



28 June 2016

Commissioner Dini Soulio
Consumer and Business Services

Dear Commissioner Dini,

Re: Review of Residential Parks Act 2007

Shelter SA is the peak body for housing in South Australia and its vision is for all people living in our State to have an affordable, safe and secure place to call home. Shelter SA has a particular interest in residential parks as they provide an affordable housing option for older South Australians. Shelter SA would like to show its support for the South Australian Residential Parks Residents Association (SARPRA) and their submission to the Review of the Residential Parks Act 2007 (the Act), recognising the importance of resident voices, views and their right to an affordable place to call home. SARPRA would like the review of the Act to pay attention to security of resident tenure and the regulated registration of residential parks and park owners. SARPRA insists that it is necessary to address major resident concerns within the legislation including guaranteed protections for residents if park owners sell their land, alter its purpose, close their parks or become bankrupt.

Shelter SA acknowledges that the private rental market is becoming increasingly unaffordable for people living on low incomes, our public housing portfolio is diminishing and the affordable housing offered by residential parks remains one of the few alternative options to private rental and mainstream home ownership. Shelter SA would like to see an approach to reviewing the Act that seeks a balance between the rights and responsibilities of residents and park owners where possible. As the value of land increases or rezoning occurs, some residential park owners will be more likely to maximise the return on their investment by selling or repurposing their land. It is important however, that any changes to the Act do not deter proprietors from investing in residential parks or disadvantage owners as the parks provide an important affordable housing option.

When the Brighton Caravan Park closed, Shelter SA met with residents, local government councillors, staff and others involved. The caravan park residents had also established their homes and their caravans were no longer moveable, with permanent annexes attached and connected to utilities. Many of the long and short-term residents considered themselves permanent due to having purchased their homes. Even when people fully understand the legal contractual arrangement between landowners and "renters" the idea of permanency is pervasive, houses become homes and communities are established.

Establishing a transportable home in a residential park, connected to water, sewerage, gas and/or electricity means that the majority of the homes, like those at the Brighton Caravan Park, are then not transportable, at least without significant costs. The apparent permanency of dwellings does little to assist residents to understand that they have no legal claim over the land other than a lease, which will end at some point. If transportable homes are not connected to utilities in the future and

the costs of relocation were achievable, residents would still be required to find suitable land and obtain permission to rent it, another barrier for people living on low incomes needing to relocate. The question to address is one of compensation for residents who find themselves without a lease so that both park owners and residents are not disadvantaged, taking into consideration that some residents may be vulnerable citizens who have less resources to assert their rights than park owners.

Park owners, through their managers, must take responsibility to fully inform residents about the rights, responsibilities and risks involved in purchasing a property in a residential park and security of tenure issues before they invest in a residential park home. Legislation should direct park owners and managers to provide prospective residents with documentation that clearly outlines resident requirements and advice prior to purchasing a home. If park owners/managers do not comply with the supply of the correct documentation, SARPRA propose that they should receive a fine.

The New South Wales government implemented an Assistance Protocol for Residential Park Closures¹ and Shelter SA recommends that a similar Protocol is established and implemented in South Australia, including a Park Closure Taskforce and the provision of assistance to find suitable alternative accommodation and support for residents if needed.

Please contact me if you require any further information, I would be pleased to assist.

Yours faithfully

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The South Australian peak body for housing



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We acknowledge and respect the Kaurna people as the traditional custodians of the ancestral lands we live and work on and their deep feelings of attachment and relationship to country.



¹ http://www.housing.nsw.gov.au/_data/assets/pdf_file/0010/328555/residentialparkclosures.pdf