



# Victorian Caravan Park Regulations 2010

## Caravan park fire safety requirements

### Practice Note 1

APRIL 2017

This practice note has been produced by the Department of Environment, Land, Water and Planning to assist councils, caravan park owners and other stakeholders such as the relevant fire authorities.

It provides advice on the regulations for fire safety requirements for caravan parks in Victoria, specifically regulations 20 and 21 of the Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010 (the Regulations). It explains the regulations and the administrative and enforcement arrangements.

### Background

The current Regulations came into effect on 27 June 2010 following a detailed review. They incorporate the Country Fire Authority (CFA) Caravan Park Fire Safety Guideline 2012 (the CFA Guideline) for the technical specifications and methods for achieving fire safety compliance.

### The CFA Guideline

The CFA Guideline sets out objectives for fire safety in caravan parks. Through the Performance Measures it sets out a flexible method for meeting these objectives by providing fire safety measures which are appropriate to the assessed fire risks facing the caravan park.

The CFA has developed a set of design solutions, the Prescriptive Provisions, which can be applied to any caravan park. The Prescriptive Provisions set out details of fire equipment and maintenance standards which can be used to meet the requirements.

It is the responsibility of the caravan park owner to decide which approach to use for their caravan park, either by providing equipment which satisfies the Performance Measures of the CFA Guideline or by following the Prescriptive Provisions to meet the requirements.

For the specific technical specifications please refer to the CFA Guideline, available at [www.cfa.vic.gov.au/about/guides](http://www.cfa.vic.gov.au/about/guides).

### Regulatory requirements

Section 518B of the *Residential Tenancies Act 1997* (the Act) requires a caravan park owner to provide and maintain firefighting equipment for a caravan park, with regulation 20 prescribing the requirements for this provision.

Section 518C of the Act requires a caravan park owner to ensure that the area of space around movable dwellings and adjacent structures complies with the standards as set out in regulation 21.



## Regulation 20 Fire prevention and safety – equipment

### What does the regulation do?

Regulation 20 establishes the standards for firefighting equipment for caravan parks by reference to the relevant requirements set out in the CFA Guideline.

A caravan park owner is required to provide and maintain firefighting equipment for a caravan park in accordance with Objective O3 and Performance Measures PM 4 and PM 5 or in accordance with Prescriptive Provisions PP 3 and PP 4 of the CFA Guideline. This equipment will enable people in the caravan park to fight a fire initially, and must be provided to enable the fire authority to fight the fire as necessary.

The requirements cover fire equipment for movable dwellings, such as fire extinguishers and fire blankets as well as smoke alarms. They also cover larger infrastructure for the caravan park itself such as water tanks, fire hydrants and hose reels.

A caravan park owner can either provide equipment which satisfies the Performance Measures of the CFA Guideline or follow the Prescriptive Provisions to meet the requirements.

### How does it apply?

Regulation 20 specifies that for a new caravan park, or a new site in an existing caravan park, a caravan park owner must comply with the requirements before the caravan park or site is used for the first time.

For existing caravan parks, if the fire equipment which is currently provided is not appropriate to the assessed risk and the likely fire service response for the caravan park, then additional works will be required. Compliance with regulation 20 requires a caravan park owner to agree to upgrade or install additional equipment over a specified timeframe. The agreement, in the form of a written schedule of works will be between the caravan park owner and council.

## Regulation 21 Fire prevention and safety – access and separation

### What does the regulation do?

Regulation 21 establishes the standard for access and separation for fire prevention and safety purposes by reference to the relevant requirements set out in the CFA Guideline.

A caravan park owner is required to provide and maintain distance between unregistrable movable dwellings (UMDs), rigid annexes, caravan sites and other structures in the caravan park in accordance with Objectives O1 and O2 and Performance Measures PM 1, PM 2 and PM 3 or in accordance with Prescriptive Provisions PP 1 and PP 2 of the CFA Guideline. This is to enable fire fighters to access any part of the caravan park in order to fight a fire, and to reduce the risk of fire spreading from one dwelling to another.

The requirements in the CFA Guideline specify that access must be provided and maintained so that fire fighters are able to move between dwellings and carry out firefighting activities while wearing protective clothing and breathing apparatus. They also set out requirements for access to the caravan park by fire vehicles.

To reduce the likelihood of fire spread between dwellings the CFA Guideline requires that clearance between and around dwellings is provided and maintained.

The CFA Guideline sets out the Performance Measures and also details Prescriptive Provisions. A caravan park owner can decide what combination of these two approaches is appropriate for their park.

### How does it apply?

Regulation 21 specifies that for a new caravan park, or a new site in an existing caravan park, a caravan park owner must comply with the requirements before the caravan park or site is used for the first time.

For existing sites and dwellings in an established caravan park, a caravan park owner must maintain the existing separation distance between and around the dwelling.

Where a new dwelling is to be installed on an existing site the separation distances for the new dwelling must at a minimum be the same as were in place for the previous dwelling. This includes when a UMD or rigid annexe is altered following installation, for example, through the addition of a deck or verandah.



## The role of the fire authority: Country Fire Authority and Metropolitan Fire Brigade

An authorised officer of the relevant fire authority may inspect a caravan park and buildings within a caravan park and carry out any test to determine whether Part 14 of the Act, the Regulations and the CFA Guideline are being complied with. Following an inspection the authorised officer undertaking the inspection is required to prepare a report of inspection and provide that report to the caravan park owner and to council. This power of inspection and obligation to provide a report are provided under sections 525, 526 and 526A of the Act.

In order to assess the caravan park the authorised officer will need to see evidence that the equipment provided, or planned to be provided, is appropriate to the assessed fire risk facing the caravan park and the likely fire service response.

If the caravan park owner elects to utilise the Performance Measures to meet the requirements of the CFA Guideline then the fire authority also has a role in assisting the caravan park owner in assessing the fire risk facing the park and to understand the likely fire service response to a fire in the caravan park.

The fire authority's role is also to assess alternative design proposals if a park owner is using the Performance Measures. The decision as to whether or not the fire equipment provided is adequate will ultimately lie with the fire authority.

**Note:** *It is not the role of the fire authority to provide design advice to a caravan park owner, and the CFA or MFB is not able to design the fire safety equipment solution to meet the Performance Measures.*

## Enforcement of compliance

Enforcement of compliance with the fire safety regulations is the responsibility of council. It is done using the written report of the relevant fire authority. The Regulations require the report of the relevant fire authority to be considered by the council when determining compliance.

A caravan park owner has an obligation to ensure compliance with the Regulations at all times and councils have the power to enforce the Regulations at any time throughout the registration period. The relevant fire authority may inspect a caravan park at any time.

If the report of the fire authority states that a caravan park does not, at the time of inspection, comply with one or more of the requirements of regulation 20, the caravan park owner may enter into a schedule of works with council. A schedule of works is a written agreement between a caravan park owner and council which specifies certain works to be undertaken by a caravan park owner and a timeframe for those works to be completed. A schedule of works enables a staged approach to undertaking works needed to achieve full compliance with the fire safety regulations.

## Independent advice

If a caravan park owner is relying on the Performance Measures to meet the requirements of the CFA Guideline, it is recommended to seek advice from a fire engineer or fire safety expert to assist in understanding the fire risk facing the caravan park or in developing alternative design proposals.

## Appeals

If a caravan park owner does not agree with a decision made by a council in relation to the application of the Regulations, he or she may appeal the decision to the Building Appeals Board (BAB). The BAB is an independent statutory body established under the Building Act 1993.

Determinations by the BAB can be made to waive or vary the provisions of particular regulations based upon the specific case.

For more information visit the BAB website at [www.buildingappeals.vic.gov.au](http://www.buildingappeals.vic.gov.au) or contact the Registrar, BAB on 1300 421 082.

## Further information

Further information about the regulations relating to caravan parks and movable dwellings can be found on the department's website at [www.planning.vic.gov.au](http://www.planning.vic.gov.au)

Alternatively you can call 136 186 from anywhere in Australia, Monday to Friday, 8am to 6pm. Costs may vary – mobiles and public telephones may incur additional costs.



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ISBN 978-1-76047-556-7 (pdf/online)

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