

27 February 2026

Our ref: [SS:EL]

Email: policy@qls.com.au

Ms Danielle McAllister
Deputy Director-General
Policy, Performance and First Nations
Department of Housing and Public Works
Level 22
1 William Street
BRISBANE QLD 4001

By email: [REDACTED]

Dear Ms McAllister

Maintenance and Capital Replacement Plans Proposal

Thank you for the opportunity to attend the recent stakeholder roundtable and provide feedback on the updated Maintenance and Capital Replacement Plans Proposal (**Proposal**) under the *Manufactured Homes (Residential Parks) Amendment Act 2024* (Qld). The Queensland Law Society (**QLS**) appreciates being consulted on further development of these important reforms.

Approved form

QLS generally supports the draft template Maintenance and Capital Replacement Plan (**MCRP**) as it will assist park owners to prepare their MCRP. In particular, QLS supports the inclusion of examples and guidance for park owners within the template.

We suggest the Department conduct a review in the future to determine if the lack of standard form MCRP obscures transparency to the detriment of home owners and proposed home buyers.

Revision frequency

QLS supports the proposal to revise the MCRP every two years, with flexibility for park owners to align the revision date with their preferred financial year or other relevant budgeting or accounting period.

Consultation requirements

QLS generally supports the timeframes set out in the Proposal for consulting with home owners and the home owners committee (**HOC**). However, where a HOC exists for a park, we believe home owners who are not part of the HOC should also be given notice of the draft MCRP and have the opportunity to provide feedback on the proposed MCRP separately to the HOC's feedback.

Further, a park owner should be required to give due consideration to the individual home owners' feedback and act reasonably when considering the home owners' feedback. As it may be administratively burdensome for a park owner to respond to each home owner's feedback in addition

Maintenance and Capital Replacement Plans Proposal

to the HOC's feedback, we suggest the park owner provide an overview of the individual feedback and respond to any common or prominent feedback.

We recommend park owners provide the notice to home owners by mail or letterbox drop in addition to being placed on the park's noticeboard and sent by email. This will assist with reaching home owners who have accessibility issues.

QLS understands there will be insufficient time for a full consultation period with home owners before 7 June 2026, which is when park owners are required to have their first MCRP in place. The proposal for a transitional or interim MCRP for up to the first 18 months appears to be a practical solution if the 7 June date cannot be changed.

However, as home owners are expecting to have greater transparency from 7 June, we recommend the Department issues clear communications to home owners through different channels that explains how the transitional or interim MCRP will work and reassures home owners that the full consultation process will commence with 18 months of the transitional MCRP.

Proposed information

QLS supports requiring the park owner to include details of the park's day-to-day maintenance tasks in the MCRP to provide greater transparency for home owners.

QLS also supports adding criteria to clarify what is meant by 'significant assets', 'major items of capital' and 'group of major items of capital' as these terms may be open to differing interpretations that can lead to disputes.

Provision of documents

The proposals for providing access to a copy of the MCRP and the method of calculating charges for providing hard copies or multiple requests for electronic copies appear to be reasonable.

Additional comments

QLS welcomes the Department's efforts to consult with all relevant stakeholders in relation to these reforms. We appreciate the difficulties in striking an appropriate balance between increasing transparency and consumer protection for home owners while ensuring the commercial viability of residential parks, which fill an important gap in providing affordable housing and retirement living.

QLS and our Elder Law Committee would welcome further consultation with the Department in relation to residential parks, retirement villages and affordable housing options for older people. In this respect, we would like to extend an invitation to Departmental staff to attend one of our committee meetings to discuss any further legal reforms in this area.

If you have any queries regarding the contents of this letter, please do not hesitate to contact our Legal Policy team via policy@qls.com.au or by phone on [REDACTED] [REDACTED]

Yours faithfully



Peter Jolly
President