



New South Wales

# Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Amendment (Bush Fire Response) Regulation 2020

under the

Local Government Act 1993

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Local Government Act 1993*.

SHELLEY HANCOCK, MP  
Minister for Local Government

## Explanatory note

The object of this Regulation is to assist in the provision of emergency accommodation for persons affected by bush fires by—

- (a) permitting the owner, manager, operator or caretaker of a caravan park or camping ground to authorise a person to stay in the caravan park or camping ground for an extended period (of up to 2 years) if satisfied that the person has been displaced because of a bush fire, and
- (b) providing that the prior approval of the council is not required to install moveable dwelling or associated structure within a caravan park or camping ground if the owner, manager, operator or caretaker of the caravan park or camping ground is reasonably satisfied that the installation of the moveable dwelling or associated structure is necessary for the purposes of accommodating a person who has been displaced because of a bush fire, and
- (c) permitting the installation of any moveable dwelling and associated structure on land without the need for an approval for the purposes of accommodating a person who has been displaced because of a bush fire, but only if the moveable dwelling or associated structure is maintained in a healthy and safe condition and removed within 2 years after it is installed, and
- (d) permitting the general manager of a council to modify the conditions to which a primitive camping ground is subject if the general manager is reasonably satisfied that it is necessary to do so for the purposes of accommodating persons who have been displaced because of bush fires.

This Regulation is made under the *Local Government Act 1993*, including sections 68 and 748 (the general regulation-making power) and Schedule 6.

## **Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Amendment (Bush Fire Response) Regulation 2020**

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### **1 Name of Regulation**

This Regulation is the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Amendment (Bush Fire Response) Regulation 2020*.

### **2 Commencement**

This Regulation commences on the day on which it is published on the NSW legislation website.

## **Schedule 1      Amendment of Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005**

### **[1]    Clause 73 Conditions of approval to operate caravan park or camping ground**

Omit clause 73(4). Insert instead—

- (4) An owner, manager, operator or caretaker of a caravan park or camping ground may authorise a person to stay in the caravan park or camping ground for a longer period than that specified in subclause (1) (up to a maximum period of 2 years) if the owner, manager, operator or caretaker is reasonably satisfied that the person has been displaced because of a bush fire.
- (5) Subclauses (1)(b), (c) and (d) and (2) do not apply to the following—
  - (a) a resident owner, manager, operator or caretaker of the caravan park or camping ground,
  - (b) a person who is authorised under subclause (4) for the caravan park or camping ground.

### **[2]    Clause 74 Conditional exemptions**

Insert after clause 74(4)—

- (4A) The prior approval of the council is not required for the installation of a moveable dwelling or associated structure on a dwelling site within a caravan park or a camp site within a camping ground if—
  - (a) the owner, manager, operator or caretaker of the caravan park or camping ground authorises the installation because the owner, manager, operator or caretaker is reasonably satisfied that the installation of the moveable dwelling or associated structure is necessary for the purposes of accommodating a person who has been displaced because of a bush fire, and
  - (b) the moveable dwelling or associated structure is designed, constructed and installed in accordance with the relevant requirements of Division 4 or 5.

### **[3]    Clause 77 Conditional exemptions**

Insert at the end of clause 77(c)—

- , or
- (d) the installation of any moveable dwelling and associated structure on land for the purposes of accommodating a person who has been displaced because of a bush fire, but only if the moveable dwelling or associated structure is maintained in a healthy and safe condition and removed within 2 years after it is installed.

### **[4]    Clause 132 Primitive camping grounds**

Insert after clause 132(5)—

- (6) The general manager of the council for the area in which a primitive camping ground is located may modify the conditions under this clause as they apply to the camping ground if the general manager is reasonably satisfied that it is necessary to do so for the purposes of accommodating persons who have been displaced because of bush fires.