

Submission: Manufactured Home Estates, Caravan Parks, Camping Grounds and Movable Dwellings – Consultation on Proposed Amendments

December 2023

Homelessness NSW welcomes the opportunity to provide feedback on the proposed amendments to the planning framework for manufactured home estates, caravan parks and camping grounds. We note that our feedback focuses particularly on issues for the safety, accessibility and wellbeing of people who are at risk of or experiencing homelessness. We acknowledge that the proposed amendments have broad application to diverse groups of people who might be accommodated in these types of dwellings. We are seeking consideration of the needs of a particularly marginalised cohort of people.

Homelessness NSW is peak body working to end homelessness across NSW. Our more than 200 members include specialist homelessness services, allied organisations, people with lived experience and community members. We work with our members, lived experts and a broad network of partners to understand drivers of homelessness, advocate for solutions, build skills and knowledge, and scale innovation.

Homelessness and lack of access to safe, good quality affordable housing are critical issues in NSW. There are more than 35,000 people who experience homelessness in NSW each year, more than 57,000 people on the waiting list for social housing and less than 1% of rentals are affordable for low-income earners.^{1,2,3} The homelessness service system is overstretched and under-resourced and less than 50% of people can get the accommodation support they need through specialist homelessness services.⁴ The housing situation is dire and desperate for many people. Ultimately, the solutions to these issues lie with increased social and affordable housing and strengthened health and human services systems. However, in this desperate climate there is demand and need for short-term and non-permanent accommodation options.

While the data is unclear, it is apparent that there are many possible links to homelessness for people who reside in caravan parks and camping grounds for extended periods of time. This includes challenges such as inability to afford private housing, being on the waitlist for social housing, being unable to access crisis accommodation, escaping domestic violence, or needing to live in a particular location to access employment or other services but unable to access the housing market in that location. For many people caravan parks and camping

¹ Australian Bureau of Statistics. (2023). Estimating homelessness: Census 2021. Australian Government.

² NSW Department of Communities and Justice. (2023). Social housing waitlist data. Available at <https://www.facs.nsw.gov.au/housing/help/applying-assistance/social-housing-waiting-list-data>.

³ Anglicare. (2023). Rental affordability snapshot. Available at <https://www.anglicare.asn.au/publications/2023-rental-affordability-snapshot/>

⁴ Australian Institute of Health and Welfare. (2023). Specialist homelessness services annual report 2022-23. Australian Government.

grounds are crucial (although insufficient) accommodation options. This leads to a number of important considerations for the proposed amendments.

Caravan park short-term stay limits

We welcome reforms that increase the number of days that people may stay in caravan parks. For many people at risk of or experiencing homelessness this is a last-resort accommodation option, or an option that offers necessary flexibility during periods of uncertainty. The more stability that can be offered to people during such crisis periods, the more likely they are to be able to access support and engage with pathways from homelessness into long-term accommodation. Extending the number of days that a person may reside in a caravan park to 180 days may go some way to affording people the stability needed to address complex issues. However, in many cases people may be facing homelessness at the end of that 180 day period and consideration should be given to supporting safe pathways into accommodation for those people. We recognise that this is a responsibility not borne solely by caravan park operators.

Recommendation: That protocols should be put in place regarding steps for supported transitions out of caravan parks after 180 days for those people facing homelessness. Collaborations between caravan park operators, government agencies and homelessness service providers should be established to facilitate safe transitions for those people at significant risk of homelessness.

Limits to the installation of tents outside camping grounds

We have a number of concerns regarding the proposed limit of 30 days for short-term use of tents outside of camping grounds. While we recognise the issues regarding sanitation and protection associated with long-term use of tents as accommodation, we urge consideration of the fact that these are often last-resort options for people experiencing homelessness.

People who are relying on a tent for shelter because they have no other accommodation options meet the definition for primary homelessness as ‘people living in improvised dwellings, tents or sleeping out’.⁵ For people who face this extreme form of homelessness, camping in public places may be their only option. We urge a thoughtful and compassionate approach to regulating camping in public places, that recognises the complex and significant health, economic and wellbeing issues being experienced by many people in these circumstances. The priority must be on connecting people to support and relevant services. The imposition of a time limit of 30 days does not account for the seriousness or complexity of the barriers to long-term secure housing that many people living in tents may be facing. To move residents and community members on from tent dwellings without having alternative accommodation

⁵ Australian Bureau of Statistics. (2023). Estimating homelessness: Census 2021. Australian Government.

options, fails to recognise the care and support needed to address people's experiences of homelessness.

We also note that the NSW Protocol for Homeless People in Public Places is founded on the principle that 'People experiencing homelessness have the same rights as any member of the public to be in public places.'⁶ This protocol offers guidance regarding how and when a person experiencing homelessness should be approached, acknowledging the rights, concerns and wellbeing of people experiencing homelessness in public spaces. It may be a useful reference guide for development of reforms in this area.

Recommendation: That no time limit should be placed on installation of tents outside camping grounds until clear, safe protocols and effective support pathways are developed for those people living in tents. Further consultation should be undertaken with government and non-government homelessness services, peak bodies and people with lived experiences of homelessness to inform an evidence-based, safe and rights-based approach to addressing issues associated with installations of tents outside camping grounds.

Exemptions for installation of moveable dwellings outside caravan parks

We welcome the proposed changes to provide for more flexibility in terms of who may live in temporary dwellings on private properties. We note that this cannot be a substitute for long-term, good quality, safe and affordable housing, but it is a move that recognises the need for flexible and rapid shelter solutions during a housing and homelessness crisis.

General considerations

We note the ongoing impacts of catastrophic disaster events, such as flooding in the Northern Rivers and bushfires on the South Coast have necessitated flexible and rapid shelter solutions. While shelter options such as pods, hotels and caravans were envisaged as short-term measures, the reality is that many people are now spending years in such accommodation. Any changes to regulation must account for the fact that there will, inevitably, be more regular and severe disaster events throughout NSW in the coming years. We urge that all reforms carefully consider how to provide the flexibility for people to make choices and have control over their accommodation in the wake of disaster events, while ensuring that people are kept safe and that health and wellbeing is not compromised.

As a general principle, we welcome regulation that facilitates more rapid access to good quality housing and we recognise that manufactured and moveable dwellings will be part of the solution to NSW's housing crisis. However, any expansion of the capacity for more moveable

⁶ NSW Department of Communities and Justice. (2022). Protocol for homeless people in public places. Available at <https://www.facs.nsw.gov.au/providers/working-with-us/programs/homelessness/specialist-services/partnerships/safe-in-public/protocol>

and manufactured dwellings must not compromise the safety and wellbeing of communities and people facing, or experiencing, homelessness. Ideally, any such developments should seek to ensure that:

- Dwellings are located close to infrastructure, transport, services, people's social networks, education and employment;
- Mixed tenant models are in place, bringing together people with diverse socio-economic status and household composition, to support community security and wellbeing; and
- The quality of dwellings is not compromised - accommodation must be good quality and designed and constructed with consideration to climate control and environmental sustainability.

We look forward to ongoing collaborative approaches to reform that consider the needs and wellbeing of some of the most marginalised groups of people in the most dire need for good quality, rapid housing solutions. To discuss this submission further, please contact Kate Davies, Policy and Research Manager at Homelessness NSW at kate@homelessnessnsw.org.au.

Yours sincerely



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