



New South Wales

# Residential (Land Lease) Communities Amendment Regulation 2024

under the

Residential (Land Lease) Communities Act 2013

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

ANOULACK CHANTHIVONG, MP  
Minister for Better Regulation and Fair Trading

## Explanatory note

The object of this regulation is to make amendments consequential on the *Residential (Land Lease) Communities Amendment Act 2024* to the standard form residential site agreement in the *Residential (Land Lease) Communities Regulation 2015*, Schedule 1.

This regulation is made under the *Residential (Land Lease) Communities Act 2013*, including sections 27 and 185, the general regulation-making power.

## **Residential (Land Lease) Communities Amendment Regulation 2024**

under the

Residential (Land Lease) Communities Act 2013

### **1 Name of regulation**

This regulation is the *Residential (Land Lease) Communities Amendment Regulation 2024*.

### **2 Commencement**

This regulation commences as follows—

- (a) for Schedule 1[2]—on 11 December 2024,
- (b) otherwise—on 25 September 2024.

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

**[1]      Schedule 1 Standard form of residential site agreement**

Insert before “We are required to give you at least 14 days’ written notice”—

**Note—** For fixed method increases other than increases linked to the age pension, your site fees will not increase more than once in a 12-month period. Increases linked to the age pension will not increase more than twice in a 12-month period.

**[2]      Schedule 1, clauses 9.4 and 9.5**

Omit the clauses. Insert instead—

9.4      to comply with our obligations in relation to billing for utilities under the Act, sections 83 and 84.

**[3]      Schedule 1, clause 16**

Omit “or your home”.

**[4]      Schedule 1, clause 16A**

Insert after clause 16—

16A.    We agree, while this agreement is in force, to only enter your home in the following circumstances—

- 16A.1    with your consent given at the time of entry,
- 16A.2    in an emergency if necessary to avert danger to life,
- 16A.3    to comply with an obligation under another Act or law,
- 16A.4    in accordance with an order of the Tribunal.

**[5]      Schedule 1, clause 21.1**

Omit the clause. Insert instead—

21.1    not to make any alterations to the exterior of the home, other than—

- 21.1.1    painting, or
- 21.1.2    minor repairs, or
- 21.1.3    installing door screens, or window locks, screens or shutters, on the home, or
- 21.1.4    minor alterations and additions prescribed by the regulations, and

**[6]      Schedule 1, clause 21A**

Insert after clause 21—

21A.    You agree to only alter, add to or replace your home if the alteration, addition or replacement does not contravene—

- 21A.1    the *Environmental Planning and Assessment Act 1979* and the regulations made under that Act, or
- 21A.2    the *Local Government Act 1993* and the regulations made under that Act, or
- 21A.3    an approval, consent or certificate under an Act or law referred to in clauses 21A.1 and 21A.2.

**[7] Schedule 1, clause 28.3**

Omit the clause. Insert instead—

- 28.3 to have in place emergency evacuation procedures and to—
  - 28.3.1 take reasonable steps to ensure that you are aware of these procedures, and
  - 28.3.2 test the procedures at least once per year, and
  - 28.3.3 keep a record of the tests conducted, and

**[8] Schedule 1**

Omit item 2(g) from the matter relating to **Notes—Termination of agreement**.