Local Government Association Tasmania

Our Ref: JS | DJL

05 February 2026

Department of Justice
Office of the Secretary
GPO Box 825
HOBART TAS 7001

Sent via email: haveyoursay@justice.tas.gov.au

Dear Secretary,

Residential Parks Bill 2026

Thank you for the opportunity to provide a submission on the Residential Parks Bill 2026. This submission has been prepared by the Local Government Association of Tasmania (LGAT) on behalf of Tasmania's 29 councils.

LGAT is incorporated under the *Local Government Act 1993* and is the representative body and advocate for local government in Tasmania. Where a council has made a direct submission to this process, any omission of specific comments made by that council in this submission should not be viewed as lack of support by the LGAT for that specific issue.

Local government appreciates the extensive consultation undertaken through the 2024 *Regulation of long-term residency in caravan parks* discussion paper and welcomes the areas where the State Government has included recommendations from our 2024 submission, particularly not imposing new regulatory responsibilities under tenancy law on councils.

LGAT and our members remain committed to working collaboratively with the Tasmanian Government to improve and implement the Tasmanian Housing Strategy. As such, we feel that further work is required to ensure the Residential Parks Bill 2026 effectively supports compassionate housing policy, protects housing security and safety, and aligns clearly with Tasmania's planning and building systems.

Please contact Jon Stanger if you have any questions or would like further information, at jon.stanger@lgat.tas.gov.au or 0437 374 125.

Yours sincerely,

Dion Lester
Chief Executive Officer

Improvements in the draft Bill

No new enforcement roles for local government under tenancy law

In our 2024 submission we noted the heavy burden on councils with their statutory responsibilities under the *Land Use Planning and Approvals Act 1993* (LUPAA) and the *Building Act 2016*. We proposed that that no new regulatory roles under the *Residential Tenancy Act 1997* (RTA) for councils should be added.

The draft Residential Parks Bill 2026 appropriately confirms that tenancy functions and enforcement remain within the State Government's tenant-landlord regulatory architecture and the jurisdiction of the Tasmanian Civil and Administrative Tribunal (TASCAT). The Bill expressly excludes normal residential tenancies governed by the RTA from its scope, maintaining a clear and necessary separation of responsibilities.

This is an important and well-received proposal that recognises:

- the risk of unintended enforcement pressure on councils
- the need to avoid undermining compassionate housing responses
- the importance of retaining tenancy regulation within the established State Government system.

We thank the government for not adding to councils' existing regulatory and compliance roles.

Areas requiring further work

There are some areas where further work is needed to ensure the legislative and regulatory framework meaningfully supports safe, secure, and compassionate housing outcomes.

Building standards and safety

Our 2024 submission to the discussion paper recognised that caravan parks and similar settings were typically designed for short-term stays, not long-term habitation. We emphasised the critical role that building regulations play to protect lives and property should not be compromised.

The draft Bill recognises safety obligations through terms requiring parks to be maintained in a reasonable state of repair, and by affirming residents' rights to safe access and quiet enjoyment. However, important matters remain unresolved, including:

- How building standards should apply to long-term residents living in structures not originally designed for permanent occupation.
- How to regulate the transition of caravans or campervans into fixed structures, which we have previously noted becomes a building requiring consent and council oversight under existing building legislation.
- Providing clear built-form standards for park-owned cabins or dwellings intended for longer-term occupancy.

We recommend that a review of applicable legislation, regulations, and guidance be undertaken as soon as possible to address these concerns explicitly and avoid uncertainty.

Planning definitions and consent pathways

We have also previously identified that planning definitions must be clarified to support secure housing while avoiding regulatory gaps or unintended consequences.

In particular:

- Councils need clear planning definitions for long-term residential use in caravan or residential parks.
- Guidance is needed on consent pathways when a dwelling transitions from temporary or movable to a fixed, permanent structure.
- Care is required with the draft Bill's transitional regulation-making powers, which may allow parts of LUPAA or the Tasmanian Planning Scheme to be excluded for certain classes of parks or agreements. Very careful use is required to ensure safety, amenity, and planning integrity are not compromised.

Further joint work is needed between the State Planning Office and local government to ensure the Bill aligns with and does not inadvertently undermine Tasmania's planning system.

Housing security through compassionate policy design

Our Local Government Housing Position Statement, endorsed by the local government sector, establishes that housing policy must be compassionate, must not regulate people into homelessness, and should improve housing security and safety for all Tasmanians.

We acknowledge that the Bill strengthens residents' rights through:

- written agreements and disclosure requirements
- protections against unreasonable rule changes
- obligations on park owners to maintain safe facilities
- TASCAT oversight of disputes.

However there remain areas where the practical impact on housing security will depend heavily on implementation:

- Termination provisions should not unintentionally destabilise housing for long-term residents, particularly those already at risk of homelessness.
- Future regulations and standards affecting park owners may lead them to reduce the availability of long-term sites.
- Supported pathways are needed for residents to transition into more secure, more stable housing where needed.

Ongoing attention to these issues is essential for aligning the Bill with the State Government's broader housing strategy and the local government sector's position.