

Are you considering purchasing a Holiday Van at Fingal Bay Holiday Park, Shoal Bay Holiday Park or Halifax Holiday Park?

The following information provided is to assist potential buyers make informed decisions prior to purchasing an On-Site 'Holiday Van' at one of our Beachside Holiday Parks.

Our Holiday Parks are situated on Crown Land Reserves, and Port Stephens Council is the Crown Land Manager. Council manages these Holiday Parks on behalf of the State Government under the Local Government Act 1993 CLG Act.

Holiday Van Sales

Port Stephens Beachside Holiday Parks, in its discretion, permits sales of Holiday Vans at any time of the year (with some exclusion periods: such as Peak/holiday periods). The Holiday Van Sales process is in place for all holiday van sales, in accordance with the process as outlined in the Standard Operating Procedure. Port Stephens Beachside Holiday Parks reserve the right to review this process at any time, and to approve or deny a van sale application.

Plans of Management

The Port Stephens Beachside Holiday Parks at Halifax, Shoal Bay & Fingal Bay, are situated on Crown land and operated in accordance with a Plan of Management (POM). The Plan of Management sets out the strategic direction of the reserve covering a minimum five year period. It outlines operational & management strategies, contains directions for development and infrastructure provision, outlines concepts for future development and proposed improvements, specifies how the legal and policy requirements are applied, and ensures that the environment is appropriately managed. The Plan for Shoal Bay Holiday Park was adopted in June 2023 and can be viewed at <https://www.beachsideholidays.com.au/policies/holiday-van-owners>. The current Plans of Management for Halifax & Fingal Bay will be succeeded by new Plans of Management in the near future subject to approval by Crown Lands and will include a Management Plan for each Park to identify any new and future development plans beyond the current identified projects. New plans for Halifax (which were on public display in 2019) are expected to be approved by Crown Lands in due course, and will be adopted by PSC and uploaded to the website. *Draft* plans for Fingal Bay are expected to be approved by Crown Lands in the coming months to be available for public viewing via the PSC website.

NOTE: A Holiday Van currently in a non-development area does not guarantee it will be in a non-development area in the future plans. Any sale applications received for vans located in areas identified for potential future redevelopment will be advised as such, however sales will still be permitted providing a full 12 month Occupancy Agreement can be offered to the buyer. Occupancy within the Park is limited to the Term of an Occupancy Agreement (12 months from 1 July to 30 June) – see section below: 'Occupancy' for more details.

Pre-Inspection

Inspection of the van should be organised with the current Holiday Van Owner (HVO). The van owner may give the Park permission to allow prospective buyers to access their van without them being onsite. This is at the owners' discretion. **NOTE: Keys to these vans will not be issued without prior authorisation, and must be signed out and returned within a reasonable timeframe on the same day.**

Purchase Price

When considering the purchase of a Holiday Van, we recommend the purchase price represent the market value price of the van, and any associated structures plus any inclusions offered as part of the sale; but **not** the land itself or the location or the current number of allocated vehicle spaces. The insurance value could be considered as a guide to an appropriate price to be paid. An independent valuation of the Holiday Van being sold will be available to the prospective buyer. A copy of this valuation will be sent to the current Van Owner and should be made available upon request to prospective purchasers.

Agree on the purchase price of the van with the Holiday Van Owner. **[NOTE: You must not exchange money or ownership of the Holiday Van before attending a pre-purchase interview with the Park Management & Administration Officer. Any HVO found to be circumventing the sales process is in breach of their Port Stephens Council Occupancy Agreement and will have it terminated and the**

sale denied.] If you leave a holding deposit, it is our advice to ask for a written receipt, and have it noted that the purchase is subject to the outcome of the interview process, and the deposit be refunded if the sale does not proceed.

Interview Process

No Sale can occur without the approval of Park Management. As part of our sale process, potential buyers are required to attend a face to face interview with Management where relevant information is provided and the interview checklist is signed as a record of the points discussed at the meeting. No sale is guaranteed as Park Management has the discretion to accept or reject applications for occupancy as part of the sale process.

An interview with the Park Manager, administration officer and yourself can be scheduled by contacting Fiona Snow on 4988 0650 (Monday to Friday: 9am to 4.30pm). Interviews must be in person and are approximately an hour in length. The timing of the interview will be subject to the availability of Park Management (some peak periods will be excluded). *A 'cooling off period' of up to 24 hours is provided after the conclusion of the interview. The current van owner and prospective buyers will be contacted directly by the Park Management/Admin Officer during this time, and advised the outcome of the interview.*

Insurance

The Holiday Van must be insured by the new owner stating at least one of the Owners names (preferably all listed owners/occupants), and should have a minimum of \$20 million Legal Liability cover stated on the policy. A current copy of this insurance policy along with proof of payment, or a Certificate of Currency, must be provided prior to finalising a new occupancy agreement and will be kept on file at the Park at all times.

Occupancy

- The occupation of a Holiday Van site is by agreement between the Park Management and the owner of a movable dwelling and includes up to 6 people. Maximum 4 Owners permitted.
- Occupancy within the park is limited to the term of an Occupancy Agreement (12 months from 1 July to 30 June).
- When a Holiday Van is purchased during the term of an Occupancy Agreement, (anytime between 1 July & 30 June), the new owner will take over the remainder of the current term of Agreement.
- Occupancy Agreements commence from 1 July each year and cover the financial year ending on 30 June the following year. (Port Stephens Council Holiday Van Occupancy Agreement Terms & Conditions).
- All listed Owners must sign a copy of the Occupancy Agreement which will be issued once Transfer of Ownership has been completed, and on an annual basis each time a new Occupancy Agreement is offered.
- **There is no guarantee for continued occupation beyond the term of a current Occupancy Agreement (Holiday Parks (Long-term Casual Occupation) Act 2002) of 12 months.**
- The Occupancy Agreement provides for 12 month occupation of a site with a maximum of 180 nights use of the site, all of which are covered by the site occupation fees. Up to a maximum of 150 nights can be stayed consecutively.
- Occupancy of the site is for you and your family to use and enjoy. You are **not** permitted to offer the onsite van for rental purposes under any circumstances.

Fees and Charges

Site occupation fees are reviewed annually. Fees are determined after considering recent market comparisons, Park operating expenses and CPI information. Fees are fixed each year for the term of the Occupancy Agreement and van owners are notified in advance of fee increases. These fees currently include water usage. Electricity to each Holiday Van is metered and usage is charged to the Van Owner on a quarterly basis along with a daily availability charge for electricity.

Site Occupation Fees

Current site fees for 2023/2024 are \$650.00/month for all sites.

The 2024/2025 fees will be approved by Council by April/May 2024, however an increase is expected to be implemented in line with CPI. All current van owners will be given at least 30 days notification of any fee increases.

Payment of Fees and Charges

Fees are to be paid either monthly, quarterly, bi-annually or annually and they must be paid on time or in advance. The preferred method is by automated monthly payments by Direct Debit from a nominated bank account or debit/credit card.

Site fees/charges not paid on time or in advance (as per Port Stephens Council Holiday Van Occupancy Agreement Terms & Conditions) will be subject to the Breach of Occupancy Agreement process being implemented. Late payment fees also apply.

Allocated Onsite Parking

How many vehicles am I allowed to park on my site?

The majority of sites are allocated **one** boomgate access code only. This means, the available space for parking onsite meets the required criteria of 5.5m x 2.4m for **one vehicle only**. Some sites may have sufficient space for a small accessory: EG: small box trailer or small jet ski/trailer or small boat/trailer, however only a limited number of sites meet the criteria to permit 2 vehicles.

All vehicles and/or accessories must be parked within the boundaries of your site – not on any common land, or any other holiday van or tourist site, and must not protrude onto a neighbouring site or an access road at any time. If it doesn't fit, park it outside – there's plenty of nearby street parking. Any additional motor vehicles/accessories must also be parked outside the Holiday Park grounds. The use of other van owners' boomgate access codes is not permitted, and it could restrict future access to the park; tailgating is also not permitted.

The parking allocation for each site is noted on the individual Occupancy Agreement. The maximum number of motor vehicles/accessories permitted on site at any one time is 2.

[Please note: the Holiday Park does not accept responsibility for the security of any belongings / vehicles parked inside or outside of the Holiday Park.]

Compliance Audits / Site Inspections

External Compliance audits and site inspections have been undertaken in past years to ensure holiday vans meet the standards of the Local Government Regulations (Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021). Potential purchasers should note that Council provide no guarantee that holiday vans for sale are fully compliant with the current regulations. Future audits may identify outstanding issues of non-compliance that will become the responsibility of the new owner. An external Site Inspection will be undertaken once the Holiday Van application for sale has been received and may identify some non-compliant items. Either the Seller or Buyer will be responsible for the rectification of any non-compliant issues within the allocated timeframe, and should be discussed as part of the purchase negotiations prior to the interview. It is the Van Owners responsibility to conduct regular health and safety checks to ensure the van and associated structures are safe to occupy. Whilst the Park undertakes an annual audit / test & tag inspection for each power supply lead from the parks powerhead to the holiday van, it is up to the van owner to ensure all other electrical works are safe and compliant.

Relocation & Termination

There may be occasion whereby Holiday Vans are required to either relocate or be completely removed from site to facilitate Park operations/redevelopment. Whilst this is not a regular occurrence, it could be a possibility. Van owners will be notified in writing if this is required. All costs associated with the removal or relocation are the responsibility of the van owners.

Should you have any further questions please contact the Holiday Van Administration Officer, Fiona Snow on 4988 0650 or by email at holidayvans@beachsideholidays.com.au (Monday to Friday: 9am to 4.30pm).

Port Stephens Beachside Holiday Parks Management