

# Temporary emergency accommodation

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This document answers frequently asked questions about temporary emergency accommodation in the event of a natural disaster.

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## What is a temporary, emergency caravan parks or camping ground?

The [State Environmental Planning Policy \(Housing\) 2021](#) (Housing SEPP) allows caravan parks or camping grounds to be established without development consent to provide temporary, emergency accommodation for people who have been displaced by a natural disaster. The sites will be established by or on behalf of a public authority.

## Are these sites subject to the same requirements as normal caravan parks and camping grounds?

Temporary emergency caravan parks and camping grounds are not subject to the usual requirements for caravan parks and camping grounds under the planning system or local government framework, including the need to obtain section 68 approval under the *Local Government Act 1993* (LG Act) or comply with the requirements of the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021 (LG Regulation). However, the public authority establishing the site must ensure that the development:

- is carried out within five years of the natural disaster occurring
- is carried out on land that is supplied with water and electricity
- is carried out on land that is provided with sewerage and drainage services
- is carried out on land that has access to communal amenities

## Who is responsible for temporary emergency caravan parks and camping grounds?

While temporary emergency caravan parks must be established on or on behalf of a public authority, they will be managed by an operator under agreement with the public authority. The operator is responsible for the management of the sites, including admission and turnover of occupants, and closing down the sites.

## How long can these sites operate for?

Up to five years. Otherwise, development consent under the Housing SEPP and council approval ([section 68](#) of the LG Act is required).

### Can moveable dwellings be installed in temporary, emergency caravan parks and camping grounds?

Yes, [clause 73A\(1\)\(a\) of the LG Regulation](#) allows for the installation of a moveable dwelling within a caravan park or camping ground that has been established to provide temporary, emergency accommodation.

A section 68 approval is not required if the moveable dwelling does not adversely impact the amenity of the land or the health and safety of persons occupying the caravan park, including the risk of fire.

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## Moveable dwellings on private land

### What is a moveable dwelling?

A moveable dwelling is defined in the LG Act as:

- any tent, caravan or other portable device (whether on wheels) used for human habitation
- a manufactured home
- any conveyance, structure or thing of a class or description prescribed by the regulations

These structures are either transportable, or easier to disassemble and relocate than other types of homes.

### Can I install a moveable dwelling temporarily without approval?

Generally, a section 68 approval under the LG Act is required before you can install a moveable dwelling on land. However, [clause 77](#) of the LG Regulation sets out criteria for when moveable dwellings can be installed without approval.

Installing a moveable dwelling to accommodate a person displaced by a natural disaster is one of the exemptions provided under clause 77 provided it is:

- maintained in a safe and healthy condition
- removed within two years of installation

This provides affected homeowners with an interim housing solution while they repair or rebuild their home, or secure permanent accommodation. The availability of the other exemptions depends on the length of stay, who the occupant/s are and the type of land.

### If a moveable dwelling is installed as a result of a natural disaster, what are the options at the end of the two-year exemption period?

The moveable dwelling must be removed from the property unless another approval has been secured.

Councils can extend the two-year period through a Local Approvals Policy.

### How many moveable dwellings can be installed temporarily without approval?

If the moveable dwelling is installed to accommodate a person displaced by a natural disaster under clause 77(1)(d) of the LG Regulation, only one moveable dwelling is permitted on the same land.

However, it may be possible to install more than one on the same land using the other available exemptions, provided the criteria for the additional exemptions is met. Outside of this, two or more moveable dwellings require development consent for the use of land as a caravan park, camping ground or manufactured home estate.

### What do I need to consider for the location of the moveable dwelling on my lot?

There are no restrictions on where the moveable dwelling can be located on the lot. But you should consider impacts on neighbouring sites and ensure the proposed location does not put you or your family at risk. This includes considering risks from hazards, as well as access to services and evacuation routes.

Any moveable dwellings installed under clause 77(1)(d) of the LG Regulation must also be maintained in a safe and healthy condition.

### Do I need approval for sewage management?

Generally, yes. Under section 68 of the LG Act, approval is required to:

- dispose of waste into a sewer of the council
- install, construct or alter a waste treatment device or a human waste storage facility or a drain connected to any such device or facility
- operate a system of sewage management
- approval is usually required to connect the moveable dwelling to the sewer of the council or to an approved on-site sewage management system
- dispose of waste into a sewer of the council

### A caravan is installed on my property and is inhabited by a family member. Does the two year limit under clause 77(1)(d) apply to me?

No. Under clause 77(1)(b) of the LG Regulation, the owner of a dwelling can install a caravan on land without approval provided it is for use by the owner of the dwelling or their household. The occupant does not need to have been displaced due to natural disaster, but the caravan must be located on the same site as an existing dwelling. There is no timeframe for the removal of a caravan under this exemption.

## Moveable dwellings in existing caravan parks or camping grounds

Can moveable dwellings be installed in caravan parks or camping grounds without approval under section 68 of the Local Government Act?

Yes, clause [74\(1\)\(e\)](#) of the [LG Regulation](#) applies to the installation of a moveable dwelling within an approved caravan park or camping ground only.

Moveable dwellings are allowed on land in a caravan park or camping ground without council approval if:

- the moveable dwelling is on a dwelling site within a caravan park or camp site within a camping ground
- the manager of the caravan park or camping site is satisfied the installation is necessary to accommodate a displaced person
- the moveable dwelling is designed, constructed and installed in accordance with Part 3, [Division 4](#) or [Division 5](#) of the LG Regulation.

The number of sites for moveable dwellings on the land is specified in the approval to operate a caravan park issued by the local council.

### Who regulates the site, design, and installation of moveable dwellings in caravan parks or camping grounds?

A moveable dwelling must be designed, constructed, and installed in accordance with the standards set out in the LG Regulation. It is the responsibility of the manager or operator of the caravan park or camping ground to ensure compliance.

The installation can only occur with the consent of the holder (usually the caravan park manager of the approval to operate the caravan park or camping ground).

### How long can I stay in a caravan park or camping ground?

The following maximum time periods apply for visitors to caravan parks and camping grounds:

- in a moveable dwelling occupying a short-term site or camp site - no more than 150 days in a 12-month period
- who is the owner of a holiday van occupying a short-term site or camp site - no more than 180 days in a 12-month period,
- in a moveable dwelling in a primitive camping ground - no for more than 50 days in a 12-month period.

The manager of a caravan park or camping ground can authorise a person to stay for up to 2 years, if they are reasonably satisfied the person has been displaced as a result of a natural disaster (e.g. flood) ([clause 73\(4\)](#) of the [LG Regulation](#)).