



Government
of South Australia

Department of Human Services

South Australian Residential Parks Concession Scheme

July 2021

(Scheme Commenced 1 July 2009)

**Scheme for the administration of a single concession payment for eligible
residents of residential parks**

DOCUMENT DETAILS

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CONTACT PERSON (for enquiries or amendments)

Position	Manager, Policy
Directorate	Concessions and Support Services
Telephone Number	08 8226 6901

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1. DEFINITIONS AND INTERPRETATION

In this *Scheme*:—

- 1.1 **concession** means - the financial assistance provided by the South Australian Government to assist *eligible residents* to meet the cost of *energy services, water services, and/or sewerage services*;
- 1.2 **concession amount** means - the relevant *concession amount* to be paid to an *eligible resident* under the *Scheme*;
- 1.3 **domestic partner** means - a person who is a *domestic partner* within the meaning of the *Family Relationships Act 1975*, whether declared as such under that Act or not;
- 1.4 **dwelling** means -
- 1.4.1 a structure, whether fixed or moveable, that is designed to be used and is capable of being used for human habitation, or
 - 1.4.2 a motor vehicle or trailer that is designed to be used and is capable of being used for human habitation,
- and includes a part of a dwelling but does not include a tent or a structure of a kind prescribed in the *Residential Parks Regulations 2007*;
- 1.5 **eligible resident** means – a *resident* who satisfies the relevant eligibility criteria as set out in sections 3 and 4 of this *Scheme*;
- 1.6 **energy charges** means -
- 1.6.1 charges for *energy services* payable by the resident under a *residential park agreement*; or
 - 1.6.2 charges for *energy services* payable by the resident directly to the energy provider;
- 1.7 **energy service** means - a service constituted by the supply of:
- 1.7.1 electricity by an electricity entity, licensed under the *Electricity Act 1996*; or
 - 1.7.2 gas by a gas entity, licensed under the *Gas Act 1997*; or
 - 1.7.3 liquid petroleum gas bottles;
- 1.8 **Minister** means - the Minister for Human Services or other title as determined from time to time;
- 1.9 **park fees** means - the fees payable by the *resident* to the *park owner* under a *residential park agreement*, which may include charges for *energy services, water services, and/or sewerage services*;
- 1.10 **park owner** means - the owner or operator of the *residential park*, and includes a successor in title to the *park* (or *rented property*) whose title is subject to a *resident's* interest and a prospective *park owner* and a former *park owner*;

- 1.11 **prescribed card** means - a current:
- 1.11.1 Veteran Gold Card (War Widows) issued by the Commonwealth Government;
 - 1.11.2 Veteran Gold Card (EDA) issued by the Commonwealth Government;
 - 1.11.3 Veteran Gold Card (TPI) issued by the Commonwealth Government;
 - 1.11.4 Veteran Gold Card issued by the Commonwealth Government to a person with 80 or more overall impairment points under the Military Rehabilitation and Compensation Act 2004 (Cth);
 - 1.11.5 Pensioner Concession Card issued by the Commonwealth Government;
 - 1.11.6
 - 1.11.7 Health Care Card issued by the Commonwealth Government including a Low Income Health Care Card and the Commonwealth Seniors Health Card.r
- 1.12 **prescribed payment** means –
- 1.12.1 any of the following payments under the *Social Security Act 1991 (Cth)*:
 - 1.12.1.1 Austudy;
 - 1.12.1.2 JobSeeker Payment;
 - 1.12.1.3 Parenting Payment;
 - 1.12.1.4 Partner Allowance;
 - 1.12.1.5 Special Benefit;
 - 1.12.1.6 Widow Allowance;
 - 1.12.1.7 Youth Allowance; or
 - 1.12.2 ABSTUDY payments from the Commonwealth Government; or
 - 1.12.3 payments under the Community Development Employment Project established by the Commonwealth Government; or
 - 1.12.4 payments under the New Enterprise Incentive Scheme established by the Commonwealth Government; or
 - 1.12.5 a pension as a war widow under legislation of the United Kingdom or New Zealand; or
 - 1.12.6 Farm Household Allowance payments under the *Farm Household Support Act 2014* of the Commonwealth;
- 1.13 **principal place of residence** means –
- 1.13.1 the property that is occupied by the *resident*, and
 - 1.13.2 is occupied for the majority of the *resident's* time; and
 - 1.13.3 excludes properties used for holiday or investment purposes; and
 - 1.13.4 the address that Services Australia has recorded for the customer;
- 1.14 **relevant date** means - in relation to *park fees*—
- 1.14.1 the date on which the resident is billed; or
 - 1.14.2 the date on which the *park fees* are payable by the resident;

- 1.15 **rented property** means -
- 1.15.1 in relation to a *residential park tenancy agreement*—the site and *dwelling* in respect of which the right of occupancy has been granted under the *residential park tenancy agreement*; or
 - 1.15.2 in relation to a *residential park site agreement*—the site in respect of which the right of occupancy has been granted under the *residential park site agreement*,
- and includes, in either case, so far as the context admits, property (not forming part of the site or *dwelling*) that is provided by the *park owner*, either under the agreement or independently of the agreement, for use by the *resident*;
- 1.16 **resident** means - a resident of a residential park being a person who is granted a right of occupancy under a *residential park tenancy agreement* or a *residential park site agreement* in respect of the *residential park*, or a person to whom the right passes by assignment or operation of law, and includes a prospective *resident* or a former *resident*;
- 1.17 **residential park** means - an area of land, pursuant to the *Residential Parks Act 2007*, used or intended to be used in either or both of the following ways:
- 1.17.1 as a complex of sites of dwellings in respect of which rights of occupancy are conferred under various *residential park tenancy agreements*, together with common area bathroom, toilet and laundry facilities and other common areas;
 - 1.17.2 as a complex of sites in respect of which rights of occupancy are conferred under various *residential park site agreements*, together with common areas (which may, but need not, include bathroom, toilet and laundry facilities);
- 1.18 **residential park agreement** means -
- 1.18.1 a residential park tenancy agreement; or
 - 1.18.2 a residential park site agreement;
- 1.19 **residential park site agreement** means - an agreement, pursuant to the *Residential Parks Act 2007*, under which a *park owner* grants another person, for valuable consideration, a right (which may, but need not, be an exclusive right) to occupy a site in the *residential park*, and to install or locate a *dwelling* on the site, for residential purposes;
- 1.20 **residential park tenancy agreement** means -
- 1.20.1 an agreement, pursuant to the *Residential Parks Act 2007*, under which a *park owner* grants another person, for valuable consideration, a right (which may, but need not, be an exclusive right) to occupy a site in the *residential park*, and a *dwelling* made available on the site by the *park owner*, for residential purposes; or
 - 1.20.2 an agreement (a **sub-tenancy agreement**) pursuant to the *Residential Parks Act 2007*, under which a *resident* grants another person, for valuable consideration, a right (which may, but need not, be an exclusive right) to occupy the site in respect of which the *resident* has a right of occupancy, and the *dwelling* on the site (whether a *dwelling* made available by the *park owner* or installed or located on the site by the *resident*), for residential purposes;

- 1.21 **Scheme** means - this Residential Parks Concession Scheme, which may be varied by the *Minister*;
- 1.22 **separately metered** means - that there is, in respect of a site, a meter that has been installed or approved by the relevant supply authority and that measures, in relation to that site only, the quantity of a substance or service that is supplied to, or used at, that site;
- 1.23 **sewerage service** means - a service constituted by the collection, storage, treatment or conveyance of sewage, through the use of a reticulated system by a water industry entity that is licensed under the *Water Industry Act 2012*;
- 1.24 **sewerage service charges** means - fees for *sewerage services*, payable by the *resident* under a *residential park agreement*;
- 1.25 **spouse** means - a person is the *spouse* of another if they are legally married (pursuant to the *Marriage Act 1961 (Cth)*);
- 1.26 **sub-tenancy agreement** means - has the meaning as set out in section 1.21.2 in the definition of *residential park tenancy agreement*;
- 1.27 **water service** means - a service constituted by the collection, storage, production, treatment, conveyance, reticulation or supply of water by a water industry entity that is licensed under the *Water Industry Act 2012*;
- 1.28 **water service charges** means - charges for water services, that may include supply and usage charges, payable by the *resident* under a *residential park agreement*.

2. DESCRIPTION OF SCHEME

- 2.1 The *Scheme* commenced on 1 July 2009.
- 2.2 The Residential Parks Concession Scheme (the *Scheme*) is established and approved by the *Minister*.
- 2.3 The *Scheme* comprises the manner in which a *single concession* payment, for the *principal place of residence*, will be provided to *eligible residents* of *residential parks* who:
 - 2.3.1 own their own *dwelling*, but do not own the land on which it is situated and who hold a *residential park site agreement*; or
 - 2.3.2 rent their *dwelling* and hold a *residential park tenancy agreement*.
- 2.4 The *concession amount* for *water service charges* for *residents* who hold a *residential park site agreement* is calculated as the minimum concession granted to eligible homeowners under the South Australian Water and Sewerage Concession Scheme.
- 2.5 The *concession amount* for *water service charges* for *residents* who hold a *residential park tenancy agreement* is calculated as the minimum concession granted to eligible tenants under the South Australian Water and Sewerage Concession Scheme.
- 2.6 The *concession amount* for *sewerage service charges* for *residents* who hold a *residential park site agreement* is calculated as the minimum concession granted to eligible homeowners under the South Australian Water and Sewerage Concession Scheme.
- 2.7 The *concession amount* for *energy service charges* is calculated as the energy concession amount granted to eligible energy concession customers under the South Australian Government Customer Concession Scheme for Energy.
- 2.8 *Residents of residential parks* are eligible to apply for the Medical Heating and Cooling Concession (MHCC), granted under the South Australian Medical Heating and Cooling Concession Scheme. The MHCC payment is applied for and provided separately to the *concession amount* provided under this *Scheme*.
- 2.9 *Residents of residential parks* are eligible to apply for the Cost of Living Concession (COLC). The COLC payment is applied for and provided separately to the *concession amount* provided under this *Scheme*.
- 2.10 The *concession* may be made, at the discretion of the *Minister* or their delegate, for a period of 13 weeks following the death of an *eligible resident*, to allow for the transfer of the *concession* to an eligible surviving *spouse* or *domestic partner* residing at the same *principal place of residence*.
- 2.11 The *concession* will only be paid directly to *eligible residents*. Subject to Clause 2.10, the *concession* will not be paid to persons acting on behalf of deceased *residents* or to deceased estates in circumstances where an otherwise *eligible resident* has since deceased prior to the *concession* being paid.

3. CONCESSION FOR RESIDENTS WHO HOLD A RESIDENTIAL PARK SITE AGREEMENT.

- 3.1 A *resident* who owns their own *dwelling* and occupies a site under a *residential park site agreement* is entitled to a *concession* on charges for *water services*, *sewerage services* and *energy services* under this *Scheme* if the *resident* satisfies the following eligibility criteria:
- 3.1.1 the *resident* occupies the *dwelling* as their *principal place of residence* on the *relevant date*; and
 - 3.1.2 the *resident* pays for charges relating to *water services* and/or *sewerage services* in their *park fees*; and
 - 3.1.3 the *resident* pays for *energy charges* in their *park fees* or is separately metered for electricity or holds an energy account in their own name; and
 - 3.1.4 the *resident* receives a *prescribed payment* or is the holder of a *prescribed card*.
- 3.2 The *concession amount* is to be paid as a single, combined payment. The relevant *concession amount* is an amount per annum, to be paid on a quarterly basis, up to the maxima shown in Table 1. Where a monetary amount is followed by the word “(indexed)”, the amount is to be indexed by the Consumer Price Index (CPI) annually on 1 July using the December quarter figures. Current indexed amounts are accessible at www.sa.gov.au/concessions

Table 1. Concession amounts for residents who own their own dwelling and hold a residential park site agreement

	2020-21
Water charges up to	\$199
Sewerage charges up to	\$118.40
Energy charges up to	\$231.41
Annual Maximum	\$548.81* (indexed)
Quarterly Maximum	\$137.20*

*Where the annual maximum amount is not divisible by four, quarterly payments may vary in amount.

- 3.3 *Residents* must provide proof of eligibility for the *Scheme* when applying for a *concession*.
- 3.4 Where *residents* are separately metered for electricity or gas, their *energy service concession* will be paid as part of the *Scheme* and not through their *energy service account*.

4. CONCESSION FOR RESIDENTS WHO HOLD A RESIDENTIAL PARK TENANCY AGREEMENT

- 4.1 *A resident who occupies a site, and a dwelling made available on the site by the park owner under a residential park tenancy agreement, is entitled to a concession on charges for water services and energy services under this Scheme if the resident satisfies the following eligibility criteria:*
 - 4.1.1 *the resident occupies the dwelling as their principal place of residence on the relevant date; and*
 - 4.1.2 *the resident pays for charges relating to water services in their park fees; and*
 - 4.1.3 *the resident pays for energy service charges in their park fees or is separately metered for electricity or gas, or holds an energy service account in their own name; and*
 - 4.1.4 *the resident receives a prescribed payment or is the holder of a prescribed card.*
- 4.2 *The concession amount is to be paid as a single, combined payment. The relevant concession amount is an amount per annum, to be paid on a quarterly basis, up to the maxima shown in Table 2. Where a monetary amount is followed by the word “(indexed)”, the amount is to be indexed by the Consumer Price Index (CPI) annually on 1 July using the December quarter figures. Current indexed amounts are accessible at www.sa.gov.au/concessions*

Table 2. Concession amounts for residents who hold a residential park tenancy agreement

	2020-21
Water charges up to	\$129.10
Energy charges up to	\$231.41
Annual maximum	\$360.51* (indexed)
Quarterly maximum	\$90.12*

* Where the annual maximum amount is not divisible by four, quarterly payments may vary in amount.

- 4.3 *Residents must provide proof of eligibility for the Scheme when applying for a concession.*
- 4.4 *If residents are separately metered for electricity or gas, their energy service concession will be paid under the Scheme and not through their energy service account.*

5. METHOD OF PAYMENT

Concession payments will be made by the Department of Human Services directly to eligible residents by electronic funds transfer.

6. BACKDATED PAYMENT

Concessions will be backdated in accordance with relevant schemes for individual concession types. Further backdates may be granted if a *concession* has been applied for previously but not paid, or the *concession* provision has been interrupted, due to administrative error. Ministerial discretion may be applied in exceptional circumstances.

7. VALUE ADJUSTMENT

The value of *concessions* for *eligible residents of residential parks* under this *Scheme* will be updated at the time of any adjustments made to the value of other concessions and remissions under the South Australian Water and Sewerage Concession Scheme, and the South Australian Government Customer Concession Scheme for Energy. These adjustments will be made by the *Minister*.

History

The varied Residential Parks Concession Scheme - 1 July 2021
The varied Residential Parks Concession Scheme - 1 July 2017
The varied Residential Parks Concession Scheme - 1 July 2015
The varied Residential Parks Concession Scheme - 1 July 2014
The varied Residential Parks Concession Scheme - 1 July 2013
The varied Residential Parks Concession Scheme - 1 July 2011
The varied Residential Parks Concession Scheme - 1 July 2010
The Residential Parks Concession Scheme commenced 1 July 2009