

Cherokee Village

Park Liaison Committee

Charter of Operations

The Management of Cherokee Mobile Home and Tourist Park is required to organise and maintain a park liaison committee (PLC) if the majority of the long-stay tenants in the park vote to form a PLC. The PLC consists of up to five long-stay tenants of the residential park chosen by the other long-stay tenants to represent their interests and one representative of the park management.

1) Functions and purpose of the Park Liaison Committee

- a) The main purpose of a PLC is to assist the park management to maintain and improve the lifestyle and wellbeing of park residents.
- b) Management will consult with, and seek advice from, the PLC about the:
 - i) preparation of and amendments to the park rules;
 - ii) guidelines for the standards of behaviour applicable to the tenants;
 - iii) improvement and maintenance of the natural environment and the amenities of the park;
 - iv) development of policies for the improvement and maintenance of the natural environment and the amenities of the park; and
 - v) development of policies for the installation and maintenance of roads; street and other security lighting and fencing within, and along the boundaries of, the park.
- c) The PLC can also assist with ensuring tenants follow the park rules, as well as resolving disputes between tenants, or and between tenants and the park management.
- d) The park management is responsible for managing the business of the park within the Parks Act, the regulations and any other law which may apply.
- e) The PLC cannot exercise authority over the tenants or the park management.

2) Voting to form park liaison committee

- a) The management is responsible for conducting a poll of the residents to determine if 50% or more want a PLC.
- b) If the tenants vote to not establish a PLC, the park management must hold a follow-up vote at least once every five years to see if the tenants have changed their minds. A vote must also occur when tenants from at least 30 per cent of the long-stay sites request one

in order to establish a PLC. The park management cannot hold a vote to establish a PLC more often than once in every 12 months.

- c) The vote will occur via written ballot. The park management must provide each long-stay site with:
 - i) one ballot paper;
 - ii) information about the purpose of the ballot;
 - iii) the closing date for the ballot, which must be at least seven days after the day the ballot paper was distributed; and
 - iv) details on how to return the completed ballot paper.
- d) Who is eligible to vote?
 - i) Only existing long-stay tenants are eligible to vote.
 - ii) One tenant per long-stay site is entitled to cast a vote. So, whether a site is occupied by a single person, a couple, or a family, only one vote can be counted.

3) Voting for Park liaison committee members

- a) Where there is a park liaison committee (PLC), it is the responsibility of the park management to ensure elections are held to select the tenant representatives.
- b) The election will take the form of a secret ballot undertaken by the park management. The ballots will be retained for 14 days after the ballot was held.
- c) Where a long stay site has more than one long stay tenant, each is entitled to a vote.
- d) When vacancies for positions on the PLC occur, the park management will call for nominations from long stay residents, giving a minimum 14 days notice. If the number of nominations exceeds the number of vacancies, a vote will be taken.
- e) Nominating tenant representatives. In order to hold an election for tenant representatives the park management must give each eligible tenant written notice including:
 - i) they may nominate themselves or another tenant to be a member of the park liaison committee.
 - ii) the date by which such a nomination must be received, which must be at least seven (7) days after the day on which the notice is given; and
 - iii) how to lodge the nomination.
- f) At Cherokee Village, if nominations are received for five (5) or less nominees, those nominees are taken to be elected. Where six or more nominations are received, an election by ballot will be held and the five (5) nominees receiving the highest number of votes are elected.

- g) The ballot paper will display the names of the candidates. Voters are to place a tick next to the names of candidates that they wish to elect. The number of ticks will respond to the number of vacancies. (ie if there are five names and three vacancies, voters place only three ticks on the paper). The candidates with the most ticks are elected. Should a tie occur, the names of the tied candidates will be drawn at random to determine the winner.

4) Term of office

- a) A long-stay tenant representative holds office for a term for two (2) years, but is eligible for re-election.
- b) The removal from office of a member of the PLC can only occur by a vote at a meeting. The park management must invite all tenants to this meeting by the giving of at least seven (7) days written notice. The vote is by a show of hands unless a secret ballot is agreed to by a majority of tenants present at the meeting.
- c) A person ceases to be a member of the PLC if:
 - i) there is a vote to remove the person from office;
 - ii) the person's term as a member ends;
 - iii) the person resigns;
 - iv) the person ceases to be a tenant of the residential park; or
 - v) the person dies.
- d) An election is required to fill a vacant tenant representative position.

5) Office bearers

- a) The PLC at Cherokee may decide to have a Chairperson. If so, that person is elected by a show of hands at an ordinary meeting of the PLC. If no chairperson is elected, the role of chairing meetings will rotate between the members. The chairperson should not be a park management, a park management's representative or an associate of a park management.
- b) If elected, the role of the chairperson is to:
 - i) chair meetings of the committee and meetings of all long-stay tenants;
 - ii) rule on procedural matters raised at these meetings; and
 - iii) seek clarification, where necessary, on behalf of the PLC from Consumer Protection or other bodies about the rights and obligations of tenants.
- c) At Cherokee Village, the role of secretary is to be undertaken by the park management or delegated to a PLC member. The role of the secretary is to manage the administrative requirements of the PLC. This includes:
 - i) keeping a register of PLC members, including their election date;

- ii) ensuring the PLC has a list of the names, site numbers and known email addresses of all long-stay tenants;
- iii) keeping a written record of decisions made at meetings of the PLC or meetings of residents, in particular the votes on any matter requiring the consent of residents;
- iv) notifying the PLC members of the date, time and venue for meetings;
- v) notifying all long-stay tenants of the date, time and venue for general meetings;
- vi) handling correspondence on behalf of the PLC and table copies at each meeting; and
- vii) maintaining a current copy of the rules of the PLC.

6) Park liaison committee meetings

- a) Each year, the representatives should agree on a schedule of meetings for the coming year. It is important newly elected/appointed representatives are included in the setting of the schedule for the coming year.
- b) The committee can decide whether to hold meetings monthly, bimonthly or quarterly or upon request from the park management, a park liaison committee (PLC) member, or a tenant.
- c) Members should be notified of unscheduled meetings via email, (or personal contact in the absence of email) at least 7 days prior to a meeting.
- d) PLC members should notify the secretary, of the matters they wish to raise at the meeting. Circulation of the agenda should occur at least one week prior to the PLC meeting. This will allow tenant representatives the opportunity to consult with all tenants if necessary.
- e) The PLC is not limited to discussing only the matters listed on the agenda.
- f) Decision making is by majority vote, with each PLC member, other than the chairperson, present at the meeting entitled to one vote. The PLC should have a rule for handling the issue of a tied vote. In the event of a tied vote, the meeting's chairperson may cast a final and deciding vote.
- g) If invited by the PLC, non-members may attend and speak at a meeting of the committee.
- h) All PLC members should receive a copy of the record of the decisions made during a meeting, after the meeting.

7) Quorum for a PLC meeting

- a) At Cherokee Village a quorum for ordinary PLC meetings is at least one park management representative and three of the tenant representatives.
- b) During a PLC meeting, approval of the minutes of the previous meeting must occur. Tenants should then receive a copy of these approved minutes. This can occur via email or by posting a written copy on a noticeboard accessible to all tenants, or in both ways. Care

will be taken not to circulate confidential matters outside the PLC by blacking out sections of the minutes that the secretary deems confidential.

- c) The PLC may also decide additional methods of communicating their activities to tenants. This may include:
 - i) a regular newsletter that all tenants can contribute to;
 - ii) a noticeboard in a central place for posting all PLC information; or
 - iii) holding regular general tenant meetings which will boost their confidence in the PLC's activities.

8) Dealing with disputes

As with most communal living arrangements, disputes can occur within residential parks. How a dispute is dealt with can have a major impact on the ongoing wellbeing of individual tenants and the wider park community. Parties to a dispute may be able to fix the issue themselves. Sometimes they need someone else's help. So it is important for a park liaison committee (PLC) to establish a dispute resolution process.

- a) Disputes may occur between:
 - i) two (2) or more tenants.
 - ii) tenants and the park management.
- b) When a dispute occurs between two or more tenants and is brought before the PLC, the following processes may be adopted:
 - i) The PLC may direct the secretary to respond to all parties in writing outlining the suggested resolution to the dispute.
 - ii) The PLC may nominate a member to approach the parties to advise them of the committee's suggested resolution.
- c) When a dispute occurs between tenants and the park management and is brought before the PLC, the following processes may be adopted:
 - i) The PLC will discuss the issues with the park management to try to establish an agreed resolution.
 - ii) The PLC may direct that a general meeting of residents be called to further discuss the issues.
 - iii) If resolution is not found, the PLC may approach the Western Australian Department of Mines, Industry Regulation and Safety or the WA State Administrative Tribunal for clarification of the issues.

9) Representing the residents

- a) The members of the PLC represent the interests of all the residents of Cherokee Village. They each have a responsibility to be respectful of other's viewpoints and interests. PLC members have a responsibility to protect the confidentiality of PLC business.
- b) Residents may bring matters to the attention of the PLC in one of the following ways:
 - i) By talking to a PLC member and asking them to represent their issue.
 - ii) By completing a form in writing and placing it in the PLC box housed in the Library. Written submissions must carry the name of the resident, but confidentiality can be requested.
 - iii) By writing to the park management with a request that an issue be discussed by the PLC.

10) Changes to the Charter of Operations:

- a) Changes to the charter (this document) can be made by a majority vote of the PLC.
- b) Changes must be in accordance with the guidelines issued by the WA Department of Mines, Industry Regulation and Safety (Consumer Affairs)

References:

This document draws on the guidelines presented by the WA Department of Mines, Industry Regulation and Safety (Consumer Affairs)

Ref <https://www.commerce.wa.gov.au/consumer-protection/park-liaison-committees>

Other References:

- Residential Parks (Long-stay Tenants) Amendment Regulations 2021 (Regulations)

Document Version:

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PLC Members: Wayne Stichling (Park Manager),

Terry Hinchliffe, Christine Hinchliffe, Don Byrne, Ken Wilson, Elaine Jeffs (Residents)

Lyn Braid, Ric Charnley (absent)