

11 September 2024

CBOS Communications

Stakeholder Engagement, Education and Policy

Consumer, Building and Occupational Services | Department of Justice

Regulation of Long-term Residency in Caravan Parks in Tasmania Discussion Paper Information Sessions

1. How would you define long-term residency in a caravan park (e.g. the period a resident may be permanently staying in the park)?

Definition of Long-Term Residency

Long-term residency should be defined with flexibility to account for various living situations, including those of individuals transitioning between communities or seeking temporary housing. A culturally sensitive approach may involve recognising residency periods longer than 3-6 months as long-term, with provisions for consultation with residents before finalising this definition.

2. Are any of the interstate definitions of a long-term resident of a caravan park appropriate to adopt in Tasmania, and if so, why?

Interstate Definitions

Interstate definitions of long-term residency that emphasise continuity and stability should be considered, especially if they include cultural considerations. Adopting a definition that allows for consultation and cultural sensitivity (e.g., Victoria's inclusive definition) could be beneficial in Tasmania, ensuring that residents are not inadvertently disadvantaged.

3. Other jurisdictions have found challenges when deciding when a short-term lease might roll into becoming a long-term tenancy, for example, Western Australia defined a longer-term tenancy as one of at least 90 days, so to avoid the provision, some park

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operators offered rolling 89-day leases to long-term residents. How could this situation be avoided in Tasmania?

Avoiding Exploitative Leasing Practices

To prevent park operators from circumventing long-term tenancy regulations (e.g., using rolling 89-day leases), introduce a culturally sensitive oversight mechanism. This could involve regular reviews by an independent body that includes resident representatives to ensure leases are fair and that cultural practices are respected in housing arrangements.

4. If the Government decides to introduce laws relating to long-term residents of caravan parks, should those laws apply retrospectively (for example, from 20 August 2024)?

Retrospective Application of Laws

While retrospective laws can protect current long-term residents, they must be introduced with care to avoid cultural dislocation. Residents should be consulted before such laws are enacted, and there should be provisions for exemptions or special considerations where retrospective application could cause cultural or community disruption.

5. If operators make park rules, should they automatically become part of each residency agreement and be disclosed to prospective and current residents?

Inclusion of Park Rules in Residency Agreements

Park rules should automatically become part of each residency agreement and must be disclosed to ensure transparency. It's essential that these rules respect the cultural practices of residents, including any specific needs related to family gatherings, cultural ceremonies, or community events.

6. Should there be a process for consultation and a notice period before changes to caravan park rules apply?

Consultation and Notice Period for Rule Changes

A formal consultation process, including a notice period, is crucial before any changes to

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park rules are applied. This process should involve resident representatives to ensure the cultural needs of all residents are considered and respected.

7. Should Park rules be approved by an independent regulator before implementation?

Approval of Park Rules by an Independent Regulator

Park rules should be approved by an independent regulator, with mandatory consultation with resident communities to ensure that the rules do not inadvertently harm or disadvantage residents.

8. Should Park rules applying to current long-term residents continue to apply if independent regulator-approved rules are implemented?

Continuation of Approved Rules for Current Residents

Approved Park rules should continue to apply to current long-term residents. However, if new rules are introduced, residents should have the opportunity to negotiate or opt-out if the rules conflict with cultural practices.

9. Should Park rules be standardised on certain key issues, such as rent reviews and evictions? If so, what other key issues should be included?

Standardisation of Park Rules on Key Issues

Standardisation of park rules on key issues, such as rent reviews and evictions, is necessary. Additionally, culturally relevant issues, such as the ability to host extended family or hold cultural ceremonies, should be standardised to protect residents' rights.

10. How should breaches by residents of these rules be enforced? What circumstances should warrant eviction?

Enforcement of Rule Breaches and Grounds for Eviction

Breaches by residents should be enforced by offering mediation or cultural support before

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considering eviction. Grounds for eviction should be clear, and exceptions should be made for cultural practices that might otherwise be deemed breaches.

11. Should the concept of a 'residents' committee' or a 'park liaison committee' be generally adopted, and if so, should it be formalised in regulation?

Adoption and Formalisation

The concept of a 'residents' committee' or a 'park liaison committee' should be adopted and formalised, with specific provisions to ensure cultural inclusivity. For all residents, it's crucial that these committees incorporate diverse perspectives and respect cultural protocols.

Formalising such committees in regulation should include guidelines for integrating cultural considerations, such as:

- **Cultural Representation:** Ensuring that diverse perspectives are represented on the committee.
- **Consultation Processes:** Including mechanisms for culturally appropriate consultation and decision-making.
- **Respect for Traditions:** Allowing for traditional methods of communication and decision-making to be respected and integrated into committee practices.

12. What sort of matters might be addressed between a park operator and their residents?

Matters Addressed

The issues addressed should reflect considerations important to all residents, including:

- **Cultural Practices:** Addressing any impacts on traditional practices or cultural sites within the park.
- **Respect for Elders:** Ensuring that community decisions respect the role of Elders and their advice.
- **Cultural Sensitivity:** Managing communal spaces and activities in a way that respects cultural norms and practices.

- **Community Wellbeing:** Considering issues related to community wellbeing, including support for cultural activities and events that are significant to residents.

13. Should park operators be required to provide the use of suitable communal park facilities for holding committee meetings?

Requirement for Communal Facilities

Yes, park operators should be required to provide suitable communal facilities. To protect residents' rights and interests, these facilities should also be accessible and appropriate for culturally significant practices and gatherings. This includes:

- **Cultural Facilities:** Ensuring that communal facilities accommodate cultural practices and provide spaces for traditional gatherings or ceremonies if needed.
- **Accessibility and Inclusion:** Facilities should be accessible to all residents, including those with specific cultural or mobility needs.
- **Cultural Protocols:** Facilities and meetings should respect cultural protocols, and there should be flexibility in how meetings are conducted to allow for traditional practices.

Ensuring Protection of Rights

To protect residents' rights in these contexts, it's essential to:

- **Engage with Community Leaders:** Regularly consult with community leaders and representatives to ensure that their perspectives are incorporated into park management and committee structures.
- **Cultural Training for Operators:** Provide cultural competency training for park operators to help them understand and respect diverse cultures and practices.
- **Legal Protections:** Ensure that regulations and agreements include specific protections for cultural rights and interests.

14. Should park operators have an obligation to ensure minimum standards in their park dwellings and more generally to the sites and shared facilities?

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Obligation of Park Operators

Park operators must be legally obligated to maintain minimum standards in both park dwellings and shared facilities. This obligation is essential to safeguard the health, safety, and dignity of all residents. Adequate living conditions are fundamental for ensuring that residents, who may face unique socio-economic challenges, are not disproportionately affected by substandard living conditions. The standards should be developed with input from communities to ensure they are culturally appropriate and meet the needs of all residents.

15. What minimum mandatory standards, if any, should apply to caravan park residences and facilities? How should any such standards be determined?

Minimum Mandatory Standards

Mandatory standards for caravan park residences and facilities should include essential elements like safe drinking water, adequate sanitation, and secure housing structures. These standards should be determined through a process that involves consultation with communities to ensure that they reflect the specific needs and cultural contexts of residents. This approach will help ensure that the standards are comprehensive and respectful of cultural practices and living conditions.

16. If standards were imposed and they are not met, should a complaint mechanism be available to residents, and if so, what form would it take?

Complaint Mechanism

Yes, a robust complaint mechanism should be available to residents if standards are not met. This mechanism should be accessible, culturally sensitive, and designed to address the unique challenges faced by residents. It should include options for anonymous complaints, assistance from liaison officers, and support from community organisations to ensure that residents can effectively report issues without fear of retaliation.

17. Should a park operator have a right of entry to a caravan or structure, and if so should they be required to comply with any rights of entry requirements?

Rights of Entry Requirements

Park operators should have the right of entry to ensure maintenance and safety, but this right should be exercised with respect for residents' privacy and cultural practices. Entry should require prior notice, preferably in writing, and should be conducted in a manner that respects the dignity and privacy of residents. Any rights of entry should be clearly defined in legislation to prevent misuse and ensure that residents' rights are protected.

18. Should rights of entry apply to both park-owned and privately-owned caravans/structures?

Conditions for Entry

Rights of entry should apply to both park-owned and privately-owned caravans, but the conditions should be clearly delineated. For privately-owned structures, additional respect for cultural and personal privacy should be considered. Entry should be limited to circumstances that require urgent attention or maintenance and should always be conducted with prior notice and consent from the resident.

19. If standard rights of entry are adopted, what should be included in them (e.g., notice periods)?

Contents of Standard Rights of Entry

Standard rights of entry should include:

- **Notice Periods:** Require advance notice to tenants, typically 24-48 hours, unless in emergencies.
- **Purpose of Entry:** Clearly state the reason for entry, whether for maintenance, safety inspections, or other legitimate purposes.
- **Respect for Privacy:** Ensure entry is conducted in a manner that respects the tenants' privacy and personal space.

- **Cultural Sensitivity:** Include provisions that consider and respect cultural practices and needs during entry.
- Additionally, tenants should be provided with clear information regarding their rights and responsibilities related to rights of entry. This information should include details on any complaints and escalation processes available to them. This ensures tenants are fully aware of their options and the procedures to address any concerns that may arise.

20. What rights should a resident have in relation to how their caravan or structure is maintained?

Resident Rights Regarding Maintenance

Residents should have the right to:

- **Regular Maintenance:** Ensure that their caravan or structure is maintained in a safe and habitable condition.
- **Cultural Considerations:** Have maintenance performed in a manner that respects cultural practices and preferences.
- **Request Repairs:** Request repairs or maintenance as needed and have timely responses from park operators.
- **Informed Consent:** Be informed about any maintenance work that will be carried out and provide consent when necessary.

21. Should any laws relating to minimum standards of repair and maintenance of caravan park residences and facilities be developed, and if so, what form should they take?

Laws on Minimum Standards

Laws relating to minimum standards of repair and maintenance should be developed to ensure that all caravan park residences and facilities meet acceptable health and safety standards. These laws should be clear and specific, outlining:

- **Minimum Requirements:** Detailed standards for health, safety, and habitability.

- **Enforcement Mechanisms:** Processes for enforcement and penalties for non-compliance.
- **Cultural Sensitivity:** Considerations for culturally appropriate practices and living conditions.
- **Consultation Processes:** Involvement of community representatives in the development and review of these standards.

22. What issues should be addressed in any codes of practice, and should these codes be mandatory or voluntary?

Issues in Codes of Practice

Codes of practice should address:

- **Maintenance Standards:** Requirements for regular maintenance and repair of park facilities and residences.
- **Cultural Sensitivity:** Guidelines for respecting cultural practices and needs.
- **Resident Rights:** Protection of resident rights, including privacy and access to facilities.
- **Complaint Mechanisms:** Processes for addressing grievances and disputes.

23. Right to Ask Resident to Leave

Should an operator have the right to ask a resident to leave if necessary?

Operators should have the right to ask a resident to leave if necessary, provided this is done fairly and respectfully. The process should include clear justification, opportunities for dispute resolution, and mediation to protect residents' rights.

24. Addressing Issues in Legislation

Should these issues be addressed in legislation?

Yes, legislation should address these issues to clearly define and protect the rights and responsibilities of both park operators and residents. This legislation should respect cultural practices and include mechanisms for fair treatment and dispute resolution.

25. Powers to Exclude Disturbances

Should park operators have clearer powers to exclude residents or visitors who cause a disturbance, and should these powers be outlined/limited by legislation?

Yes, park operators should have clear powers to exclude those causing disturbances, but these powers must be defined and limited by legislation to prevent misuse and protect residents from arbitrary or discriminatory actions.

26. Justifications for Exclusion

What issues could justify the use of any power to exclude?

Exclusion should be justified by serious and repeated disturbances that impact the safety and well-being of others. Criteria for exclusion should be clearly outlined and consistently applied to ensure fairness.

27. Determination by an External Body

Should an application to exclude be determined by an external, independent body, such as the Tasmanian Civil and Administrative Tribunal (TASCAT)?

Yes, an independent body should determine exclusion applications to ensure impartiality and fairness, providing protection against personal biases and ensuring objective decision-making.

28. Alternative Dispute Resolution Processes

Should alternative dispute resolution processes be adopted in Tasmania for caravan park disputes?

Yes, alternative dispute resolution methods like mediation or arbitration should be adopted, with processes being culturally sensitive and including support (such as support persons allow to attend) from relevant community organisations (as required by tenant).

29. Administration and Funding of Dispute Resolution

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Who should administer and fund dispute resolution processes, and what issues should be addressed?

An independent body experienced in cultural sensitivity should administer dispute resolution, with funding provided by the government or park operators to avoid cost barriers. Issues to address include living conditions, maintenance, and park rules. If disputes remain unresolved, further avenues like Tribunal adjudication should be available.

30. Written Residency Agreements

Should caravan park tenancy agreements be in writing, and should any standard terms be outlined in legislation?

Yes, written residency agreements are essential, with standard terms outlined in legislation to protect residents' rights and prevent misunderstandings. These terms should include culturally appropriate provisions.

31. Standardised Agreement Forms

Should there be standardised agreement forms used by all park operators, approved by government?

Yes, standardised forms should be used and government-approved to ensure consistency and fairness, developed with input from diverse community groups to address specific needs and ensure cultural sensitivity.

32. Inclusion of Park Rules

Should Park Rules be part of the agreement?

Yes, park rules should be included in the residency agreement to clarify residents' rights and obligations, developed in consultation with residents to ensure fairness and respect for cultural practices.

33. Disclosure Document for Fees and Charges

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Should a park operator provide a disclosure document showing all fees, rent, bonds, or charges, explained in plain English?

Yes, a disclosure document should be provided, detailing all financial obligations in plain language to ensure transparency and help residents make informed decisions.

34. Cooling-Off Period

Should a cooling-off period be provided after signing an agreement?

Yes, a cooling-off period should be provided to allow residents time to review and reconsider the agreement, ensuring that residents have adequate time to make informed decisions.

35. Regulation of Payment of Rent and Bonds

Should the payment of rent, bonds, and related matters be regulated and clearly explained?

Yes, regulation and clear explanation of payment matters are essential to ensure transparency and prevent exploitation. Residents should receive detailed information about their financial responsibilities.

36. Limits on Rent Reviews

Should there be limits on the frequency of rent reviews?

Yes, limits on the frequency of rent reviews should be established to provide financial stability and reduce uncertainty, particularly benefiting residents who may be disproportionately affected by frequent changes.

37. Requirement for Rental Bond

Should a bond be required, and if so, what amount would be reasonable?

A rental bond should be required but capped at a reasonable amount to ensure affordability for low income (and vulnerable) residents. The bond should cover potential damages or unpaid rent without being a barrier to entry.

38. Handling of Rental Bonds

Who should retain the rental bond, and under what circumstances should it be refunded?

The rental bond should be held in trust by a government authority or independent body and refunded at the end of tenancy if there are no claims for damages or unpaid rent. Guidelines should ensure a fair and efficient refund process.

39. Rights of Long-Term Residents

Should long-term caravan park residents have the same rights as those under residential tenancy agreements, and should these rights be formalised in legislation?

Yes, long-term residents should have the same rights as those under residential tenancy agreements, with these rights formalised in legislation to ensure equal protection and legal recourse for residents.

40. Remedies for Privacy Violations

What remedies should be available for residents if a park operator fails to ensure their privacy?

Remedies should include the ability to file complaints with an independent body, compensation for privacy breaches, and corrective measures. Residents should have access to culturally sensitive support and legal assistance.

41. Offence for Interfering with Privacy

Should it be an offence for an operator to interfere with a resident's reasonable peace, comfort, and privacy?

Yes, it should be an offence to interfere with a resident's reasonable peace, comfort, and privacy, ensuring that residents can live without undue interference and maintain their dignity.

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42. Rights to Use Shared Facilities

Should a residency agreement and park rules specify rights or limits on the use of shared facilities?

Yes, agreements and rules should clearly specify rights and limits on the use of shared facilities to prevent disputes and ensure fair access, developed with input from residents.

43. Operator's Obligations for Maintenance

Should residency agreements specify the obligations of park operators to maintain facilities and repair damage?

Yes, residency agreements should specify operators' obligations to promptly maintain and repair facilities, ensuring safe and habitable living conditions for all residents.

44. Enforcement of Park Rules

Should a park operator be given rights to enforce park rules and exclude a resident by giving notice?

Operators should have the right to enforce park rules, but the process must be fair and transparent, involving clear notice and opportunities for the resident to address issues. Exclusions should be protected from arbitrariness and discrimination, especially for Aboriginal residents.

45. Right to Review an Exclusion

Residents should have the right to review an exclusion decision. This review should be conducted by an independent body to ensure fairness and provide residents with an opportunity to contest the exclusion and seek redress. This process guarantees that exclusions are not arbitrary and that residents have a mechanism to address any potential biases or injustices.

46. Right to Keep Pets

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Residents should have the right to keep pets, balanced with considerations for other residents and park conditions. Restrictions should be reasonable and not disproportionately affect Aboriginal residents. The policy should be developed in consultation with residents to ensure fairness and inclusivity, reflecting the needs and preferences of the community.

47. Approval for Keeping Pets

Residents should be required to seek written approval from the park operator to keep a pet. This ensures that potential issues related to pets, such as noise or damage, can be managed while respecting the needs and preferences of residents.

48. Conditions for Keeping Pets

Park operators should be able to impose reasonable conditions on pet ownership to address hygiene, safety, and disturbance concerns. Conditions should be clearly communicated and developed in consultation with residents to ensure they are fair and culturally sensitive.

49. Right of Review for Pet Conditions

There should be a right of review for decisions related to pet conditions. This allows residents to challenge unfair conditions and ensures that any restrictions are reasonable and justified. An independent review process should be available to resolve disputes and ensure fairness.

50. Minor Changes to Caravans

Residents should be able to make minor changes to their caravans with reasonable notice and, if necessary, written consent from the operator. These changes should not affect the safety or structure of the dwelling and should respect residents' needs and cultural practices.

51. Refusal of Requests for Changes

Operators should only be able to refuse requests for changes if they have a reasonable and justifiable reason. Refusals should be based on objective criteria rather than arbitrary or

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discriminatory practices. The decision-making process should be transparent and involve input from residents.

52. Rights of Review for Changes

There should be rights of review for decisions regarding changes to caravans. Residents should be able to appeal refusals or disputes, with the review process conducted by an independent body to ensure fairness and respect for cultural considerations.

53. Permitting Additional Structures

Caravan park residents should be permitted to add structures to their caravans or movable homes. This flexibility can enhance living conditions and personal comfort. However, clear guidelines should be implemented to respect cultural practices, safety standards, and community aesthetics, developed in consultation with residents.

54. Process for Gaining Approval

The process for gaining approval to add structures should be transparent and inclusive:

- **Submission of a Formal Request:** Residents should submit a detailed application outlining their proposed structure, including plans and specifications.
- **Culturally Sensitive Review:** The park operator should review the application with cultural sensitivity, respecting Aboriginal cultural values and practices.
- **Written Approval or Denial:** Approval or denial should be communicated in writing, with clear explanations provided. Conditions or required modifications should be discussed openly.
- **Final Compliance Check:** A final inspection should ensure that the structure meets the approved plans and park regulations, considering any cultural considerations.

55. Ongoing Maintenance Responsibilities

Ongoing maintenance responsibilities should be clearly defined:

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- **Resident Responsibilities:** Residents should maintain their own structures, including routine upkeep and repairs.
- **Operator Responsibilities:** Park operators should maintain common areas and facilities. If the added structure impacts shared spaces, a collaborative maintenance approach should be established, with input from residents.

56. Removal of Resident's Structure

The responsibility for removing a resident's structure should be outlined in the agreement:

- **Resident's Responsibility:** The resident should manage the removal, including arranging for necessary labor or equipment.
- **Park Operator's Role:** The park operator should provide reasonable notice and assistance if removal is due to park regulations or management changes. Disputes related to removal should be resolved through a clear, fair process.

57. Removal of Axles and Draw Bar

The removal of axles and draw bars should generally be prohibited to ensure that caravans can be moved for maintenance, emergencies, or park layout changes. This retention ensures that caravans remain movable and do not become permanently fixed in place.

58. Construction of Rigid Annexes

Rigid annexes should be constructed in a manner that allows for their removal at short notice. This flexibility is important for maintaining park adaptability and addressing any issues that may arise. It also accommodates park changes and ensures structures do not become permanent fixtures.

59. Disclosure Statement for Purchasers

A disclosure statement should be provided to purchasers, including:

- **Living Conditions:** Information on living conditions, rent, tenure rights, and restrictions.

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- **Fees and Commissions:** Details on any fees or commissions related to the sale transaction.
- **Tenure Rights:** Explanation of limited tenure rights and specific park regulations.

60. Park Operator Acting as an Agent

If park operators act as agents for sales, they should:

- **Adhere to Regulations:** Follow all regulatory requirements, including disclosure of commissions and fees.
- **Avoid Conflicts of Interest:** Ensure their role as an agent does not create conflicts of interest or unfair advantages in the sale process.

61. Cooling-Off Period for Sale Agreements

There should be a cooling-off period for sale agreements. This period allows purchasers to reconsider their decision and ensure they fully understand the agreement terms, protecting both parties and providing time to review the contract.

62. Regulating the Eviction Process

The eviction process should be regulated to ensure fair procedures and protect residents' rights, especially Aboriginal individuals who may face systemic biases. Regulation would establish standardised procedures, minimum notice periods, and valid grounds for eviction, enhancing fairness and transparency.

63. Impact of Regulating Evictions on Park Management and Clarity

Regulating evictions would likely lead to better park management and clarity about the rights of operators and residents. Clear regulations help prevent arbitrary evictions and ensure residents understand their rights and obligations, particularly protecting Aboriginal residents from unfair treatment.

64. Standard Form for Eviction Notices

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A standard form for eviction notices should include:

- **Reasons for Eviction:** Clear and specific grounds for eviction.
- **Date to Leave:** A prescribed notice period to allow residents to make arrangements.
- **Procedural Fairness:** Information on how to dispute the eviction or seek assistance.

This form helps ensure all residents are treated equally and fairly, minimising potential abuse and ensuring clarity about rights and obligations.

65. Specific Grounds for Evictions and Notice Periods

Evictions should be justified by specific grounds, each with appropriate notice periods. This approach ensures evictions are based on legitimate reasons, not arbitrary or discriminatory motives. Notice periods should provide residents with adequate time to respond or relocate, ensuring fairness.

66. Prohibition of 'No Fault' Evictions

'No fault' evictions should be prohibited, requiring caravan park owners to provide a valid reason for eviction. This measure protects residents from unjust displacement and ensures evictions are based on specific grounds. It is particularly important for Aboriginal residents, who need additional protections against systemic biases.

67. Regulated Review Process for Eviction Disputes

A regulated review process for eviction disputes should include:

- **Alternative Dispute Resolution (ADR):** Mediation or other ADR methods to resolve disputes amicably.
- **Tribunal Application:** A formal process for residents to challenge evictions and seek redress.
- **Accessibility:** Ensuring the process is accessible and equitable, particularly for Aboriginal residents. This process provides a fair mechanism to contest evictions and seek justice, promoting accountability.

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68. Selling a Dwelling After Eviction

Residents should be able to sell their dwelling to a new owner for a reasonable price if evicted. This allows residents to recover some of their investment and provides flexibility. The process should be regulated to ensure fairness and prevent exploitation, with park operators facilitating information on ownership transfer.

69. Legislative Process for Extending a Tenancy

There should be a legislated process for extending a tenancy when an agreement ends and a resident wishes to remain. This process should include:

- **Clear Guidelines:** Detailed procedures for negotiating and agreeing on extensions.
- **Resident Rights:** Provisions ensuring residents have the right to seek extensions and that requests are handled fairly.
- **Documentation:** Formal documentation of extension agreements to prevent misunderstandings. A standardised process protects residents' rights and ensures fairness.

70. Procedures When Parties Cannot Reach a Mutual Agreement

If parties cannot reach a mutually negotiated agreement:

- **Mediation and Dispute Resolution:** Implement structured mediation or dispute resolution processes that are culturally sensitive.
- **Arbitration or Tribunal Review:** Provide mechanisms for arbitration or tribunal review if mediation fails.
- **Clear Guidelines for Dispute Outcomes:** Establish guidelines for resolving disputes, including criteria for extending tenancy and potential remedies. Structured mechanisms safeguard residents' rights and ensure fair resolution.

71. Appropriateness of Features for Caravan Park Dwellings

The features outlined are appropriate and necessary for ensuring safe and habitable living conditions in caravan park dwellings. Essential standards include:

- **Weatherproof and Structurally Sound:** Ensures safety and protection from the elements.
- **Electricity, Lighting, and Ventilation:** Necessary for daily living and health.
- **Privacy and Security:** Important for personal safety and comfort.
- **Hygiene and Functionality:** Basic needs like plumbing and cooking facilities are fundamental.

72. Minimum Standards for Park Operators

Park operators should meet minimum standards for long-term rented dwellings, including:

- **Structural Integrity:** Ensuring dwellings are weatherproof and structurally sound.
- **Safety Features:** Providing locks, smoke alarms, and ensuring no hazards.
- **Hygiene and Health:** Ensuring adequate plumbing, drainage, and sanitation.
- **Privacy and Comfort:** Providing privacy features and adequate ventilation and lighting. These standards ensure safe and suitable living conditions for all residents.

73. Additional Features

Additional features to consider include:

- **Heating:** Essential for comfort and health.
- **Cooling:** Air conditioning for extreme heat.
- **Accessibility Features:** Ensuring accessibility for people with disabilities.
- **Cultural Considerations:** Spaces for traditional practices or ceremonies. Including these features addresses diverse needs and promotes equity and cultural sensitivity.

74. Basic Communal Facilities

Park operators should have the option to provide basic communal facilities, such as shared cooking and laundry facilities, while still ensuring each dwelling meets minimum standards. Communal facilities should be well-maintained and accessible, balancing individual and shared amenities.

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75. Requirement for Shared Amenities

Park operators should provide shared amenities or facilities meeting minimum standards. This requirement ensures that all long-term residents have access to basic services necessary for health and dignity, particularly protecting vulnerable residents.

76. Minimum Features or Amenities

Minimum features or amenities for shared facilities should include:

- **Clean and Functional Toilets:** Essential for health and hygiene.
- **Working Showers and Bathing Facilities:** Guaranteed access to hygiene facilities.
- **Laundry Facilities:** Including washers and dryers.
- **Adequate Ventilation and Lighting:** Ensuring safety and usability.
- **Privacy Features:** Partitions in bathrooms and showers.
- **Maintenance and Cleanliness:** Regular cleaning and maintenance.
- **Accessibility:** Ensuring facilities are accessible to all residents. These amenities ensure a safe, equitable living environment for all residents.

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Additional Recommendations

To further enhance the regulation of long-term residency in Tasmanian caravan parks and specifically address the needs of vulnerable populations, including Aboriginal people, the elderly, and those with mental health, disability, and health issues, consider the following additional measures:

Enhanced Communication: Develop and implement comprehensive strategies to ensure that all residents, particularly those who are vulnerable, are well-informed about their rights and obligations. This includes:

- **Multilingual and Accessible Resources:** Provide information in multiple languages and formats accessible to residents with disabilities. This ensures that everyone, including Aboriginal communities and those with varying literacy levels, can understand their rights and responsibilities.
- **Culturally Sensitive Outreach:** Engage with Aboriginal communities through culturally appropriate methods and consult with community leaders to ensure that communication respects cultural practices and effectively reaches these groups.
- **Targeted Information Sessions:** Offer regular workshops and information sessions tailored to the needs of elderly residents, those with mental health issues, and individuals with disabilities. These sessions should be conducted in accessible venues and formats that accommodate various needs.

Feedback Mechanisms: Establish robust and inclusive processes for ongoing feedback from all residents, with particular attention to the needs of vulnerable groups. This can be achieved through:

- **Resident Advisory Panels:** Form panels that include representatives from vulnerable groups such as Aboriginal people, the elderly, and individuals with mental health or disability issues. These panels can provide valuable insights and feedback on the effectiveness of regulations and identify areas for improvement.

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- **Accessible and Anonymous Feedback Channels:** Implement feedback channels that are accessible to all residents, including those with disabilities, and provide options for anonymous submissions to encourage honest feedback without fear of discrimination or reprisal.
- **Regular Review and Adaptation:** Create a system for regularly reviewing resident feedback, with a focus on identifying and addressing issues affecting vulnerable populations. Ensure that regulatory adjustments are made in response to emerging needs and concerns.

Specialised Support Services

Dedicated Support Services: It is essential to implement services specifically designed to assist vulnerable residents. This includes:

- **Advocacy and Legal Assistance:** Provide access to free or subsidised legal advice and advocacy services tailored to the needs of Aboriginal residents, the elderly, and individuals with mental health or disability issues. This measure ensures that these residents receive adequate support in navigating disputes and understanding their rights.
- **Health and Social Services Integration:** Develop strategic partnerships with local health and social service providers to offer on-site or nearby support for residents with health issues, disabilities, or mental health needs. This integration helps address broader needs beyond housing stability, enhancing overall well-being.

Enhanced Training for Park Operators

Cultural Competency Training: It is crucial that all park operators and staff receive comprehensive training on cultural competency, with a focus on:

- **Understanding Aboriginal Cultures:** Provide education on the cultural needs and traditions of Aboriginal residents to promote respectful and sensitive interactions.

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- **Disability and Mental Health Awareness:** Train staff on the specific challenges faced by individuals with disabilities or mental health issues, including how to accommodate these needs and respond appropriately.

Anti-Discrimination Training: Incorporate thorough anti-discrimination training to prevent biases against vulnerable groups and ensure fair treatment for all residents.

Strengthening Policy and Legislative Frameworks

Inclusive Policy Development: Advocate for policies that specifically address the needs of vulnerable populations, including:

- **Anti-Discrimination Provisions:** Strengthen legislative measures to prevent discrimination based on race, age, disability, or mental health status within housing practices.
- **Specific Protections for Vulnerable Groups:** Implement provisions that offer additional protections and support for vulnerable residents.

Regular Policy Review: Establish a framework for the periodic review of policies and regulations to ensure they continue to meet the evolving needs of vulnerable residents. Engage representatives from these groups in the review process to ensure their perspectives are considered.

Emergency and Crisis Support

Crisis Intervention Services: Develop robust protocols for responding to emergency situations involving vulnerable residents, including:

- **Crisis Hotlines:** Set up dedicated hotlines to provide immediate support in emergencies, such as mental health crises and issues related to domestic violence.
- **Emergency Housing Solutions:** Ensure the availability of emergency housing options for residents who face sudden displacement or need urgent support due to health or safety concerns.

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Community Engagement and Empowerment

Community Engagement Initiatives: Enhance community engagement by:

- **Resident Forums and Workshops:** Organise forums and workshops that enable residents, especially those from vulnerable groups, to voice their concerns and participate in decision-making processes.
- **Support Networks:** Establish support networks within caravan parks to facilitate connections among residents and provide peer support, particularly for those who may feel isolated or marginalised.

Monitoring and Accountability

Regular Monitoring and Reporting: Implement a comprehensive monitoring system to track compliance with regulations and assess their impact on vulnerable residents. This system should include:

- **Independent Oversight:** Create an independent body to oversee and report on the treatment of vulnerable residents, ensuring accountability and addressing any issues promptly.
- **Resident Surveys:** Conduct regular surveys to gather feedback from residents regarding their experiences and identify areas for improvement.

Warmest regards,

Jacob Smith
Chief Executive Officer