



Resilience  
NSW

Reference: DOC059926

Mr Craig Butler  
General Manager  
City of Lithgow Council  
PO Box 19  
LITHGOW NSW 2790

By email: [council@lithgow.nsw.gov.au](mailto:council@lithgow.nsw.gov.au)

Dear Mr Butler

Following the 2019/2020 bushfires, rural and remote property owners in your Local Government Area were supported to rebuild their homes through the NSW Temporary Recovery Pod Accommodation Program (the Pod Program).

The Pod Program allows for a Recovery Pod to be leased free of charge to recipients and placed on a person's property for a period of up to two years, in line with planning legislation, to enable them to live on their property while they rebuild. Through the program, recipients have been able to remain connected to communities and local support networks throughout the rebuild and recovery journey.

While many pod recipients are expected to complete their rebuilds within the initial two year period, there are a small number of Recovery Pod recipients who, despite best efforts, require longer than the two year limit to finalise their rebuilds. Delays to rebuilds have been caused by a range of extenuating circumstances, including COVID-19 restrictions, limited supplier and contractor availability and subsequent disaster events.

We expect that of the three current pod recipients in your LGA, two recipients may require longer than the two year limit to finalise their rebuilds, and will continue to require temporary accommodation while rebuilds continue. The current two year time limit and associated lease agreement for these pods will expire on a rolling basis from May 2022.

The Department of Planning, Industry and Environment (DPIE) recently made amendments to the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation* to allow councils to extend the current two year time limit on temporary accommodation through a Local Approval Policy (LAP). A copy of the media release and excerpt of the relevant regulation is attached.

This amendment, while broader than just the Pod Program, provides councils flexibility to extend the current two year time limit for Recovery Pods, to enable recipients who have experienced delays to their rebuild to remain in accommodation on their property while rebuilds are finalised.

The regulation enables councils to prepare a LAP to extend the two year exemption period to allow persons displaced as a result of a natural disaster to stay in a moveable dwelling on private land without approval.

The LAP must comply with the requirements of Chapter 7, Part 3 of the Local Government Act, including to:

- Be publicly exhibited for at least 28 days.
- Enable submissions to be made to council for at least 42 days following the date on which the LAP is placed on public exhibition.
- Obtain the consent of the Departmental Chief Executive as required by Section 162 of the Local Government Act which relates to additional exemptions from the necessity to obtain particular approvals of the council.
- Adopt the policy following consideration of all submissions made during public exhibition.

I am writing to request your assistance in facilitating an amendment to, or adoption of, an LAP as soon as possible, to ensure that pod recipients are able to remain in temporary accommodation beyond the current two year lease term, where extenuating circumstances have resulted in delays to rebuilds. Given two year pod leases in your LGA will begin expiring on a rolling basis from May 2022, I would be grateful for your assistance in progressing these amendments by March 2022.

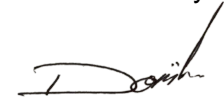
Where a LAP allows for Pods to remain on properties beyond two years, individual lease extensions will be agreed between Resilience NSW, the Minderoo Foundation and pod recipients on a case by case basis and in accordance with the council LAP, with a view to ensuring that recipients are supported to transition into permanent accommodation as soon as practical. We anticipate that lease extensions would be for between 1 - 12 months.

I would also like to advise that the Pod Program will formally close for nominations related to the 2019/20 bushfires on 31 January 2022. Nominations related to the 2019/20 bushfires may be assessed beyond this date, at the discretion of Resilience NSW and the Minderoo Foundation, where exceptional circumstances are demonstrated. The program remains open to nominations related to the February and March 2021 storm and flood event.

We look forward to continuing to work closely with Council to ensure local communities are supported in their recovery journey and pod recipients are supported with accommodation while finalising rebuilds.

For further enquiries, please contact your relevant Resilience NSW Regional Director, or Jillian Suggate, Manager, Partnerships & Engagement at [jillian.suggate@resilience.nsw.gov.au](mailto:jillian.suggate@resilience.nsw.gov.au).

Yours sincerely



**Dominic Lane**  
**Executive Director, Operational Management and Partnerships**  
**Resilience NSW**  
20/12/2021

Attachments: Media Release

*Clause 77 - Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation*



**Shelley Hancock**  
Minister for Local Government

## **MEDIA RELEASE**

Saturday, 6 November 2021

### **EASING HOUSING STRESS FOR THOSE IN NEED**

The NSW Government is making it easier for people experiencing housing insecurity and financial hardship due to the COVID-19 pandemic and natural disasters to make use of temporary accommodation at caravan parks and camping grounds for longer.

The amended *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021* will allow caravan park and camping ground managers to permit a person displaced as a result of a pandemic or natural disaster to live in temporary moveable dwelling accommodation for up to two years.

Minister for Local Government Shelley Hancock said the Government is determined to do all it can to support people displaced as a result of the pandemic, bushfires, floods and drought.

“While NSW is reopening and our economic and social recovery is well underway, we know many people in our community are still suffering and need support when it comes to alternative and temporary accommodation,” Mrs Hancock said.

This provision was introduced last year for victims of the Black Summer bushfires but has now been extended.

The Regulation will also allow councils to extend the period of time that a person can stay in a moveable dwelling on private land.

“Local councils will now be able to provide local solutions for those residents still displaced by extending time limits through a more flexible and simpler process,” Mrs Hancock said.

“These sensible changes will provide certainty for people suffering housing insecurity and financial stress caused by the recent crises we have endured.”

The *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021* can be accessed [here](#).

**MEDIA: Damien Bolte | 0498 359 624**

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# Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021

Current version for 29 October 2021 to date (accessed 30 November 2021 at 12:23)

[Part 3](#) > [Division 2](#) > [Subdivision 3](#) > [Clause 77](#)

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## 77 Installations for which approval not required

- (1) The approval of the council is not required for the installation of the following—
- (a) 2 caravans or tents if they are not occupied for—
    - (i) more than 2 consecutive days, and
    - (ii) more than 60 days in a 12 month period,
  - (b) 1 caravan on land occupied by the owner of the caravan in connection with the owner's dwelling house if the caravan is—
    - (i) used for habitation only by the owner or members of the owner's household, and
    - (ii) maintained in a safe and healthy condition,
  - (c) a caravan on pastoral or agricultural land if the caravan is merely occupied seasonally by persons employed in pastoral or agricultural operations on the land, or
  - (d) a moveable dwelling or associated structure on land to accommodate a person who has been displaced as a result of a natural disaster if the moveable dwelling or associated structure is—
    - (i) maintained in a safe and healthy condition, and
    - (ii) removed within—
      - (A) 2 years after it is installed, or
      - (B) if the relevant local approvals policy for the moveable dwelling or associated structure specifies a longer period—the longer period.

- (2) In this section—

**caravan** includes campervan.

**relevant local approvals policy**, for a moveable dwelling or associated structure, means the local approvals policy adopted in accordance with the Act, Chapter 7, Part 3 by the council of the local government area within which the moveable dwelling or associated structure is installed, as in force from time to time.