



Park Home Owners' Association of WA (Inc)

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ANNUAL GENERAL MEETING - 13 AUGUST 2025

CHAIRPERSON'S REPORT

2024/25 has been a very busy year for PHOAWA, mostly due to the electricity supply charge issue. When parks began reacting to the loss of revenue and attempted to find other avenues of income to compensate, other issues within some of our parks were exposed. There has been a growing awareness amongst park residents of their rights and the laws regarding long stay tenancy. The issue has also exposed the lack of education and knowledge amongst some park operators.

Along with Tony Little, I met with Minister Tony Buti on 17 July. We raised issues to do with illegal rent rises, including trying to pass on the supply charge. The many parks that have failed to implement legal leases was also raised, as was the attempted implementation of outgoing fees at Riverside Gardens. The need for a method of controlling park operator behaviour was discussed and we stressed that there was an urgent need for Consumer Protection to re-implement regular compliance visits to parks. We also stressed that Discovery Parks must be made to adhere to WA laws. The Minister was very knowledgeable about the issues we raised and had clearly been well briefed. He appeared to be sympathetic with many of our points. He did express the view that allowing a supply charge was the solution to the ongoing issues, saying that a clear and controllable fee was preferable to parks finding ways of increasing revenue without transparency.

PHOAWA has been proactive in maintaining close relations with Consumer Protection, although sometimes frustrations have been experienced with the frequent changes to personnel and roles. Consumer Protection has reacted positively by implementing a series of regular 6 weekly round table meetings between PHOAWA, Consumer Protection and Caravan and Camping WA. The first of these was on Monday this week and proved a useful forum for putting out our viewpoint on a number of issues.

The legal arm of CP confirmed that Government lawyers agree that the CCIWA challenge to the supply charge ban by quoting aspects of the WA Energy Exemptions is flawed and the supply charge ban stands.

The director of the Legal Section also confirmed that the Minister has decided to amend the Regulations to include supply as one of the allowed charges for the reasons that the Minister outlined to us in our earlier meeting. The timeline for this was likely to be

around 6 weeks from now. This change to the regulations will not make supply charges levied between Jan 31 2022 and the date of the regulation change legal. That is, there is no back-dating of the new regulation. Residents who wish to seek repayment of charges paid are still able to do so through the SAT.

PHOAWA has been active with media outlets. Simon Watt appeared in an ABC news item about the problems being faced in parks with emphasis on evictions in Albany and Drummonds Cove. I have spoken on radio, on Simon Beaumont's Talk Back and Gary Adshead's Drive. I have also been interviewed by Sydney based Yahoo News, although I have yet to see an article come through. All these interviews have helped raise the profile of park living. The common theme that we have stressed is that having legal protections is of little use unless there is some support from Government to police the laws.

At the last general meeting, the possibility of PHOAWA enlisting some legal help was raised. At this stage, our focus has remained on putting pressure on Government to take a greater role in enforcing the Act. For PHOAWA to head down the path of providing direct legal assistance to members would require much greater resources, both human and financial, than we currently have.

In another development, the SAT made a ruling earlier this week as part of a case brought by the Geraldton Caravan Park against a resident. The SAT affirmed that the despite absence of a written lease, a long-stay agreement still existed. While I do not have the full context, it is good to know that the Act confers rights on the resident even if the park will not provide a written lease.

I would like to express my sincere gratitude to the Board members for the support and help throughout the year. I would like to acknowledge the extra workload that an increased membership has placed on Ken Wilson. I would also like to acknowledge the work and wisdom of Simon Watt. Many of us lean on his knowledge of things legal. Thanks too to Tony Little, who has had a very steep learning curve across a wide range of issues. Thanks to Maxine and Christine for their wonderful efforts with catering at meetings, something I think we all look forward to. It has been a busy year but being part of a supportive team takes a lot of the stress out of the role. As foreshadowed, I would like to see the establishment of a regional approach to the organisation, to give people outside of Perth better access to support and assistance.

I look forward to the next year hopeful that some of the ongoing issues that have dogged us will finally be settled.

Terry Hinchliffe

Chairperson