



EMERGENCY!

Access arrangements for residential parks are often an area of discussion and dispute, not only between park owners and residents, but also sometimes between residents. On the one hand is the desire or need for security and on the other is the necessity to enable vehicle access for service providers.

For security reasons many residential parks operate a boom gate system, which provides easy access for residents but prevents unauthorised vehicles from entering the park. However, this system can and does pose problems for emergency and home care vehicles, particularly in parks where staffing is only provided for a few hours during the day.

The Tenants' Union (TU) has heard a number of reports from park residents about the difficulties ambulances face when responding to emergency calls at night. Residents have had to leave seriously ill loved ones and go to the park entrance to let the ambulance in, or wake elderly neighbours and ask them to facilitate access.

The residential park lifestyle has traditionally attracted older people and is commonly marketed at retirees. Whilst many retirees are in good health, the general demographic in parks means that there are many residents who undergo regular medical treatment and may need an ambulance at some point.

Pictured above is the emergency access signage in the reserve pointing the way to Wallacia Caravan Park

The Residential Parks Act 1998 requires park owners to take all reasonable steps to ensure that emergency and home care services have unimpeded vehicle access to the park at all times. Park owners are also required to consult with services and residents about the arrangements and be kept informed of these. Why then do some park owners fail to make appropriate arrangements for emergency service vehicles?

ACCESS PROBLEMS AT WALLACIA

Residents of Blaxland Crossing Wallacia Caravan Park are only too aware of problems with emergency vehicle access. The entrance to this park is confusing. There are two boom gates and a third egress point, which is not easily seen from the road and does not appear to provide access to the park. One boom gate is an entrance, one an exit and the third gate is the emergency vehicle access point.

Emergency vehicles cannot access the caravan park through the boom gate because it can only be opened with an electronic key. Residents are unable to facilitate access via the boom gate unless they first 'swipe out' through the exit boom gate. Residents who are seriously ill and in need of an ambulance are obviously not in a position to do this.

Ambulances therefore have to use the third gate, which takes them down a driveway into a public reserve. There is no appropriate signage to let them know where to go once they enter, until they have turned a corner and travelled almost 500m down the winding road where a sign tacked to a tree indicates they need to make yet another turn across a paddock. This leads to the back gate into the park. There is again no signage here for the ambulance to give an idea of the park layout or which street they have arrived at.

This arrangement is probably okay during the day when visibility is good and there

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are likely to be people around. At night though, it poses clear problems. There is no lighting at all in the public reserve or near the gate into the park or even on the street once in the park. The sign on the tree pointing the way across the paddock is difficult to see in the dark.

The operators of this park – the Blaxland Crossing Recreation and Rest Grounds Trust – have stated that the access arrangements are sufficient but residents do not agree. They refer to a number of incidents where the ambulance has struggled to gain access to the park or has taken a long time to find the back gate. They report it is especially difficult for the ambulance to get across the paddock during rain, and on a number of occasions the ambulance has not been able to cross.

The secretary of the Trust did notify emergency services about access to the park in July 2012. The letter stated that the preferred method of entry was through the boom gate and that in the majority of instances the park manager or a resident

would facilitate access. However, the park manager is only at the park during the day for four hours and, as described previously, residents are not always able to open the gate.

Many of the residents of this park are elderly folk with health problems and they say that ambulances are often required during the night. One resident who lives alone has had three ambulances already this year. On one occasion he couldn't breathe, but had to find a way to carefully explain how the ambulance could get into the park once it arrived because he was unable to walk up to the boom gate to facilitate access.

Another resident recently called an ambulance at 2am and it turned up at the boom gate and couldn't get in. She had to walk up to the gate, using her walking frame, to enable the paramedics to treat her.

RESOLUTION IN SIGHT

The residents at Wallacia have been trying to get this problem addressed for some time. In July 2013 they took their case to the Consumer Trader and Tenancy Tribunal under the *Consumer Claims Act 1998*. Unfortunately Senior Member Buckley ruled that the Tribunal did not have jurisdiction to hear and determine the case because the application was out of time. He found that the changes to the emergency access arrangements had occurred in May 2009 and the claim should have been made within three years.

According to the Trade and Investment Crown Lands Trust Handbook Trust board members need to operate with a high level of ethical behavior. They are also required to keep themselves up to date with legal requirements that affect the management of the reserve. For the Blaxland Crossing Recreation and Rest Grounds Trust this would include being aware of their responsibilities under the *Residential Parks Act 1998*.



The back gate of Wallacia Caravan Park looking out over the paddock through which ambulances must travel to gain access

There is no doubt that the Trust is aware of the problems with emergency access at the caravan park and its' obligation to take reasonable steps to facilitate access. Residents have written to the Trust and taken Tribunal action but so far there has been no change to the arrangements.

What residents want is a simple system that will enable emergency vehicles to get into the park through the boom gate – is this too much to ask?

The local Tenants Advice and Advocacy Service has been assisting residents with this issue and at a recent meeting with a member of the Trust there was finally an acknowledgement of the emergency access issues. The Trust has since written to the Tenants Service and advised that a new boom gate entry system is being investigated. This is great news for the residents.

LOCAL GOVERNMENT REGULATION REVIEW

Just when you thought all of the reviews and consultations on residential parks legislation and regulations were finished... along comes something else. The Government is now reviewing the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 (the Regulation).

The Regulation sets standards and rules for infrastructure and homes in residential parks. It covers everything from roads to clothes dryers and what can be installed on a residential site.

The review is in the very early stages so we will provide further information as and when it becomes available. Watch this space!

WEBSITE ON ITS WAY



We will soon be launching *The Noticeboard* – a new website for park residents across NSW. Our new website will be a place to find up-to-date information about what is happening in residential parks and the key issues affecting residents. You'll find information about the work the Parks Team at the Tenants Union are currently doing and downloadable factsheets on your rights and responsibilities as residents. You'll also be able to explore (and download) all issues of Outasite and Outasite Lite. Stay tuned, we'll be going live soon!

Get involved: we're keen for residents to contribute to *The Noticeboard* – starting with some snaps of your park! Send in photos of yourself and your park and we'd love to include them on our site. Email them to jemima_mowbray@clc.net.au or post them to the Tenants' Union at the address below.



The Tenants' Union of NSW is:

- A community legal centre specialising in NSW residential tenancies law.
- The peak resourcing body for the NSW Tenants Advice and Advocacy Program.

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We also invite contributions.

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Aboriginal services

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Tenants NSW website

www.tenants.org.au

CPSA Factsheets

www.cpsa.org.au/pavsfactsheets

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