

South Australia

# Residential Parks Regulations 2022

under the *Residential Parks Act 2007*

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## Legislative history

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### 1—Short title

These regulations may be cited as the *Residential Parks Regulations 2022*.

### 3—Interpretation

In these regulations—

*Act* means the *Residential Parks Act 2007*.

### 4—Park rules (section 6 of Act)

For the purposes of section 6(2)(m) of the Act, the park owner of a residential park may make rules about—

- (a) the number of persons who may reside on the rented property with the resident; and
- (b) the use of rented property for business purposes.

### 4A—Information relating to supply of certain electricity (section 14 of Act)

For the purposes of section 14(1)(ba) of the Act, the following information is prescribed:

- (a) information about the nature, benefits and potential consequences of participating in an embedded network generally;

**Note—**

This may include information relating to—

- circumstances in which supply of electricity may be interrupted, disconnected and reconnected and associated advance notifications; and
  - safe use of energy; and
  - requirements in relation to life support; and
  - requirements in relation to the installation and operation of small generators; and
  - liability of the embedded network operator and customer.
- (b) the details of the retailer for the embedded network, including electricity tariffs that apply and the retailer's contact information, ABN and website address;
- (c) information about metering arrangements in relation to, and potential costs of, participating in the embedded network;
- (d) the cost apportionments per kilowatt hour for any bundled utilities arising from participating in the embedded network.

**5—Repayment of bond—third party payments and guarantees (section 29 of Act)**

- (1) For the purposes of section 29(6a) of the Act, the South Australian Housing Trust is prescribed as a third party.
- (2) For the purposes of section 29(6a)(b) of the Act, a third party may give the Commissioner notice of the third party's interest by making an endorsement indicating the third party's interest on the form furnished to the Commissioner at the time that the relevant bond is paid to the Commissioner under section 28 of the Act, or in some other manner determined by the Minister for the purposes of this regulation.
- (3) For the purposes of section 29(6c) of the Act—
- (a) the South Australian Housing Trust is prescribed as a third party; and
  - (b) the prescribed circumstances are where the South Australian Housing Trust is acting as guarantor for a resident.

**6—Statutory and other charges in respect of rented property (section 43 of Act)**

- (1) For the purposes of section 43(2)(e) of the Act, the park owner of a residential park may, by a term of the residential park agreement, require the resident—
- (a) to make a specified payment if the resident provides overnight accommodation to a guest or visitor; and
  - (b) if water consumption for domestic purposes at the rented property is separately metered, to pay charges payable under an Act (other than the *Water Industry Act 2012*) for water supply based on the level of the water consumption for domestic purposes at the rented property.

- (2) For the purposes of section 43(3) of the Act, a resident need not make a payment for charges payable based on the level of water consumption, electricity consumption or gas (including bottled gas) consumption at the rented property unless the park owner provides to the resident, at the request of the resident, a document that specifies the period for which the charges are payable, the amount of water, electricity or gas consumed in that period and the amount of the charges payable.

## **Schedule 1—Transitional provisions**

### **Part 2—Transitional provisions**

#### **2—Interpretation**

In this Part—

*repealed regulations* means the *Residential Parks Regulations 2007*.

#### **3—Notice given by third party to Commissioner**

A notice given under regulation 4AA(2) of the repealed regulations will on the commencement of this clause be taken to be a notice given under regulation 5(2) of these regulations.

## Legislative history

### Notes

- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or [www.legislation.sa.gov.au](http://www.legislation.sa.gov.au).

### Legislation revoked by principal regulations

The *Residential Parks Regulations 2022* revoked the following:

*Residential Parks Regulations 2007*

### Principal regulations and variations

New entries appear in bold.

| Year        | No        | Reference                             | Commencement         |
|-------------|-----------|---------------------------------------|----------------------|
| 2022        | 65        | <i>Gazette 18.8.2022 p2568</i>        | 18.8.2022: r 2       |
| <b>2024</b> | <b>51</b> | <b><i>Gazette 13.6.2024 p1482</i></b> | <b>1.7.2024: r 2</b> |

### Provisions varied

New entries appear in bold.

| Provision   | How varied                                                         | Commencement    |
|-------------|--------------------------------------------------------------------|-----------------|
| <i>r 2</i>  | <i>omitted under Legislation Revision and Publication Act 2002</i> | <i>1.7.2024</i> |
| <i>r 4A</i> | inserted by 51/2024 r 3                                            | 1.7.2024        |
| Sch 1       |                                                                    |                 |
| <i>Pt 1</i> | <i>omitted under Legislation Revision and Publication Act 2002</i> | <i>1.7.2024</i> |