



New South Wales

Residential (Land Lease) Communities Amendment (Electricity Charge Calculation) Regulation 2016

under the

Residential (Land Lease) Communities Act 2013

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Residential (Land Lease) Communities Act 2013*.

VICTOR DOMINELLO, MP
Minister for Innovation and Better Regulation

Explanatory note

The object of this Regulation is to amend the *Residential (Land Lease) Communities Regulation 2015* to change the way the maximum service availability charge for the supply of electricity at a residential site is calculated and ensure that the charge is equal to the amount that would have been payable if the electricity had been provided to a small customer under a standard retail contract of the applicable local area retailer.

This Regulation is made under the *Residential (Land Lease) Communities Act 2013*, including sections 77 and 185 (the general regulation-making power).

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Residential (Land Lease) Communities Act 2013

1 Name of Regulation

This Regulation is the *Residential (Land Lease) Communities Amendment (Electricity Charge Calculation) Regulation 2016*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

Schedule 1 Amendment of Residential (Land Lease) Communities Regulation 2015

[1] Clause 11 Maximum service availability charge generally

Insert “(other than electricity)” after “a utility” in clause 11 (1).

[2] Clause 13

Omit the clause. Insert instead:

13 Maximum service availability charge—electricity

- (1) The maximum service availability charge payable, in respect of any period, by a home owner to the operator for the supply of electricity at a residential site is the amount that would have been payable for the period if the electricity had been supplied to a small customer under a standard retail contract of the applicable local area retailer at standing offer prices.
- (2) Despite subclause (1), the service availability charge payable by a home owner to an operator of a community for supply at a residential site of less than 60 amps of electricity is to be discounted in accordance with subclause (3).
- (3) The maximum service availability charge payable by a home owner to an operator for supply at a residential site of less than 60 amps of electricity is:
 - (a) if less than 20 amps of electricity is supplied to the residential site—20 per cent of the service availability charge that would apply if the home owner were a small customer under a standard retail contract of the applicable local area retailer, or
 - (b) if 20 amps or more but less than 30 amps of electricity is supplied to the residential site—50 per cent of that service availability charge, or
 - (c) if 30 amps or more but less than 60 amps of electricity is supplied to the residential site—70 per cent of that service availability charge.
- (4) In this clause, *local area retailer*, *small customer*, *standard retail contract* and *standing offer prices* have the same meanings as in the *National Energy Retail Law (NSW)*.