



New South Wales

Residential Parks Amendment Regulation 2006

under the

Residential Parks Act 1998

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Residential Parks Act 1998*.

DIANE BEAMER, M.P.,
Minister for Fair Trading

Explanatory note

The object of this Regulation is to amend the *Residential Parks Regulation 1999* so as:

- (a) to prescribe a code of practice in relation to electricity supply within residential parks, and
- (b) to prescribe the maximum amount that a resident of a residential park may be required to pay in relation to water availability charges, and
- (c) to provide for the payment of valuation fees by parties to proceedings before the Consumer, Trader and Tenancy Tribunal in relation to the valuation of a moveable dwelling proposed to be sold by a resident of a residential park to the park owner, and
- (d) to save the appointments of certain residential parks investigators.

This Regulation is made in connection with the commencement of certain provisions of the *Residential Parks Amendment (Statutory Review) Act 2005*.

This Regulation is made under the *Residential Parks Act 1998*, including section 155 (the general power to make regulations) and sections 37, 39 and 130A.

2006 No 169

Clause 1 Residential Parks Amendment Regulation 2006

Residential Parks Amendment Regulation 2006

under the

Residential Parks Act 1998

1 Name of Regulation

This Regulation is the *Residential Parks Amendment Regulation 2006*.

2 Commencement

This Regulation commences on 10 April 2006.

3 Amendment of Residential Parks Regulation 1999

The *Residential Parks Regulation 1999* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 3)

[1] Clauses 22B–22D

Insert after clause 22A:

22B Electricity code

For the purposes of section 37 (6) (b) of the Act, the prescribed code in relation to electricity is the code published by the Department under the title *Customer Service Standards for the Supply of Electricity to Permanent Residents of Residential Parks*, as published in March 2006.

22C Water availability charges

For the purposes of section 39 (2A) (b) of the Act, the prescribed amount in relation to the year commencing 1 July 2006 and any subsequent year is \$50 for water availability charges for that year.

22D Valuation fees under section 130A

If the Tribunal so determines in relation to any proceedings under section 130A of the Act, any costs referred to in subsection (6) of that section are to be paid by the parties to the proceedings:

- (a) in such proportions as are agreed between them, or
- (b) failing agreement, in such proportions as are ordered by the Tribunal.

[2] Clause 26 Savings

Insert at the end of clause 26:

- (2) A person who, immediately before 10 April 2006, was an investigator under section 139 of the Act is taken to have been appointed, on that date, as an investigator under section 136A of the Act.

[3] Schedule 1 Standard form residential site agreement (where tenancy is for a term of 3 years or less)

Omit “Code of Practice for Electricity Supply to Long-term Residents of Caravan Parks prepared by the Department of Energy” from clause 6.1.

Insert instead “code published by the Department under the title *Customer Service Standards for the Supply of Electricity to Permanent Residents of Residential Parks*, as published in March 2006 (*the Code*)”.

2006 No 169

Residential Parks Amendment Regulation 2006

Schedule 1 Amendments

[4] Schedule 1, clause 6A

Insert after clause 6:

6A. The park owner agrees to comply with all obligations placed on the park owner by the code published by the Department under the title *Customer Service Standards for the Supply of Electricity to Permanent Residents of Residential Parks*, as published in March 2006.

[5] Schedule 2 Standard form residential site agreement (where tenancy is for a term exceeding 3 years)

Omit “Code of Practice for Electricity Supply to Long-term Residents of Caravan Parks prepared by the Department of Energy” from clause 8.1.

Insert instead “code published by the Department under the title *Customer Service Standards for the Supply of Electricity to Permanent Residents of Residential Parks*, as published in March 2006 (***the Code***)”.

[6] Schedule 2, clause 8A

Insert after clause 8:

8A. The park owner agrees to comply with all obligations placed on the park owner by the code published by the Department under the title *Customer Service Standards for the Supply of Electricity to Permanent Residents of Residential Parks*, as published in March 2006.

[7] Schedule 3 Standard form moveable dwelling agreement (where tenancy is for a term of 3 years or less)

Omit “Code of Practice for Electricity Supply to Long-term Residents of Caravan Parks prepared by the Department of Energy” from clause 6.1.

Insert instead “code published by the Department under the title *Customer Service Standards for the Supply of Electricity to Permanent Residents of Residential Parks*, as published in March 2006 (***the Code***)”.

[8] Schedule 3, clause 6A

Insert after clause 6:

6A. The park owner agrees to comply with all obligations placed on the park owner by the code published by the Department under the title *Customer Service Standards for the Supply of Electricity to Permanent Residents of Residential Parks*, as published in March 2006.

[9] Schedule 4 Standard form moveable dwelling agreement (where tenancy is for a term exceeding 3 years)

Omit “Code of Practice for Electricity Supply to Long-term Residents of Caravan Parks prepared by the Department of Energy” from clause 8.1.

Insert instead “code published by the Department under the title *Customer Service Standards for the Supply of Electricity to Permanent Residents of Residential Parks*, as published in March 2006 (*the Code*)”.

[10] Schedule 4, clause 8A

Insert after clause 8:

8A. The park owner agrees to comply with all obligations placed on the park owner by the code published by the Department under the title *Customer Service Standards for the Supply of Electricity to Permanent Residents of Residential Parks*, as published in March 2006.

[11] Schedule 4A Standard form agreement for residential sites or moveable dwellings in national parks

Omit “Code of Practice for Electricity Supply to Long-term Residents of Caravan Parks prepared by the Department of Energy” from clause 6.1.

Insert instead “code published by the Department under the title *Customer Service Standards for the Supply of Electricity to Permanent Residents of Residential Parks*, as published in March 2006 (*the Code*)”.

[12] Schedule 4A, clause 6A

Insert after clause 6:

6A. The park owner agrees to comply with all obligations placed on the park owner by the code published by the Department under the title *Customer Service Standards for the Supply of Electricity to Permanent Residents of Residential Parks*, as published in March 2006.