

# Resilient Homes Program

## Large Lot and Landslide

### Frequently Asked Questions - July 2024

## Large Lot properties

### *What is a large lot?*

Land greater than 2 hectares on individual or multiple adjoining lots improved with at least one home. The home being considered (primary dwelling) must be used for residential purposes.

### *What funding is available for homes on large lots?*

Retreat Grant funding is intended to support homeowners to move to a safer location, while maintaining their ability to keep using the valuable rural and agricultural land.

The Retreat Grant is calculated based on the value of the primary dwelling as at 21 February 2022 (immediately prior to the Flood Event) and is capped at \$600,000 (including GST).

An independent assessment will be undertaken to determine the value of the primary dwelling on the property. Then the primary dwelling, and any other residential dwelling within the high-risk area, must be demolished or otherwise removed from the property.

### *How do I know if I'm eligible for funding?*

On a large lot property, the prioritisation mapping for the Resilient Homes Program (and associated flood hazard) may vary across the lot. The location of the primary dwelling on the site on the mapping together with whether and how the primary dwelling was impacted by the Flood Event will help determine indicative eligibility:

- The primary dwelling was destroyed in the Flood Event and may be eligible for a Retreat grant.
- Priority level 1 or 2 properties may be eligible for:
  - relocation
  - where relocation is not feasible, a Retreat Grant.
- Priority level 3 properties may be eligible for:
  - relocation
  - if relocation is not feasible, the property is ineligible under the RHP.
- Priority level 4 properties may be eligible for one of the following (as determined by the home assessment report):
  - Home Raising stream
  - Home Retrofit stream
  - Relocation.

Where a primary dwelling on a large lot property is located outside of priority level areas 1 through 4, the property is not prioritised for funding under the Resilient Homes Program.

A landowner may only be eligible for one stream per property. The landowner may not, for example, receive funding for both Relocation and the Retreat Grant.

## ***What conditions apply to funding for homes on large lot properties?***

Conditions of receiving the Retreat Grant are:

- the primary dwelling, and any other residential dwelling within the high-risk area, must be demolished or otherwise removed from the property, subject to planning approval
- the homeowner acknowledges that the high-risk area will be rezoned if required, or a restriction will be put in place on the land through an Environmental Planning Instrument, so that the high-risk area cannot be used for residential purposes in the future.

If a landowner receives a Retreat Grant for the primary dwelling on a large lot, no other residential dwellings can remain on the property in a priority 1, 2 or 3 area (the high-risk area). Additional residential dwellings in a priority 4 area are not required to be removed.

The Retreat Grant is capped at \$600,000 per large lot. Please see section on Multiple Dwelling and Multiple Occupancy below.

### ***Will insurance be deducted from funding?***

Yes. Any cash settlement received from your insurer will be deducted from the grant amount.

### ***Can I relocate my home?***

Yes. The relocation of the primary dwelling is an option on all prioritised large lot properties (except where the primary dwelling was destroyed) and is the recommended option for priority 1 and 2 properties, where possible.

The feasibility of relocation includes consideration of building type, availability of suitable low flood risk land, homeowner circumstances, and development consent requirements.

Due to the prioritisation of Resilient Homes Program funds, relocation is the only activity available to large lot properties in a mapped priority 3 area – except where the primary dwelling was destroyed or recommended for demolition due to the Flood Event. Relocation costs may be provided up to \$100,000 (including GST).

A landowner may only be eligible for one stream per property. The landowner may not, for example, receive funding for both Relocation and the Retreat Grant.

Where the cost estimate is more than the available grant value, the NSW Reconstruction Authority will match financial contributions provided by the homeowner (co-contribution) up to a maximum of 100 percent of the available grant value, to a maximum payment of \$200,000 including GST.

### ***Will you purchase my property (either whole or part)?***

No. The purchase of large lot properties within high flood hazard is not feasible for the Resilient Homes Program given the current funding available. This approach does not support equitable outcomes for the distribution of funds under the Resilient Homes Fund.

### ***Will mitigation works be funded?***

An early version of the policy shared with council stakeholders suggested funding may be available for mitigation works on properties. Mitigation works are not eligible under the Resilient Homes Program.

## Rezoning

### *Can I still use my land when the home is removed?*

Yes. However, the high-risk area of the property cannot be used for residential purposes. This is a condition of receiving grant funding from the RA. The high-risk area is any land mapped as priority 1, 2 or 3.

### *Will the whole property need to be rezoned?*

Some properties may have lower flood-risk areas, which will not be restricted.

Homeowners will not be able to relocate or build a new residential dwelling in areas deemed as high-risk areas.

Any land within a Priority 4 mapped area or unmapped land will not be rezoned/restricted.

In many cases, rezoning of land will not be required on large lot properties in high flood-risk areas as there are existing development controls in place.

## Multiple occupancies on large lot properties

### *How will this policy apply to multiple dwellings or multiple occupancies?*

Only the registered proprietor of the land is eligible under the Resilient Homes Program. Where a resident or holder of a dwelling entitlement is not the landowner, the resident will not be independently eligible under the program.

Where the resident believes their dwelling meets the eligibility and prioritisation requirements, it is the responsibility of the resident to engage with the landowner to apply for the Resilient Homes Program.

Where there are multiple dwellings on a large lot, all dwellings that meet program eligibility requirements and prioritisation may be considered. However, the maximum available funding envelope is capped at \$600,000 (including GST) per large lot, even where that large lot extends over different property boundaries.

If a landowner receives a Retreat Grant for a dwelling on a large lot, no dwellings must remain on that property in a priority 1, 2 or 3 area. Additional dwellings in a priority 4 area are not required to be removed.

A landowner is only allocated one stream per property. The landowner may not, for example, receive funding for both Relocation and the Retreat Grant.

## Landslide affected properties

### *How will you assess if my home is affected by landslide?*

Residential dwellings in the Northern Rivers that were directly damaged by landslide caused by the Flood Event may qualify for assistance under the Resilient Homes Program.

Additionally, for dwellings that have not been damaged or destroyed, if the landslide impacted the safe habitation of the primary dwelling such that it becomes uninhabitable without treatment, those properties may be eligible for the Resilient Homes Program.

Landslide affected properties are prioritised for funding where a landslide that occurred during, or because of the Flood Event, resulted in:

- destruction of the dwelling; or
- impact to the safe habitation of the dwelling such that it becomes uninhabitable without treatment.

Prioritisation is informed by a property specific report, received from a geotechnical practitioner under the Flood Property Assessment Program (FPAP) or an equivalent report, including a report independently sourced by the homeowner.

Landslide affected properties are not required to be in priority level areas in the Resilient Homes Program prioritisation mapping.

### ***What conditions apply to funding for landslide impacted properties?***

The following conditions apply:

- Rezoning (or placing a restriction on the residential use of the land through an Environmental Planning Instrument) being undertaken on the landslide affected part of the Property (the high-risk area).
- The existing dwelling/s must be removed by the homeowner from the property, unless it is not safe or feasible to do so according to an appropriate, geotechnical report and as agreed by the NSW Reconstruction Authority. Removal of the dwelling/s may be through:
  - house removal/relocation – such as via a removalist or other third party that will remove the house from the property for off-property re-use
  - demolition – this may be supported through an existing program e.g. Flood Property Assessment Program (FPAP) or Retreat Grant funds may be used. Demolition may include any practical level of resource recovery desired by the homeowner.

Funding will be provided to the homeowner once the above conditions are met.

The homeowner may request an advance payment to be released directly to the removal or demolition contractor to complete the removal activities.

Where it is not safe or feasible to complete demolition activities due to landslide risk, the NSW Reconstruction Authority (RA) may waive this requirement if provided with evidence from a geotechnical practitioner, demolition contractor, or equivalent, and the homeowner can demonstrate measures taken to prohibit access to the dwelling.

### ***Can I relocate my home?***

In limited circumstances, it may be possible to relocate the dwelling to another part of the property that is not in a high-risk area. Homeowners must provide geotechnical evidence to RA that it is safe to relocate the dwelling within the property boundary.

The homeowner will be responsible for seeking geotechnical advice and obtaining all relevant planning approvals for RA to consider as part of the grant application.

### ***Is there funding available to relocate my home?***

Relocation costs will be provided up to \$100,000 (including GST). Where the cost estimate is more than the available grant value, RA will match financial contributions provided by the homeowner (co-contribution) up to a maximum of 100 percent of the available grant value, to a maximum payment of \$200,000 (including GST).

## Multiple occupancy landslide affected properties

Only the registered proprietor of the land is eligible under the Resilient Homes Program. Where a resident or holder of a dwelling entitlement differs from the landowner, the resident/interest holder will not be independently eligible under the program.

Where the resident believes their dwelling meets the eligibility and prioritisation requirements, it is the responsibility of the resident to engage with the landowner to apply for the RHP.

Where there are multiple dwellings on a property, all dwellings that meet the prioritisation and program eligibility requirements may be considered as part of the grant (for example, \$400,000 towards the primary residence and \$200,000 towards a secondary dwelling).

The Retreat Grant is capped at \$600,000 (including GST) per property.

Landslide affected landowners are only eligible for one stream per property. The landowner may not, for example, receive funding for both Relocation and the Retreat Grant.