

# **EQUITY OF ACCESS TO CROWN LAND CARAVAN PARKS**

## **Torquay, Lorne and Anglesea Caravan Parks**

### **Relinquishing 12 Month Permits & Sale of Onsite Van and Annexe process**

Twelve Month Permit holders (TMPs) are issued a permit that provides access to a defined piece of Crown Land. Each permit must be renewed annually according to a set of regulations and when that TMP wishes to not renew their application, this policy applies.

The following summarises the conditions underpinning this process:

- The Torquay, Lorne and Anglesea caravan parks are situated on Crown land and are managed in accordance with Government policy and Victorian law for the benefit of all Victorians.
- Under Victorian law no person can become a permanent tenant in Crown land caravan and camping parks.
- The permit site is not owned by the buyer and sites cannot be sublet.
- The site is hired for 12-month tenure and there is no guarantee for a term beyond the yearly agreement.
- These permits are not automatically granted and, if granted, the user must abide by strict conditions that are set out on the permit. If these conditions are not followed, the permit can be revoked and the permit holder may be subject to criminal charges.
- The buyer of the permit pays an annual fee and receives in return a range of benefits including electricity and water supply, use of communal amenities such as toilets, showers, laundries and kitchens, maintenance of the surrounding grounds and shared use of a range of leisure equipment and facilities - all of which will be particular to the Crown land caravan or camping park in question.

#### **Relinquishing a permit**

When a camper decides to voluntarily hand back a permit; or not re-apply for a permit; or is required to relinquish their permit, they will be required to fill out a form stating that this is their intent.

- The form (appendix A) advises that the intent of the TMP is to not reapply for the permit site.
- The form also asks whether the TMP wishes to sell their onsite caravan and annexe on the permit site. The TMP does not have to sell their van that is their choice.

The relinquishing of the permit and the sale of the van are NOT connected. The sale of the van and annexe is completely ancillary to the permit process and the sale of the van (or not) does not have to be linked to the permit site at all.

All permits transfers / sales will be managed by the caravan park management team. Only caravan park management have the right to arrange the transfer of an existing permit or the provision of a new permit.

All permits can ONLY be transferred or provided via the 'waitlist' process.

## **Waiting List Management**

The waiting list for all permit categories will be transparent, with each person having a traceable list number that will enable them to track their position on the list. The list will form the basis for allocation of new permits, rather than going through a general call for interest.

The list will be openly placed on the Parks' websites or be available for examination at the Park offices. Only the applicant's surnames will be shown on the list which is sufficient for applicants to identify their position, and estimate the probable waiting time to receive a permit offer.

Each waiting list person will be contacted annually to keep their list current through confirming with applicants they wish to remain on it.

Permits will only be offered in order of the waitlist. If the caravan park managers are unable to contact a person on the waitlist after a number of reasonable attempts, they will be placed at the bottom of the list and the managers will contact the second person.

Applicants on the wait list shall be required to pay a holding fee of \$250.00. Should the applicant withdraw from the list then the fee shall be refunded, less an administration charge of \$50.00

People cannot transfer a permit to a family member, family friend or anybody else with one exception.

### **Permit Transfers**

If a permit holder wishes to transfer their permit, they must advise the caravan park managers in writing and advise the reason for the transfer. Caravan park management must approve the transfer.

Transfers of permits within the existing 12 month period for TMP and Seasonal permit holders will be allowed within a family, (including spouses, de-facto partners or children). These people do not need to be on the waiting list. They will only retain the permit for the remainder of that permit period which would be less than 12 months.

That permit will NOT be automatically renewed to the person who received the transfer. Instead, that permit site will need to be vacated at the end of the permit period, including removal of the van and annexe and cleaning up the site. The permit site will then be offered to the people on the waiting list.

## **Sale of Onsite Caravan and Annexe Process**

### ***Selling your van and annexe yourself:***

Anybody can sell their own van / annexe at any time to another party, however, the sale of your van does NOT give that person access to the permit – so the van and annexe must be removed immediately. There is no exception to this rule.

### ***Selling your permit:***

Nobody can sell their permit. The permit process is managed via the park managers and only via the waiting list process. If you are leaving the park and there is time left on your permit, you will be refunded the balance once the new permit holder has paid and commenced their time on the permit site.

### Selling your onsite van and annexe with the permit

The permit transfer process does not automatically include the sale of your van and annexe

1. When a camper decides to voluntarily hand back a TMP; or not re-apply for a TMP; or is required to relinquish their permit under this policy; they may offer their van for sale on that site. The caravan park managers will offer the permit and your van/annexe to the first person on the waiting list.

That waiting list person has the option to purchase the van and be allocated the same site.

The purchase of the van is not mandatory. The wait listed camper may wish to purchase their own van or already have a van.

- a. If the waitlist person wants the site, and NOT the van and annexe – then the van and annexe sale process finishes.
  - b. The existing TMP may still sell their van and annexe, but it will NOT remain on that site or in the park. Caravan park management will not assist with the sale process at this point.
  - c. The existing TMP has until the natural expiry of their permit time to vacate the site, completely removing their van and annexe and cleaning the site.
2. If the waitlist camper wishes to buy the van and annexe, then they will be allocated their own TMP or Seasonal permit by the park managers, for that site.
  3. All offers of sale for caravans and annexes via this process and connected to the permit shall be based upon an independent valuation managed by the park.
    - a. The purchase price of the caravan should be based on the value of the caravan, annexe and accessories only.
    - b. The purchase price of the caravan and accessories should be equivalent to the price of similar items sold outside of the caravan park.
    - c. The caravan park will provide the independent valuation to the waitlisted buyer. They cannot pay more than the valuation price.
  4. This process will not affect the order in which permits are offered and if a permit holder leaving the park cannot sell their van to any wait-listed applicant before their permit expires, then that van and annexe must be removed at the expiry of the permit and the site cleaned.
  5. Permit holders in breach of their permit and required to leave the park shall not be able to on-sell their van under any circumstances.
  6. Failure to adhere to the policy will result in the cancellation of the permit to that site and the site being reallocated.

## **Quality of Vans and Annexes for Sale**

The Great Ocean Road Coast Committee need to maintain the overall amenity and aesthetic appearance of the park. Over time, caravans and annexes will need to be updated as part of a program to manage that park amenity and appearance.

The following rules will apply:

- All vans and annexes for sale and linked to permits (staying on the park) must be under 30 years old and meet the minimum compliance standards;
  - The minimum compliance check must have been performed within the same year as the current permit and the van and annexe must have passed that compliance check, or the van and annexe will not be approved for sale;
- New TMP and Seasonal vans and annexes being brought into the Park must comply with the minimum compliance standards and be not more than 15 years old.
- Caravans and annexes can be any age if they are staying on park and there is no change of permit holder, but they must continue to meet minimum compliance standards.
- Existing vans and annexes will be inspected periodically to ensure they meet minimum compliance standards.