

REGULATORY IMPACT STATEMENT

CENTRAL HIGHLANDS COUNCIL

CARAVAN BY-LAW NO. 1 OF 2025

1. Purpose of this Regulatory Impact Statement

- (1) On 21st October 2025, Council passed a resolution by an absolute majority that the Council intended to make a By-law.
- (2) Section 156A of the *Local Government Act 1993* (Tas) requires that a Council prepare a Regulatory Impact Statement ('RIS') for any By-law it intends to make.
- (3) A RIS explains the objectives of the proposed By-law and the means by which the By-law is intended to achieve that objective.
- (4) The RIS must outline:
 - (a) any restriction on competition;
 - (b) make an assessment of the costs, benefits and impacts of the By-law on the restriction on competition or any impact on the conduct of business;
 - (c) any alternative options considered by the Council;
 - (d) an assessment of the greatest net benefit or least net cost to the community;
 - (e) an assessment of the direct and indirect economic, social and environmental impact of the By-law; and
 - (f) the proposed public consultation process.
- (5) The Council proposes to make a new By-law cited as 'Caravan By-Law No 1 of 2025' ('**Proposed By-Law**') to regulate the occupation of caravans in the municipal area as its existing Caravan By-Law No 1 of 2014 ('**2014 By-Law**') expired during 2024.
- (6) Copies of the Proposed By-Law and the RIS are available by contacting Council by any of the following means:

Telephone:	(03) 6259 5503
E-mail:	council@centralhighlands.tas.gov.au
Website:	https://www.centralhighlands.tas.gov.au/
In person:	Central Highlands Council
Mail:	19 Alexander Street BOTHWELL TAS 7030
Office hours:	Monday to Friday – 8.00am to 5.00pm

(7) Copies of the Proposed By-Law and the RIS are available upon request or may be viewed at the Council's office and its website.

2. Purpose and Objectives of the Proposed By-Law and the Means by which the Objective is Intended to be Achieved

(1) The purpose and objective of the Proposed By-Law is to control the occupation of caravans outside of caravan parks or visitor accommodation by:

- (a) requiring a permit for the occupation of caravans situated on private land within the Central Highlands municipal area; and
- (b) prohibiting the occupation of caravans on classified public land, unless the public land is approved for that purpose.

(2) Regulation of the occupation of caravans is intended as a means to ensure there is no adverse impact upon public health and safety and the natural environment, or impact on local amenity. The Proposed By-Law achieves this by empowering the Council to impose appropriate permit conditions which require proper provision is made for the disposal of sewage and wastewater and the like arising from the occupation of caravans.

(3) The Proposed By-Law allows conditions to be placed on a permit with respect to:

- (a) health and safety and amenity issues such as water supply;
- (b) the provision of sanitary and washing facilities;
- (c) the disposal of garbage;
- (d) the discharge of effluent, sewerage, sullage, faecal matter, or other noxious or polluting manner or thing, or water; and
- (e) the siting of a caravan on a property.

3. Background

(1) The Proposed By-Law has substantially the same effect as the Council's 2014 By-Law which was in place from 2014 – 2024.

(2) The Proposed By-Law applies to caravans in the Central Highlands municipal area but does not apply to a caravan that is:

- (a) situated in a caravan park or visitor accommodation which is operating in accordance with the *Land Use Planning and Approvals Act 1993* (Tas) ('LUPAA'); or
- (b) used by a travelling show person in the ordinary course of their business; or
- (c) used by Council employees or contractors involved in performing duties for and on behalf of the Council, the Federal Government or the Tasmanian Government; or
- (d) unoccupied and being stored by the proprietor on the proprietor's land; or
- (e) occupied for fourteen (14) days or less in a calendar year on privately owned property.

(3) With the increase in caravans located near recreational waters and lakes, there is a need to ensure adequate controls are in place to ensure there is no detrimental impact on the natural, visual and residential environment.

4. Does the Proposed By-Law Restrict Competition?

(1) The Proposed By-Law does not apply to any caravan park or visitor accommodation operating in accordance with LUPAA, nor does it apply to caravans used by a travelling show person in the course of their business.

(2) By prohibiting the occupation of caravans on public land except in approved areas, the Proposed By-Law removes unfair competition between unregulated 'free camping' on Council-controlled land and commercial caravan parks. The Proposed By-Law does not restrict any retail operation or competition.

(3) The Council believes the Proposed By-Law will place no restriction on competition as it deals with purely governance matters, being to regulate and permit the occupation of caravans within the Central Highlands municipal area, excepting those uses mentioned above.

(4) It is not considered the Proposed By-Law will have any impact on persons other than those wishing to reside in caravans. The Proposed By-Law does not establish sites for caravan parks or overnight self-contained motorhome parking areas which compete with caravan park businesses.

5. Does the Proposed By-Law Impact on Business?

(1) Council believes the Proposed By-Law will not have a negative impact on business as it deals with purely governance matters. The Proposed By-Law applies to domestic use of caravans and not the operation of caravan parks or other commercial businesses; therefore it has no direct impact on business.

6. Other Options Considered

(1) The option of doing nothing and relying on existing legislative provisions would not adequately address the health and safety and amenity issues associated with caravans, such as water supply, the provision of sanitary and washing facilities and the disposal of garbage and waste. The Council has a duty to provide for the health, safety and welfare of the community.

(2) The *Building Act 2016* (Tas) cannot be used to control health and amenity issues associated with caravans as the *Building Act 2016* (Tas) applies to buildings, not vehicles.

(3) The Council does not consider it is appropriate or viable to rely on other existing legislation such as environmental nuisance provisions under the *Environmental Management and Pollution Control Act 1994* (Tas) or the *Local Government Act 1993* (Tas).

(4) By proactively regulating the occupation of caravans, including specifying requirements for the issue of a caravan permit, the Proposed By-Law sets standards for caravan occupation and seeks to reduce the need for reactive regulatory enforcement.

(5) In respect to public land, the alternative of there being no By-law would mean Council has limited powers to implement appropriate conditions with the increasingly popular activity of caravaning.

(6) The Council considers there is no appropriate alternative to a By-law. The legal status of a By-law is preferred as no other option offers this level of certainty of enforceability.

7. Justification of Public Interest

(1) It is in the public interest that any potential risk to public health and safety arising from the occupation of caravans within the Central Highlands municipal area is minimised by ensuring appropriate standards and controls are maintained.

(2) As many caravans are located near recreational waters, it is necessary to ensure there is no negative environmental impact to those waters from the use of a caravan which results in damage to the eco-system and pollution of the waters.

(3) Residents, visitors and businesses in the Central Highlands municipal area will benefit from the implementation of this Proposed By-Law, as the Proposed By-Law will help protect public health and safety and residential amenity by applying appropriate controls on caravans.

(4) The Proposed By-Law provides the means for Council to ensure adequate control measures to address the health and safety and amenity issues for occupiers of caravans will mitigate any potential impact on the natural, visual and residential environment.

(5) The introduction of this Proposed By-Law will not impose any restriction on competition and will have no impact on business, therefore it is considered regulation in the form of this Proposed By-Law is the most feasible means to achieving the desired objectives and will deliver the greatest net benefit to the public.

(6) The Proposed By-Law will allow Council to grant a permit to occupy a caravan, subject to compliance with certain health and other conditions.

8. Assessment of the Greatest Net Benefit or Least Net Cost to the Community

(1) The most significant net benefit to the community is protecting the natural environment and amenity from uncontrolled occupation of caravans. A permit system allows the Council to control the areas where occupation of caravans is permitted and set the terms on which this occurs.

(2) The cost to the community will be the cost of the Council implementing, maintaining and enforcing a permit system. This cost will be minimal as Council already has all necessary resources and systems in place as the Proposed By-Law is intended to be consistent with the 2014 By-Law.

(3) To ensure members of the community and particularly tourists are aware of the restrictions upon caravan use on public land, the Council intends to:

- provide information on its website;
- install or update signage at key sites and areas;
- have information available at visitor information centres; and
- work with the tourism industry and other key stakeholders.

9. Assessment of Direct and Indirect Economic, Environmental or Social Impacts

(1) The following table outlines an assessment of the direct and indirect economic, social and environmental impacts of the Proposed By-Law:

		Direct	Indirect
Economic	Benefits	Caravan permit fees Penalties imposed for non-compliance	
	Costs	Permits will be required to occupy a caravan (at a fee).	Slight increase in enforcement/administrative costs for Council although mitigated by the fact resourcing exists due to the 2014 By-Law.
Environmental	Benefits	Reduces the impact on the natural, visual and residential environment. Allows Council to place controls to ensure health, safety and amenity issues such as the disposal of waste and effluent, water supply, and the provision of sanitary and washing facilities does not adversely affect the environment, including recreation waters.	Maintain acceptable community standards Fewer complaints about odour/noise/public amenity.
	Costs		Increase in monitoring/inspection costs for Council although mitigated by the fact resourcing already exists due to the 2014 By-Law.
Social	Benefits	Improved visual amenity when caravans are well maintained and have adequate facilities	Allowing people to live in caravans caters for members of the community who may not be able to afford a house, or are otherwise homeless. Caters for a market niche for people who wish to occupy a caravan
	Costs	Caravan permit fees Penalties imposed for non-compliance	Slight increase in enforcement/administrative costs for Council May impact upon people who are homeless who would otherwise seek to live in a caravan.

10. Proposed Public Consultation Process

(1) Upon receipt of the Certificate from the Director of Local Government, Council's proposed public consultation process is as follows:

- (a) in accordance with section 157 of the Act, the General Manager will give Notice of Proposed By-Law ('**Notice**') stating the prescribed matters, and will:
 - (i) cause the Notice to be published at least once in the Mercury newspaper and at least once in the Examiner newspaper; and
 - (ii) as soon as practicable after publishing the Notice in the newspaper, display the Notice, the Proposed By-Law and this RIS on Council's website www.centralhighlands.tas.gov.au from the day when Notice is first published in the newspaper until the end of the submission period specified in the Notice; and
 - (iii) as soon as practicable after publishing the Notice in the newspaper, display the Notice on the Notice Board at the Municipal Offices from the day when the Notice is first published in the newspaper until the end of the submission period specified in the Notice.
- (b) Council will provide a copy of the Proposed By-Law and this RIS to the Department of Justice and the Department of Natural Resources and Environment Tasmania for their review and comment.
- (c) make copies of the Proposed By-Law and RIS available for inspection at Council Chambers.
- (d) reference to the Proposed By-Law will also be made in media articles, press releases, on Council's website and in social media posts.

(2) The Notice will state the following:

- (a) the title and objectives of the Proposed By-Law;
- (b) the envisaged or potential impact and the primary features of the Proposed By-Law affecting the community or particular groups within the community;
- (c) that a copy of the By-Law and of the RIS may be inspected and/or purchased by the public at the Council Chambers, or viewed on Council's website – www.centralhighlands.tas.gov.au until the specified day;
- (d) that submissions in respect of the Proposed By-Law may be made in writing, addressed to and lodged with the General Manager, Central Highlands Council stating the grounds of the submission and the facts relied upon to support those grounds. The submissions are to be received on or before the date specified in the Notice;
- (e) that submissions must be received by the General Manager on or before the specified day; and
- (f) provide details of the contact person for public enquiries on the content and effect of the Proposed By-Law.

- (3) The specified day will be no earlier than 21 days after the first publication of the Notice in the Mercury newspaper and Examiner newspaper.
- (4) Any person may make a submission to the Council in respect of the Proposed By-Law.
- (5) The Council will consider all submissions received during the public consultation period concerning the Proposed By-Law.
- (6) If the Council decides to amend the Proposed By-Law as a result of the submissions it may do so by absolute majority. The Council does not need to give further public notice unless the alteration substantially changes the purpose, or the effect on the public, of the Proposed By-Law.
- (7) Council does not intend to give further public notice unless an amendment substantially changes the purpose or effect of the Proposed By-Law.