



Manufactured Homes (Residential Parks) Act 2003

Manufactured Homes (Residential Parks) Regulation 2017

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Queensland

Manufactured Homes (Residential Parks) Regulation 2017

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Manufactured Homes (Residential Parks) Regulation 2017

Part 1 Preliminary

1 Short title

This regulation may be cited as the *Manufactured Homes (Residential Parks) Regulation 2017*.

2 Commencement

- (1) This regulation, other than section 3, commences on 1 September 2017.
- (2) Section 3 commences on 1 October 2017.

2AA Definitions

In this regulation—

capital items, in relation to a residential park, for part 7, see section 8.

registered, in relation to a residential park, see section 18 of the Act.

relevant period, for a maintenance and capital replacement plan for a residential park, for part 7, see section 9.

Part 2 Residential parks

2A Information required for application for registration of residential park—Act, s 18A

For section 18A(3)(j) of the Act, the following information is prescribed—

- (a) a copy of any development approvals for the planning and construction of the residential park—
 - (i) required under the *Planning Act 2016*; and
 - (ii) obtained by the park owner;
- (b) whether the residential park will contain types of accommodation in addition to owner-occupied manufactured homes;
Examples of additional types of accommodation—
 - caravans, holiday rentals, residential premises (including manufactured homes) under residential tenancy agreements
- (c) details of any other residential parks owned by the park owner;
- (d) a copy of any instrument used, or to be used, by the park owner as a template for—
 - (i) a site agreement; or
 - (ii) an agreement for the sale of a manufactured home in the residential park to a prospective home owner;
- (e) an estimate of the proposed site rent, or the proposed range of site rent, payable by a home owner in the first year of operation of the residential park.

2B Information to be included in residential park register for residential park—Act, s 18C

For section 18C(2)(1) of the Act, the following information is prescribed—

- (a) the information prescribed under section 2A that was included in, or accompanied, the application to register the residential park;
- (b) the comparison document, or information included in the comparison document, for the residential park;
- (c) whether the residential park has started operating;

- (d) if the residential park has started operating—the date the park started operating.

2C Exemption from requirement to maintain website for residential park—Act, s 18G

For section 18G(3) of the Act, a residential park is exempt from the requirement under section 18G(1) of the Act if the residential park has not more than 15 sites.

2D Details for comparison document for residential park—Act, s 18H

For section 18H(b)(v) of the Act, the details stated in schedule 1 are prescribed.

Part 3 Site agreements

2E Requirements for site agreement—Act, s 25

- (1) For section 25(4)(l) of the Act, this section prescribes other requirements for a site agreement.
- (2) The site agreement must state that, under section 19 of the Act, the park rules for the residential park are taken to be included as terms of the site agreement.
- (3) The site agreement must state—
 - (a) the utilities that are supplied to the site; and
 - (b) the utilities, if any, that are included in the site rent payable for the site.
- (4) The site agreement must state—
 - (a) whether or not a landline telephone service is available to the site; and
 - (b) whether or not an internet service is available to, or accessible from, the site; and

- (c) if a service mentioned in paragraph (a) or (b) is available to, or accessible from, the site—whether the service is included in the site rent payable for the site.
- (5) If the site agreement provides for the placement of a ‘for sale’ sign, in relation to the manufactured home, on the site, the site agreement must state any requirements that apply in relation to the placement of the sign.

Note—

See section 57 of the Act in relation to the placement of a ‘for sale’ sign on the site.

- (6) The site agreement must state whether or not the park owner may require the home owner to reposition the manufactured home to another site in the residential park.

Note—

See section 93 of the Act for the circumstances in which the park owner may require the home owner to reposition the manufactured home.

- (7) The site agreement must state—
- (a) any external features of the site that the home owner must maintain; and
 - (b) any external features of the site that the park owner must maintain.

Examples of external features—

gardens, lawns, trees, retaining walls

Note—

See section 94 of the Act in relation to access by the park owner or the park manager to the site for maintenance of the site.

- (8) The site agreement must state whether or not the home owner is allowed to rent the site on which the home owner’s manufactured home is positioned to a person on a temporary basis.

3 Particular types of special terms prohibited in site agreements—Act, s 25B

For section 25B(1)(a) of the Act, the types of special terms that are prohibited are special terms that—

- (a) calculate site rent increases in a misleading way; or

Example—

a special term that states that a rental increase is calculated in accordance with the consumer price index, but the rental increase includes an additional charge

- (b) require a home owner to pay other charges but does not fully explain the charges; or
- (c) require a home owner to gain the consent of the park owner before the home owner complies with a requirement under law; or
- (d) state that if the seller assigns the seller's interest in a site agreement to a buyer, the site agreement between the seller and the park owner does not end until the buyer enters into a site agreement with the park owner; or
- (e) require the home owner to give a current building inspection certificate to the park owner; or
- (f) restrict or prohibit an alteration to the home that is not visible from the outside of the home; or
- (g) allow the park owner to consent to the alteration to the exterior of a home or addition to the home in a way that is contrary to section 98 of the Act; or
- (h) require the home owner to indemnify the park owner and the park owner's employees, contractors or agents for loss that was not caused by the home owner, a guest of a home owner, or a home owner's contractors or agents; or
- (i) give the park owner either of the following rights, however described—
- (i) a right to buy a home before another person may be offered the home;

- (ii) a right to make a final offer to buy a home after all other offers have been made to buy the home; or
- (j) state site rent will not be reduced if there is a decrease or reduction in the standards, amenity or community facilities or services, including if—
 - (i) there is a decrease in amenity or standard of the residential park's common areas and communal facilities mentioned in section 72(1)(a) of the Act; or
 - (ii) a communal facility or services mentioned in section 72(1)(b) of the Act has been withdrawn; or
 - (iii) a communal facility or services mentioned in section 72(1)(c) of the Act has not been provided; or
- (k) state that the park owner does not warrant that the site is suitable for use as the site of a manufactured home; or
- (l) state that the park owner may exclude a person from the residential park without having reasonable grounds for the exclusion; or
- (m) appoint, or require the home owner to appoint, the park owner as an attorney for the home owner; or
- (n) state that the seller is liable for the actions of a buyer after the seller assigns the seller's interest to the buyer; or
- (o) state that referring to the site agreement is a sufficient way to explain how an increase in site rent is calculated for the Act; or
- (p) purport to exclude legislation from affecting the site agreement, unless the legislation provides that it may be excluded; or
- (q) impose a monetary penalty on a home owner if the home owner breaches the site agreement; or
- (r) remove a park owner's liability for negligence or a breach of a contractual duty of care if the negligence or

breach is caused by an act or omission of the park owner or the park owner's employees, contractors or agents; or

- (s) prohibit or prevent the park owner from reducing the site rent for any reason.

3A Information required for disclosure documents—Act, sch 1

For schedule 1, item 13 of the Act, the other information stated in schedule 2 is prescribed.

Part 4 Sale of manufactured home positioned on site

3B Information required for sale agreement—Act, s 56B

For section 56B(1)(b) of the Act, the information stated in schedule 3 is prescribed.

3C Maximum fee for giving buyer disclosure documents—Act, s 56C

For section 56C(6) of the Act, the amount prescribed is \$0.70 for each page of the disclosure documents mentioned in section 29(2) of the Act, up to a maximum of \$100.

4 Maximum fee under selling authority—Act, s 61

For section 61 of the Act, the prescribed amount is—

- (a) if the sale price of the manufactured home is not more than \$18,000—5% of the sale price; or
- (b) if the sale price of the manufactured home is more than \$18,000—\$900 plus 2.5% of the part of the sale price over \$18,000.

Part 5 Varying site rent

4A Bases for site rent increase—Act, s 69A

- (1) For section 69A(1)(b) of the Act, each of the following is prescribed as a basis for working out the amount of an increase in the site rent—
- (a) an amount worked out by multiplying the site rent by the CPI increase;
 - (b) an amount worked out by multiplying the site rent by a stated percentage;
 - (c) a stated amount expressed in dollars;
 - (d) an amount worked out by apportioning, in a stated way, the relevant rates increase for the residential park among the home owners for the residential park;
 - (e) an amount that is the greater of the amounts under any 2 of the bases prescribed under paragraphs (a) to (d);

Example—

the amount that is the greater of the following amounts—

- (a) the amount worked out by multiplying the site rent by the CPI increase;
 - (b) the amount worked out by multiplying the site rent by 3.5%
- (f) an amount that is the lesser of the amounts under any 2 of the bases prescribed under paragraphs (a) to (d);

Example—

the amount that is the lesser of the following amounts—

- (a) the amount worked out by multiplying the site rent by the CPI increase;
 - (b) the amount worked out by multiplying the site rent by 2.5%
- (g) an amount that is the sum of the amounts worked out using any 2 of the bases prescribed under paragraphs (a) to (d).

Example—

the amount that is the sum of—

- (a) the amount worked out by multiplying the site rent by the CPI increase; and
- (b) the amount worked out by multiplying the site rent by 1%

Note for subsection (1)—

See, however, section 69B of the Act in relation to restrictions on increasing the site rent.

- (2) In this section—

CPI increase see section 69B(7) of the Act.

rate notice means—

- (a) a notice issued under a regulation made under the *City of Brisbane Act 2010* to levy rates and charges under that Act; or
- (b) a notice issued under a regulation made under the *Local Government Act 2009* to levy rates and charges under that Act.

relevant rates increase, for a residential park, means the amount of the increase, if any, expressed in dollars between the total amount payable under the rate notices issued to the park owner in respect of the residential park—

- (a) for the 12-month period ending on a stated day of the year in which the increase in site rent is being worked out; and
- (b) for the 12-month period ending on the same day of the year immediately preceding the year mentioned in paragraph (a).

Part 6 Emergency plans

5 Prescribed matter for emergency plans—Act, s 86A

For section 86A(1)(d) of the Act, the matter prescribed is the place to which home owners and other residents of the park must evacuate if there is an emergency.

6 Written records of emergency procedure tests

- (1) The park owner for a residential park must ensure a written record of each emergency procedure test for the park is kept at the park.

Maximum penalty—20 penalty units.

- (2) In this section—

emergency procedure test, for a residential park, means a test of an emergency procedure provided for in the emergency plan for the park.

7 Emergency plan to be displayed on notice board—Act, s 89

For section 89(3) of the Act—

- (a) the prescribed type of information is the emergency plan for the residential park; and
- (b) the prescribed period is any period for which a home owner for the park, or a tenant of a home owner for the park, resides in the park.

Part 7 Maintenance and capital replacement plans

Division 1 Preliminary

8 Meaning of *capital items*

The *capital items*, in relation a residential park, are the items forming the residential park's common areas and communal facilities.

9 Meaning of *relevant period*

The *relevant period*, for a maintenance and capital replacement plan for a residential park, is 10 years from the later of the following days—

- (a) the day the plan is first prepared;

Note—

See, however, section 28(2) in relation to the relevant period for a maintenance and capital replacement plan that is an interim plan.

- (b) for a plan that is revised under section 86B(2)(c) of the Act—the day the plan is revised under that section.

Division 2 Information requirements

10 Purpose of division

For section 86B(2)(b) of the Act, this division prescribes the information that must be included in a maintenance and capital replacement plan for a residential park.

11 Information for maintenance and capital replacement plan—Act, s 86B

The information prescribed for a maintenance and capital replacement plan is—

- (a) the following details about the residential park and the park owner—
 - (i) the name of the residential park;
 - (ii) the address of the residential park;
 - (iii) the name of the park owner;
 - (iv) contact details for the park owner; and
- (b) for the plan that is first prepared for the residential park—the date the plan is prepared; and

- (c) for a plan that is revised under section 86B(2)(c) of the Act—the date the plan is revised under that section; and
- (d) a statement to the effect that, under section 17(b) of the Act, the park owner is responsible for maintaining the common areas and communal facilities in a reasonable state of cleanliness and repair, and fit for use by the home owners or the home owners' tenants; and
- (e) a list, in accordance with section 12, of particular capital items or categories of capital items the park owner is responsible for maintaining; and
- (f) information, in accordance with section 13, about the capital items or categories of capital items listed under section 12; and
- (g) information, in accordance with section 14, about how the park owner plans to provide for day-to-day or other routine maintenance of the common areas and communal facilities.

12 Particular capital items that must be listed

- (1) For section 11(e), the information is a list of the capital items the park owner is responsible for maintaining that exceed the relevant value.
- (2) The reference in subsection (1) to capital items includes a reference to any of the following items that are capital items in relation to the residential park—
 - (a) lawns, gardens and other green spaces;
 - (b) ramps, lifts and other accessibility features;
 - (c) roads;
 - (d) street lights;
 - (e) sporting facilities, including swimming pools;
 - (f) vehicles kept for the use or benefit of home owners;

Example—

golf carts

-
- (g) any of the following that form part of the communal facilities of the park—
 - (i) halls and other facilities for social gatherings;
 - (ii) facilities for food preparation;
 - (iii) facilities for leisure activities;
 - (iv) shared shower blocks, toilet blocks or laundry facilities;
 - (v) appliances.
 - (3) A capital item may be listed individually or by category.
 - (4) For this section, a capital item *exceeds the relevant value* if—
 - (a) the item has, or is of a category that has, a replacement value of more than \$1,000; or
 - (b) the item was, or is of a category that was, acquired for more than \$1,000.
 - (5) Also, for this section, capital items are of a *category* if the items—
 - (a) are of a similar nature; and
 - (b) have a similar life span.

13 Information about maintenance and replacement of particular capital items

- (1) For section 11(f), the information is the following information about each capital item or category of capital items listed in the maintenance and capital replacement plan under section 12—
 - (a) any maintenance planned for the item or category during the relevant period for the plan, including the frequency of planned maintenance and any dates for planned maintenance;
 - (b) any item or category for which the park owner has not planned any maintenance during the relevant period for the plan;

- (c) the expected cost of the maintenance planned for the item or category for each year or part of a year during the relevant period for the plan.
- (2) Also, for section 11(f), the information includes—
- (a) a statement about the park owner’s key priorities for maintenance of capital items, or categories of capital items, during the relevant period for the plan; and
 - (b) if the park owner proposes to replace any capital item or category of capital items during the relevant period for the plan—the item or category the park owner proposes to replace and the time frame, including any planned dates, for the proposed replacement.

14 Information about day-to-day or other routine maintenance of common areas and communal facilities

- (1) For section 11(g), the information is information about the park owner’s plan to provide for day-to-day or other routine maintenance to maintain the common areas and communal facilities in a reasonable state of cleanliness and repair during the relevant period for the maintenance and capital replacement plan.
- (2) Without limiting subsection (1), the information includes—
- (a) details of the standards of cleanliness the park owner intends to maintain; and
 - (b) details of the park owner’s plan to provide for the day-to-day or other routine maintenance mentioned in subsection (1), including—
 - (i) a schedule for carrying out the planned maintenance; and

Examples of a schedule for carrying out day-to-day or other routine maintenance—

- lawns mowed fortnightly, or more frequently as needed
- community hall cleaned weekly
- hedges in common area trimmed monthly

- (ii) expected timeframes for carrying out any unplanned maintenance that is required to ensure the common areas and communal facilities are fit for use.

Examples of timeframes for carrying out unplanned maintenance—

- replacement of broken light bulbs in community hall within 48 hours
- mechanical, electrical, chemical or other safety issues fixed as soon as possible

Division 3 Consultation procedures and requirements

15 Purpose of division

For section 86B(2)(b) of the Act, this division prescribes procedures and other requirements about consultation to be undertaken by the park owner for a residential park before a maintenance and capital replacement plan for the residential park is prepared, or revised under section 86B(2)(c) of the Act.

Note—

See, however, section 28(3) in relation to the preparation of a maintenance and capital replacement plan that is an interim plan.

16 Notice of consultation for maintenance and capital replacement plan

- (1) The park owner for the residential park must, at least 90 days before a maintenance and capital replacement plan for the park is prepared, or revised under section 86B(2)(c) of the Act, give a notice that complies with subsection (2) to—
 - (a) each home owner; and
 - (b) any home owners committee established for the park.
- (2) The notice must state the following matters—

- (a) that each home owner, and any home owners committee established for the residential park, may make a submission to the park owner in writing about the following matters—
 - (i) the capital items that should be listed in the maintenance and capital replacement plan;
 - (ii) the capital items that should be prioritised for maintenance during the next 10 years;
 - (iii) any safety concerns the home owner or home owners committee has about the common areas or communal facilities;
 - (iv) the state of cleanliness and repair of the common areas and communal facilities, including—
 - (A) the standards of cleanliness that should be maintained; and
 - (B) how the standards of cleanliness should be maintained;
- (b) the day by which any submission must be made to the park owner;
- (c) the location within the residential park where a hard copy of the maintenance and capital replacement plan is kept for home owners to view free of charge;
- (d) that a home owner may ask the park owner, in writing, for a copy of the maintenance and capital replacement plan;
- (e) details of any fee the park owner may charge for giving the home owner a copy of the maintenance and capital replacement plan.

Note—

See section 22 for the maximum fee that may be charged for a digital copy or a hard copy of a maintenance and capital replacement plan.

- (3) For subsection (2)(b), the stated day must be at least 28 days after the day the notice is given to the home owner.

17 Submissions made to park owner

- (1) A home owner, or any home owners committee established for the residential park, may make a submission to the park owner about the matters mentioned in section 16(2)(a)(i) to (iv).
- (2) The submission must be made—
 - (a) in writing; and
 - (b) by the day stated in the notice under section 16(2)(b).

18 Park owner must consider submissions

The park owner must consider the submissions made to the park owner under section 17.

Division 4 Other matters

19 Keeping copy of maintenance and capital replacement plan—Act, s 86B

For section 86B(2)(b) of the Act, at least 1 hard copy of the maintenance and capital replacement plan must be kept for home owners to view free of charge—

- (a) if the park owner or park manager has an office located within the residential park—in a part of the office that is accessible to home owners; or
- (b) otherwise—at another location within the residential park that is accessible to home owners.

20 Interval for revising maintenance and capital replacement plan—Act, s 86B

- (1) For section 86B(2)(c) of the Act, the interval prescribed for revising a maintenance and capital replacement plan is a period ending not later than 2 years after—

- (a) for the plan that is first prepared for the residential park—the day the plan is prepared; or

Note—

See, however, section 30(4) and (5) in relation to the interval prescribed for revising a maintenance and capital replacement plan that is an interim plan.

- (b) for a plan that has been revised under section 86B(2)(c) of the Act—the day the plan was most recently revised under that section.
- (2) In working out the length of the interval prescribed under subsection (1), any period for which a park owner is exempt under section 86E of the Act from the requirement under section 86B of the Act to prepare and keep a maintenance and capital replacement plan is to be disregarded.

21 Interval for giving chief executive copy of maintenance and capital replacement plan—Act, s 86B

For section 86B(3)(b) of the Act, the interval prescribed is a period ending not later than 28 days after the day the maintenance and capital replacement plan is first prepared or, if applicable, is revised under section 86B(2)(c) of the Act.

22 Maximum fee for copy of maintenance and capital replacement plan—Act, s 86D

For section 86D(2)(b) of the Act, the amount prescribed for giving a home owner a copy of the maintenance and capital replacement plan is—

- (a) for giving a digital copy by electronic communication—
 - (i) for the first request by the home owner for a copy of the plan—nil; or
 - (ii) for each later request by the home owner for a copy of the same plan—\$5; or
- (b) for giving a hard copy—\$0.70 for each page of the plan.

23 Criteria for exemption from requirement to prepare and keep maintenance and capital replacement plan—Act, s 86E

- (1) For section 86E of the Act, the criteria prescribed are—
 - (a) the residential park—
 - (i) was registered on or after 31 December 2025; and
 - (ii) has been registered for not more than 2 years; or
 - (b) not more than 15 site agreements are in force for the residential park; or
 - (c) for a residential park that is a mixed-use park—the number of sites in the residential park for which a site agreement is in force is less than 30% of the total number of relevant lots in the park; or
 - (d) the residential park satisfied the criterion mentioned in paragraph (b) or (c) on a day within the previous 12 months.

- (2) In this section—

mixed-use park means a residential park that includes—

- (a) manufactured homes positioned on sites for which a site agreement is in force; and
- (b) other types of accommodation.

Examples of other types of accommodation—

caravans, holiday rentals, residential premises under residential tenancy agreements with the park owner

relevant lot—

- (a) means—
 - (i) a site; or
 - (ii) an area of land on which a single caravan is, or may be, positioned; or
 - (iii) an area of land on which another type of accommodation is positioned; but

- (b) does not include an area of land that is used for camping.

24 Information to be displayed on notice board—Act, s 89

- (1) For section 89(3) of the Act, this section prescribes types of information and the prescribed period for each type of information.
- (2) Each of the following types of information is prescribed—
 - (a) a copy of a notice given by the park owner under section 16;
 - (b) a statement containing the following information about the maintenance and capital replacement plan for the residential park—
 - (i) that the plan has been prepared or, if applicable, has been revised under section 86B(2)(c) of the Act;
 - (ii) the location within the park where a hard copy of the plan is kept for home owners to view free of charge;
 - (iii) that a home owner may ask the park owner, in writing, for a copy of the plan;
 - (iv) any fee the park owner may charge for giving the home owner a copy of the plan.

Note—

See section 22 for the maximum fee that may be charged for a digital copy or a hard copy of a maintenance and capital replacement plan.

- (3) The period prescribed is—
 - (a) for the type of information mentioned in subsection (2)(a)—28 days from the day the notice is given to each home owner; or
 - (b) for the type of information mentioned in subsection (2)(b)—3 months from the day the maintenance and capital replacement plan is prepared

or, if applicable, is revised under section 86B(2)(c) of the Act.

Part 8 Transitional provisions

Division 1 Transitional provision for SL No. 181 of 2017

25 Manufactured Homes (Residential Parks) Regulation 2003 references

A reference in any document to the *Manufactured Homes (Residential Parks) Regulation 2003* may, if the context permits, be taken to be a reference to this regulation.

Division 2 Transitional provisions for Manufactured Homes (Residential Parks) Amendment Regulation 2026

26 Application of division

This division applies in relation to a residential park that—

- (a) was registered before 31 December 2025; and
- (b) on 7 June 2026—
 - (i) continues to be registered; and
 - (ii) does not satisfy any of the criteria prescribed under section 23(1)(b), (c) or (d).

27 Meaning of *interim plan*

For this division, the *interim plan*, for a residential park mentioned in section 26, is the maintenance and capital replacement plan the park owner must, under section 86B(1)

of the Act, ensure is prepared and kept for the park from 7 June 2026.

28 Modified application of pt 7 for preparation of interim plan

- (1) Part 7 applies in relation to the preparation of the interim plan for the residential park with the modifications provided under this section.
- (2) Despite section 9(a), the *relevant period* for the interim plan is the period—
 - (a) starting on 7 June 2026; and
 - (b) ending on 31 December 2027.
- (3) Part 7, division 3 does not apply in relation to the preparation of the interim plan for the residential park.

29 Initial notice to be given after interim plan prepared—Act, s 86B

- (1) For section 86B(2)(b) of the Act, the park owner must, within 28 days after the day the interim plan is prepared for the residential park, give a notice that complies with subsection (2) to—
 - (a) each home owner; and
 - (b) any home owners committee established for the park.
- (2) The notice must state the following matters—
 - (a) that under section 86B of the Act, the park owner must ensure a maintenance and capital replacement plan is prepared and kept for the residential park;
 - (b) that the maintenance and capital replacement plan for the residential park includes information about—
 - (i) the park owner’s long-term priorities for maintaining the common areas and communal facilities; and

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- (ii) the park owner's proposed schedule for keeping the common areas and communal facilities in a reasonable state of cleanliness and repair;
 - (c) that the maintenance and capital replacement plan prepared for the residential park is an interim plan that includes information about capital items relating to the period ending on 31 December 2027;
 - (d) that the park owner must, not later than 1 January 2028, revise the maintenance and capital replacement plan for the residential park to include information about capital items relating to a period of 10 years;
 - (e) that the park owner must consult home owners, and any home owners committee established for the residential park, to seek submissions about the matters mentioned in section 16(2)(a)(i) to (iv);
 - (f) that each home owner, and any home owners committee established for the residential park, may make a submission to the park owner in writing about the matters mentioned in section 16(2)(a)(i) to (iv);
 - (g) that, at least 90 days before the maintenance and capital replacement plan for the residential park is first revised under section 86B(2)(c) of the Act, a notice under section 16 will be given to each home owner, and any home owners committee established for the park, stating the day by which any further submissions must be made;
 - (h) the location within the residential park where a hard copy of the maintenance and capital replacement plan is kept for home owners to view free of charge;
 - (i) that a home owner may ask the park owner, in writing, for a copy of the maintenance and capital replacement plan;
 - (j) details of any fee the park owner may charge for giving the home owner a copy of the maintenance and capital replacement plan.

Note—

See section 22 for the maximum fee that may be charged for a digital copy or a hard copy of a maintenance and capital replacement plan.

30 Modified application of pt 7 for revision of interim plan

- (1) Part 7 applies in relation to the revision of the interim plan for the residential park with the modifications provided under this section.
- (2) Section 18 applies to the park owner as if the reference to the submissions made to the park owner under section 17 included a reference to any preliminary submissions made to the park owner by the day mentioned in section 17(2)(b).
- (3) For subsection (2), a *preliminary submission* is a submission made to the park owner, in response to the notice given by the park owner under section 29, about the matters mentioned in section 16(2)(a)(i) to (iv).
- (4) For section 86B(2)(c) of the Act, the interval prescribed for first revising the interim plan is a period ending not later than 1 January 2028.
- (5) Subsection (4) applies despite section 20(1)(a).

31 Additional information to be displayed on notice board—Act, s 89

- (1) For section 89(3) of the Act—
 - (a) the type of information prescribed is a copy of the notice given by the park owner under section 29; and
 - (b) the period prescribed is 28 days from the day the notice is given to each home owner.
- (2) Subsection (1) does not limit the application of section 24 in relation to the interim plan for the residential park.

Schedule 1 **Details for comparison document for residential park**

section 2D

Identifying information

- 1 the address of the residential park
- 2 the real property description of the land on which the residential park is situated
- 3 the name of the park owner
- 4 contact details for the park owner

Residential park information

- 5 whether the residential park is completed or under development
- 6 the total number of sites in the residential park or, if the park is under development, the total number of sites that will be in the park on completion of the development
- 7 if the residential park contains types of accommodation in addition to owner-occupied manufactured homes—the types of accommodation

Examples of additional types of accommodation—

- caravans, holiday rentals, residential premises (including manufactured homes) under residential tenancy agreements
- 8 a copy of any park rules in force for the residential park
- 9 details of any restrictions in the park rules in relation to the keeping of pets
- 10 the general increase day for the residential park for each basis on which site rent may be increased under a site agreement

Fees and costs

- 11 mandatory fees or costs for a home owner that are not included in the site rent
- 12 optional services available in the residential park for an additional fee or cost
- 13 communal facilities that may be accessed for an additional fee or cost

Utilities

- 14 utilities not included in the site rent that are available to sites
- 15 how utilities are supplied to sites, including—
 - (a) details of any embedded networks; and
 - (b) details of any known restrictions on the installation or use of solar panels in the residential park

Residential park land and facilities

- 16 the number and types of parking spaces available in the residential park, other than parking spaces allocated to particular sites, that are—
 - (a) available for the use of home owners and visitors; or
 - (b) suitable for caravans, campervans, motorhomes, boats or other recreational vehicles
- 17 whether the residential park has the following security and safety features—
 - (a) security cameras;
 - (b) security gates;
 - (c) emergency phones;
 - (d) a defibrillator
- 18 whether the communal facilities in the residential park have the following accessibility features—

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- (a) ramps;
 - (b) lifts;
 - (c) wheelchair-accessible toilets;
 - (d) extra-wide doors
- 19 details about the day-to-day management of the residential park, including—
- (a) whether there is an on-site park manager; and
 - (b) the contact hours for the park manager; and
 - (c) whether home owners and other residents have after-hours access to the park manager’s services

Miscellaneous

- 20 whether communal facilities or common areas in the residential park are insured
- 21 whether the residential park has a home owners committee
- 22 whether the park owner is a signatory to an industry-based code of conduct or is voluntarily accredited through an industry-based accreditation scheme

Schedule 2 Information required for disclosure documents

section 3A

1 Meaning of particular terms

The meaning of each of the following terms under the Act—

- (a) CPI;
- (b) home owner;
- (c) manufactured home;
- (d) park owner;
- (e) park rules;
- (f) residential park;
- (g) sale agreement;
- (h) site agreement.

2 Information about buying manufactured home

The following information about buying a manufactured home positioned on a site in a residential park—

- (a) that the buyer and the seller enter into a sale agreement in relation to the manufactured home;
- (b) that the seller must not complete the sale of the manufactured home to the buyer unless—
 - (i) the park owner and the buyer have entered into a site agreement for the site on which the manufactured home is positioned; and
 - (ii) the buyer has been given the disclosure documents for the site as required under section 29 of the Act;
- (c) that, if the site agreement is terminated under section 33 of the Act, the sale agreement is taken, under section 34

of the Act, to be at an end on the day termination of the site agreement is effective.

3 Information about selling manufactured home

The following information about selling a manufactured home positioned on a site in a residential park—

- (a) that a home owner who proposes to sell their manufactured home must give the park owner a notice of the home owner's intention to sell the home under section 56A(1) and (2) of the Act;
- (b) that the park owner, if given a notice of the home owner's intention to sell the manufactured home, must give the home owner a notice under section 56A(3) of the Act stating—
 - (i) whether the park owner offers services for the sale of manufactured homes in the residential park; and
 - (ii) the site rent that will be payable by a new home owner under a site agreement for the site;
- (c) details of the requirements under section 56C of the Act if the seller of the manufactured home is not the park owner.

4 Buyback and rent reduction scheme

The following information about the buyback and rent reduction scheme under part 9A of the Act—

- (a) the meaning of an eligible home under section 62C of the Act;
- (b) the process for joining the scheme under part 9A, division 4 of the Act;
- (c) details of the process for valuing the resale value of an eligible home under part 9A, division 8 of the Act;
- (d) that, if an eligible home has not been sold within 6 months after the start of the buyback period for the eligible home, the park owner must, under section 62V

of the Act, reduce by 25% the site rent payable under the site agreement for the site on which the eligible home is positioned;

- (e) that the park owner may apply to the tribunal under section 62ZC or 62ZD of the Act for an extension of the period for completing the purchase of an eligible home under a buyback agreement.

5 Park rules

A description of the process under part 13, division 2 of the Act for changing a park rule for a residential park.

6 Home owners committee

The following information—

- (a) a description of how a home owners committee for a residential park is established under section 100 of the Act;
- (b) a description of how a home owners committee may adopt a constitution under section 101 of the Act;
- (c) the function of a home owners committee under section 102 of the Act.

Schedule 3 Information required for sale agreement

section 3B

1 Contact details

The name, address, phone number and email address of the following persons—

- (a) the seller;
- (b) if the seller has a solicitor in relation to the sale of the manufactured home—the seller's solicitor;
- (c) if the seller has an agent, other than a solicitor, for the sale of the manufactured home—the seller's agent;
- (d) the buyer;
- (e) if the buyer has a solicitor in relation to the purchase of the manufactured home—the buyer's solicitor;
- (f) if the buyer has an agent, other than a solicitor, for the purchase of the manufactured home—the buyer's agent.

2 Residential park

The following information about the residential park—

- (a) the name and address of the residential park containing the site on which the manufactured home is positioned;
- (b) the location within the residential park of the site on which the manufactured home is positioned;
- (c) the park owner's name, address, phone number and email address.

3 Manufactured home

The following information about the manufactured home—

- (a) the number of bedrooms in the manufactured home;

- (b) the number of bathrooms in the manufactured home;
- (c) any unique identifying number or feature of the manufactured home, if known by the seller;
Example—
 - a serial number
- (d) any items attached or affixed to the manufactured home that are not included as part of the sale of the home;
- (e) details of any alterations or additions made to the manufactured home, if made by the seller or otherwise known by the seller;
- (f) details of any application lodged, or approval or consent given, in relation to an alteration or addition to the manufactured home, or a proposed alteration or addition to the manufactured home, if the application was made by the seller or the details are otherwise known by the seller.

4 Sale of manufactured home

The following information about the sale of the manufactured home—

- (a) the sale price of the manufactured home;
- (b) how and when payment for the manufactured home is to be made;
- (c) the day ownership of the manufactured home is transferred to the buyer;
- (d) if there is more than 1 buyer—whether the home is held by the buyers as joint tenants or tenants in common;
- (e) the rights of the buyer under section 33 of the Act to terminate the site agreement within the cooling-off period, and the circumstances in which the termination of the site agreement will automatically end the sale agreement under section 34 of the Act.