

Moveable dwellings for temporary accommodation

Council understands that it will take our community a long time to recover from the 2022 floods. To assist, this fact sheet has been prepared in relation to temporary accommodation 'options' for residents who have been displaced from their homes because of the flood.

People who have been displaced from their homes because of the flood can install a moveable dwelling, such as a caravan, on land without Council's approval for up to two years in accordance with the [Local Government \(Manufactured Homes Estates, Caravan Parks, Camping Grounds and Moveable Dwellings\) Regulation 2021](#).

A moveable dwelling is defined under the Local Government Act and may include a tent, caravan or van or other portable device (whether on wheels or not), used for human habitation. This can also include a manufactured home, **but this is not our preferred option on flood prone land, unless it has mobility on a trailer (or something similar) that allows for its timely relocation in the event of a flood emergency.**

Example: Peter and Sue are unable to live in their home after it was significantly damaged in the flood. Peter and Sue can install and stay in a moveable dwelling, such as a caravan, on their own or their neighbours, friends, or family members land (provided they have given owners consent) without Council approval for up to two years while they repair or rebuild their own home. If Peter and Sue wish to stay beyond two years, they will need to get Council approval.

The installation of a moveable dwelling shall be subject to the following requirements/criteria:

1. Complete the online form at www.byron.nsw.gov.au/temporaryaccommodation to alert Council you will be taking up this option.
2. the moveable dwelling shall be removed **within 2 years** after it is installed.
3. the moveable dwelling shall be **maintained in a healthy and safe condition**, not negatively affecting the amenity of adjoining properties.
4. the moveable dwelling shall be relocated off flood prone land in the event of a flood. In particular:
 - a. any moveable dwelling with wheels (i.e., caravan or van) shall be maintained in a road worthy condition and be able to be moved at short notice (i.e., have its tyres inflated).
 - b. any moveable dwelling with wheels shall have access to a vehicle with a tow bar to facilitate removal in the event of a flood; and
 - c. any manufactured home must have a plan in place for its removal in the event of a flood.
5. the moveable dwelling has adequate provision of reticulated water, sewerage and drainage. Separate approvals may be required from Council for these.
6. the moveable dwelling shall have installed at least one battery-operated smoke alarm, which is operational at all times.

7. the moveable dwelling shall **not** be located on the road reserve and/or public land without Council permission.
8. The use of temporary accommodation for short-term rental accommodation is not permitted.

Council may also consider the temporary occupation or habitation of garages.

People may seek to convert an existing garage to a dwelling or even construct a new garage for temporary occupation.

Need help?

Should you require further information or wish to discuss the above, please do not hesitate to contact Council's Development Support Officers on 02 6626 7025.

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