006:**

The recently released Statutory Review Report proposes, amongst other things, changes which include:

- improved disclosure, including a requirement that disclosure material be provided at least ten days before a long-stay agreement is entered into;
- no minimum term required for long-stay agreements;
- no without grounds termination of long-stay agreements;
- home owners to have the right to sell a home on site and processes to be established to ensure that park operators are involved in the sale process; and
- no automatic termination of long-stay agreements if a park operator's financier takes possession of a park. All recommendations are detailed in the Report.

#### **Why Barb Wolff deserved retirement...at 85!**

*I returned to WA and Perth in 2004 after 45 years out of the State, 16 years in Tasmania, 29 years in the Cairns Region. Wherever I was I became very involved in community activities. Outstanding in Tasmania was 10 years as Founding Treasurer of the Child Health Assoc. - a small committee raised funds and built a Clinic and Sister's Flat. In Queensland, I studied Community Welfare off campus for six years, gaining a BASocSci, started up monthly community magazine, Carbine Chronicle, and was the catalyst for formation of the Acoustic Neuroma Association of Australia in Melbourne, 31 years ago - I'm Patron. There were hitches for me in 1975 and 1980 with AN removals. Other activities are too numerous to mention here. I gained many skills from my involvement in many associations. These skills I gladly put to use here in Perth for PHOA, Friendship Force and the ANAssoc. Aus. WA branch.*

*I'm hoping to leave to live beside my daughter in Tasmania at the end of 2016 or soon after, hence my resignation. I thank everyone for their support and friendship. My job as Membership Officer and Newsletter Editor was made easier by the cooperation I received from so many. Best wishes to PHOA for continuing success on behalf of all those living this unique lifestyle in WA.*

*Barb Wolff*

**Barb, your practical support has been invaluable. Enjoy your well earned retirement with our thanks.**

## PARK NEWS

**ASPEN owned parks:** Media reports confirm that most if not all of Aspen's facilities in WA have become the property of Discovery Holiday Parks.

**CARINE GARDENS CP, CARINE:** The tragic plight of some home owners, in particular those at Carine Gardens, was detailed in an article published on December 13 2015, entitled "Evicted tenants left out in the cold"; It is available online as "WA's residential caravan park closures leave residents facing homelessness" PERTHNOW.COM.AU

The CP was understood to have closed on 31/01/16 before many homes were able to be relocated. The life savings of many former residents was therefore lost.

**ESTUARY HIDEAWAY HOLIDAY PARK:** The HP is on the market. Advertising seems to be indicating that it is being sold as a caravan park which can be expanded.

**FREMANTLE VILLAGE:** Frustrated by "Tenant Representatives" who are hostile and/or dismissive of complainants ("whingers"), a PH owner filed complaints with (1) DOCs re: management's interference in the formation and functioning of the PLC and breaches of the RP(LST) legislation (eg charges, interference with quiet enjoyment, site visits without notice, default notices for unsubstantiated alleged breaches) and (2) the City of Fremantle re: compliance with the CP&CG legislation (eg mailboxes, recreational facilities, security, safety).

Subsequently management was supplied with sufficient copies of the Commissioner's Guidelines (PLC) and related questionnaire for distribution to long stay tenants. These were stored where they could not be seen/reached and distributed *ONLY IF REQUESTED*. Numerous personally delivered copies, referred to as "dropped off...literature...not... approved by...PLC...we are no way linked to it", were never found. Management agreed to accept anonymously completed questionnaires but video surveillance will be a major deterrent. The authorities have recommended improvements and continue to monitor the situation.

**PEEL CP:** Management recently served termination notices to four park home owners who spoke up about concerns. These are believed to be retaliatory and will be contested accordingly - RP(LST) Act P5,D2,S69,(7). Another resident has been granted a Restraining Order against management. Residents still await necessary repairs to public facilities. The Liaison Officer has sent a detailed letter to the park owners requesting a meeting but as yet this has not been acknowledged.

**SERPENTINE CP:** In response to a 3 year long dispute, resident complaints about the continued interference by management in the establishment of a PLC, DOCs determined that direct intervention was warranted. After evaluating the response to the questionnaire they mailed to each long stay resident, DOCs provided feedback to residents and management. Despite the results of the DOCs survey and the ACT clearly stating it is the residents who should be free to nominate and elect any permanent resident in the park, management has again interfered by dictating who is eligible for nomination. Residents are anxiously awaiting a further response from DOCs.

**Note: "DOCs" is the WA Department of Commerce**