

11 January 2013

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## REVISED EXEMPT SELLING GUIDELINE

The Caravan & Camping Industry Association of NSW (CCIA) and the Manufactured Housing Industry Association of New South Wales (MHIA) comprises 635 members. 434 of these members are residential and holiday park and manufactured home estate operators in various areas of New South Wales.

The geographical breakdown of these businesses is as follows:

Region	Number of Businesses
Far North Coast & Tweed	50
Mid North Coast	34
North Coast	34
New England (North Western NSW)	14
Manning/Forster	22
Hunter	47
Central Coast	41
Sydney	26
Leisure Coast	46
Mid South Coast	46
Sapphire Coast	18
Golden West (Central NSW)	16
Murray & Riverina	21
Canberra & Snowy Mountains	13
Outback (Western NSW)	6

For the purpose of providing feedback to the State Government in August 2012 the Association conducted a survey of members operating residential parks and manufactured home estates within New South Wales. That survey revealed that in 60% of surveyed cases, electricity is supplied to permanent residents by the park operator via an embedded network (park supply).

Further, in 21% of surveyed cases electricity is supplied to permanent residents by the park operator AND the electricity supplier, resulting in a 'mixed supply' via what could be termed a 'partially' embedded network.

A copy of the results of this survey is enclosed for your reference.

We note this survey did not take into account the supply of electricity via embedded networks in holiday parks. Nevertheless, the AER would be well aware that there are numerous holiday parks within New South Wales where embedded networks are established and in operation.

As the peak industry body representing residential and holiday parks and manufactured home estate operators, the CCIA and MHIA is a significant stakeholder in relation to the AER's regulation of embedded networks in New South Wales and the Revised Exempt Selling Guideline ("Revised Guideline"). Accordingly, we welcome the opportunity to comment on the AER's Revised Guidelines. Please find below our submissions.

## **Submissions**

We have identified the relevant classes of exemption for our members as follows:

**Class D3**      *Metered energy selling to short term residents in holiday accommodation; and*

**Class R4**      *Metered energy selling in caravan parks, residential parks and manufactured home estates to residents who principally reside there.*

On the whole, the CCIA and MHIA supports the Revised Guideline for the purpose of supplementing jurisdictional legislation by providing energy-specific protections for exempt customers. However, we draw the following issues to the attention of the Australian Energy Regulator ("AER"):

### ***Issue 1 - Pending State legislative reform***

Residential parks in New South Wales include caravan parks, holiday parks, manufactured home estates and establishments often called 'mobile home villages' or 'relocatable home parks.'

The laws currently governing the operation of residential parks in New South Wales, including the supply and billing of electricity and gas by park operators to permanent residents, are the *Residential Parks Act 1998* ("Parks Act") and *Residential Parks Regulation 2006* ("Parks Reg").

Pursuant to section 37 (6) (b) of the Parks Act, the Code prescribed by the Parks Reg is the NSW Fair Trading *Customer Service Standards for the Supply of Electricity to Permanent Residents of Residential Parks* (August 2006).

This Code already provides minimum customer service standards for the supply of electricity to permanent residents by park owners, as well as a dispute resolution process. These customer service standards include:

- a) Compensation for failure to supply electricity as agreed;
- b) Contact details for faults and difficulties;
- c) Provision of information regarding dispute resolution, payment arrangements in cases of arrears or payment difficulties and Government rebate schemes;
- d) Maximum electricity charges;
- e) Billing arrangements, including billing periods, account details and receipts;
- f) Confidentiality of account information;
- g) Disconnection or discontinuance of supply;

- h) Technical and safety standards;
- i) Responsibilities of residents in relation to electrical wiring and equipment; and
- j) Assistance with social programs, including the Pensioner Energy Rebate and Life Support Rebate.

The dispute resolution processes for issues arising under the Code operating in New South Wales provide that a consumer's first port of call is to the Energy & Water Ombudsman NSW ("EWON") and then to the Consumer, Trader and Tenancy Tribunal.

A copy of the Code is enclosed for your reference.

Page 29 of the Revised Guideline states:

*"We have also considered the requirements of state or territory tenancy legislation in developing exemption classes and conditions. Some jurisdictional legislation regulates aspects of energy selling, for example the cost of utilities and how these costs should be recovered in a simple tenant/landlord relationship. However, this legislation is designed to address tenancy – and not energy – matters. Exemption conditions therefore supplement jurisdictional legislation, which on its own does not provide energy-specific protections for exempt customers."*

With respect to the above mentioned Code, we do not agree that it falls short of providing energy-specific protections for exempt customers in relation to electricity. Many aspects of the associated Conditions attached to exemption Class R4 overlap with the protections set out in the Code.

However, a review of the legislation governing the operation of residential parks in New South Wales is currently underway. Following the release of an issues paper in November 2011 and a series of roundtable consultations with stakeholders, the Minister for Fair Trading is expected to introduce to Parliament draft Bill early this year, with period of six weeks to be allowed for public comment. Redrafted Regulations will follow.

We suggest that finalisation of the Revised Guideline be suspended until changes to the residential parks legislation in New South Wales are identified.

### ***Issue 2 – Practicalities of registrable exemptions***

For the purpose of streamlining implementation, we request clarification of the following questions:

1. It appears from the Revised Guideline that a "site" refers to a property that is the subject of an exemption class. In the case of a residential or holiday park or manufactured home estate, a resident's principal place of residence or a holiday occupant's lot – also often termed "sites" – is a premises within the park or "site."

The Note appearing within the Class R4 Conditions states:

*"Note – In practice, persons operating these sites may sell energy to both short term holidaymakers and residents whose principal place of residence is within the site. Where this occurs, Class D3 will apply to the sale of energy to short term holidaymakers, and Class R4 will apply to the sale of energy to residents whose principal place of residence is within the site."*

In relation to these 'mixed parks,' we would be grateful if the AER could clarify the practicalities of registration. For example, would our 'mixed park' members register the entire park (site) under Class R4 in order to include those residential premises within the park that are subject to a registrable exemption, or just those particular residential premises within the park?

2. Similarly, we would be grateful if the AER would provide clarification of registration of parks where there is mixed supply of energy. The results of the Association's survey included with these submissions indicate that there are some parks in New South Wales where electricity is supplied to some premises by the park operator and there are some premises that connect directly to the grid.
3. As an industry association, we endeavour to assist our members streamline their business operations. As such, we seek consideration from the AER as to the development of a 'group' registration process for our members ahead of adoption of the National Energy Retail Law into New South Wales.

As an aside, Footnote 12 on page 10 of the Revised Guideline provides that caravan parks or holiday parks who sell metered energy to people in short term holiday accommodation includes "residential parks and manufactured home estates." We note for the AER's reference that manufactured home estates are prevented from accommodating holidaymakers.

### ***Issue 3 – Solar panels***

The Association has recently received reports from some park members that residents and holidaymakers are installing solar panels on their dwellings. It is not known at this stage whether these solar panels are owned by the residents or holidaymakers or whether they are the result of an external business installing and retaining ownership of the panels.

Nevertheless, these permanent residents and holidaymakers are also connected to the embedded network. Operation of these solar panels in some cases is causing the sub-meters in the embedded network to run backwards. Park operators are finding this situation difficult to manage in terms of:

- a) Permission to install;
- b) Billing system limitations for negative meter readings, which impacts upon compliance with requirements about billing information;
- c) Refund/credit requirements and entitlement; and
- d) Maintenance.

While the Code requires park operators to comply with particular billing requirements, it makes no provision for solar panels in residential parks.

We understand the difficulties of developing a class of exemption to capture the diversities of 'decentralised energy.' However, there is estimated to be close to 1000 residential and holiday parks and manufactured home estates in New South Wales alone.

The cost of solar panel installation is falling and the technology is constantly improving. Coupled with the pressure of rising energy costs, installation of solar panels within residential parks, holiday parks and manufactured homes estates is quickly becoming prevalent.

Many residents of parks and manufactured home estates are either retirees on fixed incomes or persons from low socio-economic backgrounds. As such, residential parks and

manufactured home estates are important contributors to low-cost housing in New South Wales.

We do not consider individual exemptions at this time to be in the long term interests of the consumer or the park and manufactured home estate operators. In such a large embedded network sector, where the effects of solar panel installation are unlikely to vary a great deal, it is appropriate that guidelines are established to support and encourage this particular form of clean and low cost energy generation.

In conclusion, CCIA and MHIA submits that:

- finalisation of the Guideline should be suspended until changes to the residential parks legislation in New South Wales are identified;
- the practicalities of registrable exemptions in relation to 'mixed parks' and parks where there is 'mixed supply' be clarified; and
- the AER reconsider the appropriateness of individual exemptions for the installation of solar panels in residential parks, holiday parks and manufactured home estates.

We are available to discuss this submission further and look forward to our involvement in the consultation process.

Yours sincerely,



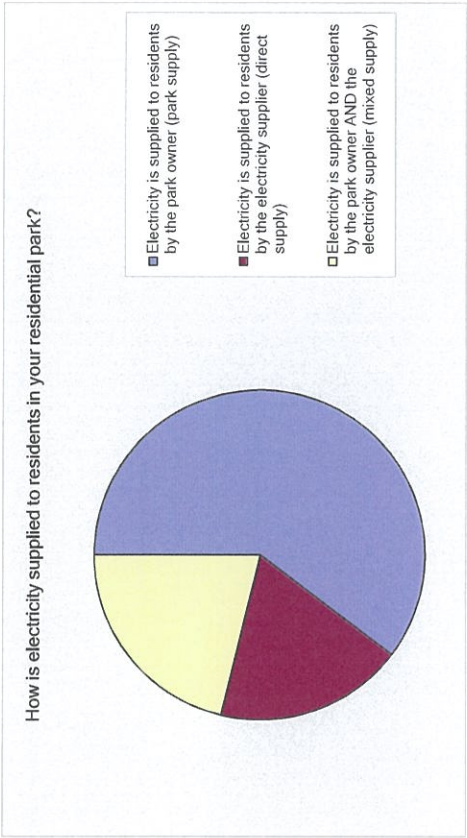
**Lyndel Gray**  
**Chief Executive Officer**

Caravan & Camping Industry Association of NSW (CCIA) and the Manufactured Housing Industry Association of New South Wales (MHIA)

Electricity Supply in NSW Residential Parks

How is electricity supplied to residents in your residential park?		
Answer Options	Response Percent	Response Count
Electricity is supplied to residents by the park owner (park supply)	60.3%	88
Electricity is supplied to residents by the electricity supplier (direct supply)	18.5%	27
Electricity is supplied to residents by the park owner AND the electricity supplier (mixed supply)	21.2%	31
	<i>answered question</i>	146
	<i>skipped question</i>	0

Survey conducted August 2012



**Customer Service Standards**  
**for the**  
**Supply of Electricity**  
**to**  
**Permanent Residents of**  
**Residential Parks**



*[www.fairtrading.nsw.gov.au](http://www.fairtrading.nsw.gov.au)*

**AUGUST 2006**



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## 1. INTRODUCTION

### 1.1 Preamble

*Customer Service Standards for the Supply of Electricity to Permanent Residents of Residential Parks* (the Document) specifies minimum customer service standards to be met by residential park owners who supply electricity<sup>1</sup> to permanent residents.

This Document applies as prescribed by the Residential Parks Regulation 2006 as specified by section 37 (6) (b) of the *Residential Parks Act 1998*.

### 1.2 Legislative Framework

The *Electricity Supply Act 1995* allows for residential park owners who supply electricity to their permanent residents to be exempt from the usual restrictions on unlicensed suppliers.<sup>2</sup>

The terms under which park owners can supply electricity to permanent residents are:<sup>3</sup>

- (a) the residential premises must be separately metered
- (b) the park owner must provide connection services, or supply electricity, to the premises in accordance with any agreement with the resident relating to occupation of the premises
- (c) the maximum amount that may be charged for the supply of electricity during a particular period is the amount that the standard retail supplier in whose supply district the premises are located would have charged under a standard form customer supply contract for that supply during that period
- (d) the park owner is bound by, and must comply with, any decision of the Energy and Water Ombudsman (EWON) in relation to a complaint or dispute relating to the provision of connection services or the supply of electricity.

*Note: Every attempt has been made to ensure that this Document is consistent with the provisions of relevant legislation. Should any inconsistencies become apparent between the requirements of this Document and the provisions of the legislation, the legislation prevails.*

### 1.3 Objectives

The objective of this Document is to provide permanent residents of residential parks who are supplied with electricity by the park owner with similar customer service standards as those provided to electricity customers in New South Wales supplied under a standard form contract by a standard retailer.

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<sup>1</sup> See definition in Dictionary

<sup>2</sup> See ss. 98, 72 (3) and 72 (4) of the *Electricity Supply Act 1995* and Clause 68 Electricity Supply (General) Regulation 2001

<sup>3</sup> See cl 70 Electricity Supply (General) Regulation 2001

## **1.4 Scope**

The *Customer Service Standards for the Supply of Electricity to Permanent Residents of Residential Parks* provides minimum customer service standards for the supply of electricity to permanent residents by park owners where supply is separately metered as required by legislation, and for which the resident has agreed to pay<sup>4</sup> and for which the resident is separately charged.

Where a permanent resident is a direct customer of a licensed electricity retailer the conditions of the retailer's contract with the resident will apply, not this Document.

## **1.5 Dispute Resolution**

Permanent residents and park owners may make an application to the Consumer, Trader and Tenancy Tribunal (CTTT) regarding any dispute arising under a residential tenancy agreement relating to the supply of electricity under this Document.

Where the dispute relates to the supply of electricity by the park owner, a resident may, if attempts to resolve the dispute with the park owner have been unsuccessful, make application to the Energy and Water Ombudsman (NSW) Ltd (EWON) for investigation of the complaint.

## **1.6 Definitions and Reference Documents**

Details of documents referred to and definitions of terms used in this Document can be found in the Dictionary.

## **1.7 Commencement**

The commencement date for this Document is 1 September 2006.

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<sup>4</sup> see section 37 *Residential Parks Act*

## **2. GUARANTEED CUSTOMER SERVICE STANDARDS**

The park owner guarantees to provide a standard of customer service as established in this Document.<sup>5</sup>

### ***2.1 Compensation for failure to supply electricity as agreed***

#### **2.1.1 Failure to connect supply by the agreed date**

The park owner will arrange the connection of electricity supply to the moveable dwelling by the date agreed between the parties. If the park owner fails to connect the electricity by the agreed date, the park owner will compensate the resident for the delay, by giving compensation of \$60 per day for each day after that date until the date the connection is actually provided, up to a maximum of \$300.<sup>6</sup>

#### **2.1.2 Failure to advise of Planned Interruption**

The park owner will provide at least two business days notice of any planned interruption to the electricity supply. If the park owner:

- fails to provide at least two business days notice of the interruption, or
- interrupts the supply for longer than the time indicated in the notice

then the park owner will pay each affected permanent site \$20 compensation for the interruption of supply.<sup>7</sup>

#### **2.1.3 Exemptions**

Compensation is not payable if the failure to supply arises from the need to carry out emergency work, or otherwise from circumstances beyond the control of the park owner.

#### **2.1.4 Payment of Compensation**

Any compensation which the park owner is required to pay a permanent resident under this Document will be deducted from the next electricity bill. If the amount of compensation the park owner is required to pay is greater than the amount of the bill, the difference will be credited and shown on the following electricity bill or bills until the amount of compensation is exhausted. The resident has the option of applying to the Tribunal for immediate payment of the balance of the compensation amount.

### ***2.2 Contact Details***

The park owner will provide:

- a mechanism or facility that operates 24 hours a day, 7 days a week to receive notice of urgent faults and difficulties with the electricity supply, and
- a mechanism or facility that operates during business hours to receive queries and give information concerning resident's electricity accounts and connection services.<sup>8</sup>

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<sup>5</sup> The requirements of this section are consistent with provisions of Schedule 3, Electricity Supply (General) Regulation 2001

<sup>6</sup> Schedule 3 (9)

<sup>7</sup> Schedule 3 (10)

<sup>8</sup> based on Schedule 3 (11)

The cost to the resident of accessing either of these mechanisms must be either the incremental cost to the park owner of providing access to the mechanism or the cost of a local telephone call, whichever is the lesser.

### **2.3 Information Provision**

The park owner will advise residents at the commencement of their tenancy or on request of:<sup>9</sup>

- dispute resolution procedures provided for under this Document, including the resident's right to access to EWON
- any payments arrangements for electricity, operated by the park owner including payment plans such as payment by instalments in cases of arrears or payment difficulties
- how to obtain information on Government rebate schemes.

## **3. COMMERCIAL ARRANGEMENTS FOR SUPPLY**

### **3.1 Electricity Charges**

Where the park owner supplies electricity to the resident and the resident has agreed to pay for electricity, two types of charges can be made: a charge for electricity consumption expressed as a cost per kilowatt hour (kWh) of electricity consumed, and a network access charge expressed as a cost per day that electricity is supplied. The conditions under which these charges can be made are as follows.

#### **3.1.1 Maximum charge per kWh**

The charge for electricity consumption, expressed as a price per kilowatt hour (kWh), can be no more than the standard or default regulated retail tariff<sup>10</sup> that would have been charged by the local standard retail supplier under a standard form contract for the same level of consumption.

#### **3.1.2 Maximum Service Availability Charge (SAC)<sup>11</sup>**

The service availability charge (SAC) is a component of the regulated retail tariff determined by the Independent Pricing and Regulatory Tribunal (IPART) for each standard retail supplier in New South Wales.

Where electricity is supplied to the park resident by the park owner, the park owner may charge the SAC at a rate no greater than that charged by the standard retail supplier in whose supply district the premises are located, except where electricity is supplied to the park resident's site at a rate of less than 60 amps. Where supply is less than 60 amps, the maximum rate for the SAC is according to the following table:

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<sup>9</sup> Clause 13 and Schedule 1 (5) Electricity Supply (General) Regulation 2001

<sup>10</sup> Even if the park owner has elected to be supplied under an alternative tariff offered by the retailer, such as a 'green energy' tariff, this alternative tariff cannot be passed on to residents.

<sup>11</sup> also called the network access charge or the system access charge

<i>Level of Supply to Site</i>	<i>Maximum level of SAC</i>
less than 20 amps	20% of local standard retail supplier's SAC
20-29 amps	50% of local standard retail supplier's SAC
30-59 amps	70% of local standard retail supplier's SAC
60 amps or more	100% of local standard retail supplier's SAC.

### **3.1.3 "Late fees" prohibited**

The charging of a "late fee" for an electricity account which is not paid in full by the due date is not permitted.

### **3.1.4 Off-peak supply**

Where the park owner offers residents off-peak supply, the charge for off-peak electricity consumption, expressed as a price per kilowatt hour (kWh), can be no more than that which would have been charged by the local standard retailer supplier under a standard form contract for the same level of consumption.

### **3.1.5 Changes in the Regulated Retail Tariff**

Increases in the tariff paid by residents are only possible if the park owner has provided residents with advance notice of the increase. Notice may be given by affixing the relevant information to the park notice board.

Where there is a change in the regulated retail tariff of the local standard retail supplier during a metering period, the amount payable for the period is to be calculated using the formula in Clause 35, Electricity Supply (General) Regulation 2001.

## **3.2 Capacity of electricity supply to site (in amps)**

The park owner will advise the permanent resident at or before the commencement of the tenancy agreement of the level of power available to the site.<sup>12</sup>

## **3.3 Billing Arrangements**

### **3.3.1 Billing Period**

It is preferable that the meter for each permanent site should be read and bills issued to residents no more frequently than rent is paid and no less frequently than quarterly, unless an alternative billing cycle is agreed between the park owner and resident.

### **3.3.2 Account Details**

The *Residential Parks Act* requires that within seven days of the end of the agreed meter reading period the park owner will provide each permanent site occupant with an account for that meter reading period. For each permanent site the park owner shall maintain records<sup>13</sup> of the following:

- site number
- name of the permanent resident
- date of the account

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<sup>12</sup> as required in the standard form residential site agreements, Residential Parks Regulation 1999

<sup>13</sup> section 37(3) of the *Residential Parks Act* 1998

- date of the meter reading
- present meter reading (in kWh)
- previous meter reading (in kWh)
- days in the meter reading period
- calculation of charges showing the total consumption and appropriate rates, and
- total amount payable.
- capacity of supply to the site (in amperes)

The park owner will also maintain records in respect of any other fees (such as a security deposit) charged in relation to the supply of electricity.

### **3.3.3 Receipts**

The park owner shall provide to each permanent resident a receipt for any amount paid to the park owner for electricity. Either a separate receipt must be provided or payment for electricity must be identified separately on the rent receipt.<sup>14</sup>

## **3.4 Confidentiality of Account Information**

### **3.4.1 Disclosure of Resident Account Information**

Except as required by law, the park owner may not disclose any information relating to a resident's electricity account to any person other than the resident, unless the park owner receives the resident's written consent.

### **3.4.2 Provision of Account Information to a Resident**

The resident may ask the park owner to provide the resident with any of the resident's account information which is held by the owner. The park owner must provide that account information, free of charge, within a reasonable time of being asked.

## **3.5 Disconnection or Discontinuance of Supply**

A park owner can only become authorised to disconnect or discontinue supply to a park resident who is supplied electricity under a residential tenancy agreement by order of the Consumer, Trader and Tenancy Tribunal (CTTT). Should a park owner become authorised to disconnect<sup>15</sup> electricity supply to a resident, the park owner cannot proceed with disconnection unless the specific provisions of Clause 71 of the Electricity Supply (General) Regulation 2001 are met, namely:

- the park owner cannot disconnect supply unless the resident has been given at least 14 days written notice of the intention to disconnect and the reason for disconnection
- disconnection is prohibited in the following circumstances -
  - (a) while any application made by the occupier of the premises for assistance under any Government funded rebate or relief scheme, or any payment plan operated by the park owner, is pending
  - (b) while any life support system that relies on electricity for its operation is in use at the premises

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<sup>14</sup> Section 37(1) (c) of the *Residential Parks Act 1998*

<sup>15</sup> disconnection includes any method which causes the discontinuance of supply to the site

- (c) on a Friday, Saturday or Sunday; on a public holiday or day immediately preceding a public holiday; or, after 3.00 pm on any other day.

#### **4. TECHNICAL & SAFETY STANDARDS**

The park owner is responsible for maintaining the park's electrical installation, other than the electrical installation within premises owned by the permanent resident.

The park owner must comply with all appropriate legislation and the appropriate technical and safety standards for the electrical installation, namely:

- Australian Standards 3000 and 3001 (Wiring Rules)
- *Electricity (Consumer Safety) Act 2004* and Regulations (where applicable)
- Electricity Supply (Safety and Network Management) Regulation 2002 (where applicable)
- Appropriate Local Government Regulations and standards.

#### **5. RESPONSIBILITY OF PERMANENT RESIDENT**

The permanent resident is responsible for notifying the park owner of any electrical defects of which the resident becomes aware, including any damage or tampering with metering equipment.

Where the moveable dwelling is owned by the permanent resident, the resident is responsible for keeping electrical wiring and equipment within the dwelling in a safe condition. The relevant standards for electrical wiring and equipment are AS 3000 and AS 3001.

#### **6. MISCELLANEOUS**

##### **6.1 Social Programs**

##### **6.1.1 Pensioner Energy Rebate**

Permanent residents of residential parks who are pensioners, may be eligible to receive the NSW Government pensioner energy rebate. Where a resident is eligible to receive the pensioner energy rebate the park owner shall assist the resident's access to this rebate, and the owner will not inhibit a resident's attempts to establish eligibility.

Information on the application of the rebate system may be obtained from the Department of Energy, Utilities and Sustainability or from the local standard retail supplier.

##### **6.1.2 Life Support Rebate**

The New South Wales Government provides a Life Support Rebate Scheme for eligible New South Wales residents. For information on the Scheme contact the Department of Energy, Utilities and Sustainability.

Park owners will keep records if residents have life support devices connected to the park's network.



## **6.2 Disconnection of Park Owner**

The park owner, on receiving notice that the residential park is to be disconnected from the distribution system, for whatever reason, must immediately give written notice of this<sup>16</sup>, including the intended time and date of disconnection, to all residents of the park who will be affected by the disconnection.<sup>17</sup>

## **7. ADDITIONAL INFORMATION**

*The following details are provided for the information of park owners and residents.*

### **7.1 Park Owner as small retail customer**

Under the terms of the *Electricity Supply Act 1995* and the Electricity Supply (General) Regulation 2001 residential parks which have an annual consumption below 160 megawatt hours (160 MWh) meet the definition of a small retail customer and have access to the protections provided under that legislation for that class of customer, including the right to be supplied by a standard retail supplier under a standard form customer supply contract. This arrangement would include being supplied with electricity at the regulated retail tariff.

Regardless of the rate paid by the residential park owner for electricity which is supplied to residents, the obligation remains to meet the conditions established by the *Electricity Supply Act 1995* and the Electricity Supply (General) Regulation 2001.

### **7.2 Subtractive Billing**

The arrangement whereby park owners could recoup from the local electricity distributor the difference if the average price paid for electricity by the owner was higher than the price at which the owner was required to re-sell electricity to permanent residents (i.e. the relevant domestic tariff) was known as “subtractive billing”. This arrangement is no longer in operation.

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<sup>16</sup> in this context, immediately means within 12 hours unless there are extenuating circumstances preventing notice being given within this time. Written notice should be given consistent with the requirements of Clause 119 of the Electricity Supply (General) Regulation 2001.

<sup>17</sup> Clause 71 (7) Electricity Supply (General) Regulation 2001

## DICTIONARY

For the purposes of this Document, terms used in the Document take the following meaning

- *amps* means amperes
- *AS 3000* means the standard published by Standards Australia under the title *SAA Wiring Rules*
- *AS 3001* means the standard published by Standards Australia under the title, *Relocatable Premises (including Caravans and tents) and their Site Installations*
- *business day* means a day that is not a Saturday, Sunday or public holiday
- *Document* means the *Customer Service Standards for the Supply of Electricity to Permanent Residents of Residential Parks*
- *electrical installation* has the same meaning as in the *Electricity (Consumer Safety) Act 2004*.
- *Licensed electricity retailer* means a retailer, licensed by the NSW Minister for Energy under the *Electricity Supply Act 1995*, as a retail supplier of electricity
- *local standard retail supplier* means the standard retail supplier, as defined by the *Electricity Supply (General) Regulation 2001*, for the area in which the residential park is located
- *manufactured home* means a self-contained dwelling (that is, a dwelling that includes at least one kitchen, bathroom, bedroom and living area and that also includes a toilet and laundry facilities) being a dwelling:
  - a) that comprises one or more major sections and
  - b) that is not a registrable vehicle within the meaning of the *Road Transport (Vehicle Registration) Act 1997* and
  - c) includes any associated structures that form part of the dwelling
- *moveable dwelling*<sup>18</sup> means:
  - a) any caravan or other van or other portable device (whether on wheels or not) other than a tent, used for human habitation, or
  - b) a manufactured home, or
  - c) any conveyance, structure or thing of a class or description prescribed by the regulations for the purposes of this definition
- *park owner* means the person who entered into the residential tenancy agreement or residential site agreement with the permanent resident, and includes the person's heirs, executors, administrators and assigns, or park owner as otherwise defined by the *Residential Parks Act 1998*
- *permanent resident* or *resident* means a person occupying a site or dwelling in a residential park under a residential tenancy agreement or residential site agreement, as the person's principal place of address, or as otherwise defined by the *Residential Parks Act 1998*
- *regulated retail tariff* means the tariff for standard retail suppliers determined by the Independent Pricing and Regulatory Tribunal (IPART)

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<sup>18</sup> see *Residential Parks Act 1998* and Regulations

- *residential park* has the same meaning as in the *Residential Parks Act 1998*, namely:
  - a) a caravan park (that is, land, including a camping ground, on which caravans, or caravans and other moveable dwellings, have been, are or are to be placed, installed or erected) or
  - b) a manufactured home estate (that is, land on which manufactured homes have been, are or are to be placed)
  - c) whether or not the caravan park or manufactured home estate is the subject of approval under the *Local Government Act 1993*
- *site, permanent site or dwelling site* means an area of land within a residential park on which a moveable dwelling may be installed and which is allocated for use by a permanent resident
- *supply of electricity* means the supply of electricity to a permanent resident by a park owner, such supply being separately metered as required by legislation, and for which the resident has agreed to pay (see section 37 *Residential Parks Act*) and for which the resident is separately charged
- *standard retail supplier* means a standard retail supplier, as defined by the Electricity Supply (General) Regulation 2001.