



Government of **Western Australia**
Department for **Planning and Infrastructure**



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Enquiries: Anne Hill (9264 7514)

Dr M D Nahan MLA
Chair
Economics and Industry Standing Committee
Parliament House
PERTH WA 6000

Dear Dr Nahan

Submission to The Economics and Industry Standing Parliamentary Committee with relation to its Inquiry into the Provision, Use and Regulation of Caravan Parks (and Camping Grounds) in Western Australia

The Department for Planning and Infrastructure (DPI) appreciates the opportunity to submit its views to the Committee.

The Department will restrict its comments to the fourth-listed area of the Committee's investigation: Impact of existing legislation, and state and local government policies regulating caravan parks, particularly relating to:

- maintaining a viable caravan park industry,
- protecting the rights of operators and users, and
- providing an adequate mix of long- and short-stay facilities and sites.

The Department will comment primarily on the planning legislation and policies that are relevant to caravan parks.

The zoning of land for caravan park use and the development of caravan parks are covered by the *Planning and Development Act 2005*. This Act sets out the overall requirements for orderly land use planning in Western Australia.

The Act is given effect through a planning framework, which includes statutory planning instruments such as Local (Town) Planning Schemes under which development approvals are given, and a series of planning policy instruments intended to guide the treatment of various land uses through the statutory instruments. The Western Australian Planning Commission (WAPC) advises the Minister on planning matters and on applications for planning schemes and scheme amendments, and is responsible for giving approval for subdivisions and ancillary instruments (eg structure plans).

The WAPC publishes State Planning Policies, Development Control Policies and Planning Bulletins to provide guidance for developers and local governments in implementing good planning practice.

Planning Bulletin 49: Caravan Parks (attached) was published by WAPC in February 2001 to provide advice on the treatment of caravan parks in local planning instruments and decision-making. The objectives of Planning Bulletin 49 are:

- to provide short-term accommodation for tourists in locations which complement existing tourist and recreation facilities;
- to provide long-term accommodation for permanent residents in locations with access to services normally available to conventional residential development; and
- to encourage development of caravan parks in a manner which is compatible with existing land uses, and which does not have a detrimental impact on the environment or the amenity of the locality.

The Bulletin provides advice on appropriate locations for caravan parks, managing visual and environmental impacts, and provision of utility services. It refers to the Caravan Parks and Camping Grounds Regulations for design standards, and reiterates the prohibition on strata titling of caravan parks under both those regulations and the *Strata Titles Act*.

The then Minister for Planning and Infrastructure established the Tourism Taskforce in 2002 to investigate whether the planning process catered for the tourism industry, how tourism sites were protected from inappropriate residential development, how caravan parks could be zoned better and what impact strata titling had on tourism facilities. At the request of the then Minister, the WAPC published the Tourism Taskforce report in 2006 (Attached).

The report presented a number of recommendations relating to caravan parks and camping grounds. This included the production of local planning strategies acknowledging the function of caravan parks and camping grounds as providing for tourist, seasonal and residential accommodation with the use of rezoning, to limit the opportunity for redevelopment and take into account the local tourism demands and requirements in an area.

The Taskforce recommended the use of local tourism strategies to ensure that local communities were well-placed to benefit from the tourism industry. There are a number of local planning authorities who are currently producing draft local tourism planning strategies for public comment including the Shire of Busselton and City of Albany.

Planning Bulletin 83 'Planning for Tourism' (attached) is the interim policy of the WAPC in implementing the recommendations of the taskforce report and provides the strategic policy context regarding tourism planning.

A draft State Planning Policy – Land Use Planning for Tourism (SPP) was endorsed by WAPC in December 2007. However, following concerns being raised by the

industry with respect to the implications of some of the Taskforce recommendations, this is currently under review prior to releasing the draft policy for public comment.

DPI is represented on the Tourism Accommodation Review currently being undertaken by the Quality Tourism Committee. The draft State Planning Policy will incorporate the findings of this review before being released for public comment.

DPI is aware of the problems arising as a result of the redevelopment of a number of caravan park sites for other uses. A pressing concern is the displacement of permanent residents, and particularly the difficulty that park home owners have in finding another park to which they can relocate their homes.

Under current planning legislation, such matters are not able to be considered when the WAPC is considering an application to rezone a caravan park site to another use, such as residential or commercial. The rising value of land, particularly in metropolitan, coastal and attractive holiday locations, and the relatively low returns available from caravan parks, will continue to provide an incentive for caravan park owners to capitalise their land value. The Department is working in conjunction with other government agencies to try to address the continuing development pressure being placed on caravan parks and camping grounds throughout the State, taking into consideration the commercial implications of any planning policies and strategies that are implemented.

To specifically address the problem of dislocation of permanent residents of metropolitan caravan parks subject to closure, an inter-agency working group comprising the Departments of Housing, Planning and Infrastructure, Commerce, Communities, and Local Government and Regional Development, has been discussing options to deal both with the short term issues and longer term security of tenure for permanent caravan park residents.

With respect to the latter, the DPI and the WAPC are identifying government-owned land that may be suitable for development as mixed tourism/permanent residency parks utilising long-term conditional leases to private or not-for-profit operators. Suitably qualified entities will be invited to tender for such leases once land is identified and appropriately zoned.

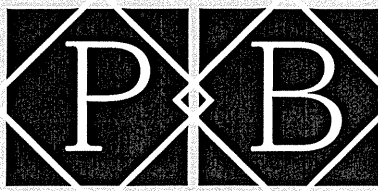
Yours sincerely



Eric Lumsden PSM
Director General

EL 28/1/2009

Att: Planning Bulletin 49: Caravan Parks
Tourism Taskforce report in 2006
Planning Bulletin 83 Planning for Tourism



Caravan Parks

1. Purpose

This Bulletin provides advice and seeks comments on matters to be taken into consideration in planning for the development of caravan parks.

2. Background

Caravan parks have traditionally provided accommodation for tourists. However, in recent years, there has been a trend for caravan parks to also provide permanent accommodation for residents. Planning for the development of caravan parks should, therefore, be considered in this context.

There are 216 caravan parks operating in Western Australia, including 31 in Perth. There are 141 short-term parks and 75 long-term parks¹. In other words, 35 per cent of caravan parks are long-term parks

3. Objectives

Key planning objectives for the development of caravan parks are:

- to provide short-term accommodation for tourists in locations which complement existing tourist and recreation facilities;
- to provide long-term accommodation for permanent residents in locations with access to services normally available to conventional residential development; and

- to encourage development of caravan parks in a manner which is compatible with existing land uses, and which does not have a detrimental impact on the environment or the amenity of the locality.

4. Location and site selection

A range of factors should be taken into consideration in determining suitable sites for caravan parks. These are considered below.

4.1 Tourist or permanent accommodation

The mix of tourist and permanent accommodation is a key factor in planning for caravan parks, as there will be different planning considerations associated with each.

For example, caravan parks which are primarily designed to cater for tourists should be located with good access to key tourist attractions, such as beaches, or areas of cultural, historical or landscape significance.

On the other hand, caravan parks which are principally designed for permanent residents should be assessed in the same way as conventional residential development. They should be located in areas with access to employment, shops, schools, public transport, and community and recreation facilities.

It should not be assumed that occupants of long-term parks have access to cars. Access to a bus route linking with employment, shops, schools and community facilities is, therefore, essential if the site is beyond walking distance to these facilities. In addition, the facilities must also have the capacity to

service the needs of the caravan park residents.

In particular, long-term parks should provide easy access to primary schools, shops and a health centre, otherwise residents will be disadvantaged compared with those of conventional housing. It is also desirable for these parks to have access to childcare centres, playgrounds and community halls. Therefore, the most appropriate sites are those which would otherwise be suitable for residential development.

4.2 Visual impact and amenity

Caravan parks have a pronounced repetitive image. The impact of a caravan park on landscape character and visual amenity will, therefore, be an important consideration.

In rural and natural landscapes, the visual impact of a caravan park should be considered from scenic vantage points, public lookouts and tourist routes. Prominent sites such as ridges and exposed headlands should be avoided, as should sites which are difficult to landscape and integrate into the environment.

Caravan parks accommodating permanent residents will generally be located adjoining established and developing areas where the environment is a mixture of buildings, hard surfaces and soft landscaping. In these locations, the soft landscaping should dominate with caravans only glimpsed in a leafy and vegetated environment.

Vegetation buffers and landscaping will be important in integrating the caravan park into the landscape and in providing screening from

¹[Source: ABS, *Tourist Accommodation, Small Area Data, Western Australia March Quarter 2000* [8635.5.40.001], for caravan parks with 40 or more powered sites, cabins etc, including short-term sites (occupied for less than two months) and long-term sites (occupied for more than two months)].

surrounding land uses, as well as reducing visual and noise impacts and providing privacy for park users.

4.3 Topography, drainage, soils and vegetation

Caravan parks should generally not be located on steep slopes due to potential drainage problems associated with earthworks and retaining cut and fill embankments. In addition, such development may result in increased development costs. Steep slopes may also present a bushfire hazard.

Caravan parks should not be permitted in areas of potential risk from flooding or waterlogging. Streams and creeks should not be disturbed by the development.

Some soil types may not be suitable for development as they are susceptible to slipping and slumping, especially during wet periods.

Vegetation clearing should be kept to a minimum as excessive removal may result in soil erosion and possible problems with stormwater run-off. Good vegetation cover also provides screening and contributes to a desirable setting for a caravan park.

4.4 Utility services

Utility services including a suitable electricity supply, telephone service, a water supply and reticulated sewerage should be available. Where reticulated sewerage is not available, on-site wastewater disposal is to be to the satisfaction of the Health Department. Provision of reticulated sewerage for long-term parks is highly desirable.

Service providers should be consulted regarding the availability of services in determining suitable sites for caravan parks.

4.5 Pedestrian and vehicular access

Suitable access to and from caravan parks should be provided to ensure traffic, cyclist and pedestrian safety

within the vicinity of the park. Entrances and exits should be avoided where vehicular access is difficult because of poor sight lines or large volumes of fast-moving traffic.

Ease of access to caravan parks and access by park residents to facilities is particularly important for caravan parks accommodating long-term residents.

The impact of vehicular noise and headlights on adjoining land uses at access points should also be considered, particularly for parks in the vicinity of residential development.

When considering a site which adjoins public land, such as a park, beach or foreshore area, careful consideration should be given to maintaining public access to that facility without the need for the public to walk or drive through the caravan park.

Access within parks is to be in accordance with the *Caravan Parks and Camping Grounds Regulations 1997*. Details are provided in part 5 of this Bulletin.

4.6 Environment, setting and land capability considerations

Caravan parks should not be sited in areas where the development is likely to have an adverse impact on the environment, including impacts on regionally significant vegetation, such as defined by *Bush Forever* for vegetation in the Perth Metropolitan Region; locally significant vegetation; wetlands; or other environmental values. Site selection should also take into account any relevant land capability considerations.

Caravan parks are regarded as generally incompatible in Priority 1 and 2 water resource protection areas, and are a conditional use in Priority 3 areas (must be connected to deep sewerage, except where exemptions apply under the *Government Sewerage Policy*).

The setting for a caravan park is also a key factor, as different environments will offer different opportunities and constraints. For example, there may be an opportunity to incorporate a natural feature into a caravan park in a way that provides a balance between the environment and the park development. An example is incorporating an area of protected flora into the open space component of a caravan park.

5. Development to be consistent with the Caravan Parks and Camping Grounds Act and Regulations

Development of caravan parks must also comply with the provisions of the *Caravan Parks and Camping Grounds Act 1995* and the *Caravan Parks and Camping Grounds Regulations 1997*. As well as providing for licensing of caravan parks, the legislation defines a caravan park (similarly defined in the *Model Scheme Text*), a short-stay site (site occupied for no longer than three months) and long-stay site (site occupied for any period of time), and sets out a range of matters for the construction and operation of caravan parks. These include design standards for:

- internal roads, requiring entrance and two-way roads to be at least six metres wide and one-way roads to be at least four metres wide;
- setbacks, requiring a minimum of one metre between caravans, and between caravans and roads;
- parking, including a requirement for each site to have parking for at least one vehicle;
- internal open space, requiring at least 10 per cent of the total area of the caravan park to be open space;
- permitted buildings in caravan parks, including a manager's house, shop, restaurant and ablution facilities;
- firefighting equipment; and

- supply of an electricity, water and telephone service, including a requirement for each long-term site to have separate electricity meters, its own tap and telephone connections.

6. Strata titling

The strata titling of caravan parks is not permitted under the *Caravan Parks and Camping Grounds Act 1995* and the *Strata Titles Act 1985*. This is to avoid the potential for strata lot owners to develop individual sites in a way which is contrary to the purpose and intent of caravan parks for communal occupation. Details are contained in the WA Planning Commission's Policy, DC 1.3, *Strata Titles*.

7. Implementation

7.1 Town planning schemes

Local governments may include statements on the location and development of caravan parks in Local Planning Strategies.

A local government town planning scheme may provide for caravan parks in the following manner:

- as a permitted use (P use) in a Tourist or Caravan Park zone;
- as a discretionary use (D or A use) or an additional use in appropriate zones, e.g., in a Rural zone; or
- as a use in a Special Use zone.

7.2 Rezoning proposals, and applications for subdivision and development

The matters set out in this Bulletin are intended to guide local governments and the Western Australian Planning Commission in considering rezoning proposals, and in dealing with applications for subdivision and development for caravan parks.

Rezoning proposals and applications for subdivision and development are to include details of the proposed mix of short and

long-term accommodation for such parks to assist the Commission and local governments in assessing caravan park proposals.

8. Comments

Comments on the matters contained in this Bulletin are invited and should be directed to the Director, Policy and Legislation Unit of the Ministry for Planning, 469 Wellington Street, PERTH WA 6000 quoting reference number 855/1/1/2P71 by Thursday 31 May 2001.

WEBSITE

As part of its continuing improvements to its service to clients and the public, the Ministry for Planning has established a website at the following address:

<http://www.planning.wa.gov.au/publications/bulletins>

The site contains a range of information concerning the Ministry and the Commission, including Planning Bulletins.

June 2007

Planning Bulletin 83

Planning for Tourism

1 Purpose

This bulletin sets out the interim policy of the Western Australian Planning Commission (WAPC) to implement the recommendations of the Tourism Planning Taskforce (the taskforce). The interim policy will guide decision-making by the WAPC and local government on subdivision, development and scheme amendment proposals for tourism purposes in the short term while detailed planning mechanisms are being established, including the preparation of a state planning policy. The full report of the taskforce is available on the Department for Planning and Infrastructure (DPI) website at <http://www.dpi.wa.gov.au/cityregionalplanning/1689.asp> and should be read in conjunction with this interim policy.

2 Background

The taskforce was established by the Hon Alannah MacTiernan MLA, Minister for Planning and Infrastructure, in September 2002 to address the increasing practice of using tourist zoned land for residential development and the effect of strata schemes on tourism developments. Concerns relate to the ongoing operation of strata titled tourist development, the potential conflict between short stay tourism and permanent residents, and the increase in the value of tourism zoned land which is displacing low key tourism uses such as caravan parks.

The taskforce was chaired by the Hon Adele Farina MLC, Member for South West Region and comprised representatives of the tourism and development industries, local government and government agencies with roles in planning and tourism.

The taskforce released its report for public comment in August 2003. Following consideration of submissions, the final report was endorsed by the State Government in January 2006. The WAPC endorsed the taskforce recommendations in June 2006.

3 Recommendations of the Tourism Planning Taskforce

The taskforce made 26 recommendations. Those of particular relevance to planning are:

- The preparation of a state planning policy on land use planning for tourism as a primary mechanism to implement the taskforce recommendations.
- The preparation and approval by local government of specific tourism components in local planning strategies as a framework for decision-making on tourism proposals.
- The establishment of a committee to identify sites and locations of strategic tourism significance around the state, in consultation with local governments. Strategic tourism sites are those that are critical to the future growth and community benefit of tourism for the State as a whole and for specific regions and areas.
- Introduction of an extended range of definitions for tourism development with specific reference to length of stay provisions, to provide for consistency in the classification of different tourism activities. Definitions may include chalet, cabin, eco-tourist facility, farmstay, guesthouse, holiday home, lodge, tourist resort, serviced apartment, short stay accommodation and tourism development.
- Introduction of a range of tourism zones (ie caravan park and camping grounds, cabin and chalet, motel, hotel, tourist resort, tourist accommodation and tourist investigation) and the permissibility of land uses in each zone.
- Length of stay provisions and use restrictions on tourist accommodation in tourism zones.
- The use of special control areas to introduce specific requirements in respect of strategic tourism sites or locations.
- Recognition of the use of strata schemes to finance tourism developments subject to specific requirements for integrated development and management.
- Referral of all local planning strategies and new or reviewed local planning schemes to Tourism WA for comment as part of the statutory consultation process.
- Referral of all scheme amendments, subdivision and survey strata applications impacting on land zoned for tourism purposes to Tourism WA for comment.

4 Strategic planning for tourism

Tourism is a significant contributor to local economies in Western Australia, particularly in regional areas, and a strategic approach to ensure the sustainable growth of the industry is important. The aim of a tourism component of a local planning strategy is to provide local government and the community with direction on tourism development by establishing a land use planning framework for tourism. The tourism component of a local planning strategy will need to address

current and future demand, identify tourism sites and provide guidance on tourism development zones and infrastructure needs. It will also identify potential state strategic tourism sites or locations and non-strategic tourism sites to meet projected demand in the locality. The strategy will be reflected through appropriate provisions in local planning schemes. This may involve local governments amending an existing scheme or incorporating provisions into a new scheme.

5 Strategic tourism sites

Strategic tourism sites are those of state significance, which display characteristics that set them apart from other tourism sites in terms of potential for tourism development and benefit to the tourism industry. Consequently, these sites will be for tourism purposes only and permanent residential use will not be permitted. In addition to existing land use planning and infrastructure requirements and constraints, the criteria (general location and site specific) for the identification of strategic tourism sites and locations is set out in detail in recommendation 4 of the taskforce report.

The general location criteria includes:

- ease of access;
- uniqueness;
- a setting or aspect that creates a tourism character and ambience;
- access to tourist activities and amenities such as tours, fishing and walking trails; and
- scarcity in that it may be the only opportunity, or one of a limited number of opportunities for a particular tourism experience.

The site specific criteria includes:

- suitability in a land use context;
- capability or capacity to be developed for tourism purposes;
- adequate size to accommodate a sustainable tourism facility; and
- perform a traditional social or cultural role, or serving a particular market.

Sites identified as non-strategic have an important tourism function, which is to be retained as the predominant use. To assist tourism and facilitate the development or redevelopment of sites, up to 25 per cent of the units and developable land area may be

used for residential purposes (no occupancy restriction on length of stay).

The task of the strategic tourism sites committee is to identify strategic tourism sites in consultation with local government, the tourism development industry and key stakeholders. The identified sites will be presented to the Minister for Planning and Infrastructure for endorsement and will be available for inspection with the state planning policy. Strategic tourism sites shall be designated in the relevant local tourism planning strategy and local planning scheme.

6 Interim policy on planning for tourism

The WAPC will have regard to the recommendations of the taskforce in planning decision-making. Tourism proposals or proposals with an impact on tourism, submitted to the WAPC and local governments will be expected to address the recommendations of the taskforce.

Strategic planning for tourism

The local tourism planning strategy will be a component of the local planning strategy. If it is necessary to prepare it in advance, it should be prepared with a view to subsequent incorporation into a local planning strategy for the local government area. Local tourism planning strategies prepared independently should follow the same procedure as the preparation and endorsement of a local planning strategy by the WAPC under the *Town Planning Regulations 1967*. This will allow the recommendations to be incorporated into a local planning strategy at a later date.

Local planning schemes

The preparation of new or amended local planning schemes should reflect the recommendations of the taskforce.

Scheme amendments

If the tourism component of a local planning strategy or a local tourism planning strategy has not been prepared, any scheme amendment proposal affecting tourism zoned land should incorporate an assessment of the proposal against the relevant criteria specified in recommendations 2 and 4 in the taskforce report.

Where a site has been identified as a strategic tourism site in a WAPC

endorsed local planning strategy, local tourism planning strategy or an amendment report, or the strategic sites committee has assessed it as such, the WAPC will not generally support an amendment that will facilitate permanent residential use.

Where a site is identified as a non-strategic tourism site in a WAPC endorsed local planning strategy or local tourism planning strategy or an amendment report, or the strategic sites committee has assessed it as such, the WAPC will generally only support the amendment if permanent residential development (no occupancy restriction) is limited to a maximum of 25 per cent of the area.

Where a local planning strategy, local tourism planning strategy or amendment report demonstrates that a site is no longer required in whole or part for tourism development because of a lack of demonstrated tourism demand or sustainable tourism function, and this is supported by the WAPC in consultation with Tourism WA, then the WAPC may support the amendment subject to all other relevant planning considerations.

Other planning processes

The WAPC will have regard to the requirements of this planning bulletin and the recommendations of the taskforce in the assessment of development guide plans, outline development plans and subdivision and strata applications on sites zoned for tourism purposes or with tourism potential. In assessing these proposals it is noted that these are still subject to detailed planning processes and relevant statutory requirements.

Local government should likewise have regard to this interim policy along with other relevant policy considerations in the preparation of scheme amendments and the assessment of development applications for sites zoned for tourism purposes or sites with tourism potential.

Subdivision and strata subdivision

In assessing a subdivision application for land zoned for tourism purposes, the WAPC among other matters will have regard to whether the proposed lots will:

- facilitate the development of a sustainable tourism facility;
- provide for current and future tourism demand; and

- accommodate the necessary services, management and support facilities without compromising the character, development flexibility or tourism amenity of the site.

Strata schemes are an important component in the funding of tourist accommodation development. However, it is acknowledged that there are risks in the use of such schemes in achieving sustainable tourism developments unless particular management requirements are met. The requirements and criteria for strata schemes are set out in detail in recommendation 12 of the taskforce report and in Tourism WA's Attributes of Success document (www.westernaustralia.com). At a minimum, in considering any application for the strata subdivision of tourism developments, the WAPC will require:

- a valid development approval issued by the local government which demonstrates that the development is designed as an integrated tourism facility;
- a construction and staging program which demonstrates that common facilities and viable management arrangements are provided for each stage; and
- inclusion of a management statement for the strata scheme to provide for integrated common management of the units for a minimum period of 25 years as a tourism facility.

Existing scheme provisions

On sites currently zoned for tourism purposes, where the provisions of the local planning scheme are inconsistent with this interim policy, the provisions of the scheme prevail. Notwithstanding, any proposed subdivision or development on these sites should address the recommendations of the taskforce to ensure consistency with the intended planning framework.

Referral to Tourism WA

All proposals that impact on land zoned for tourism purposes or on land which has been identified as having tourism potential should be referred to Tourism WA prior to the WAPC or local government making a recommendation or determination.

Proponents, consultants and local government are encouraged to

discuss scheme amendments and developments for tourism proposals with Tourism WA prior to formal referral as part of the public advertising process by local government.

DPI will ensure any local planning scheme, local planning strategy, scheme amendment, development guide plan or subdivision or strata application for tourism purposes or on land that has been identified as having tourism potential has been referred to Tourism WA for comment prior to making a recommendation or determination.

7 Further information

Further information on the interim policy and other matters set out in this planning bulletin can be obtained from:

Tourism Taskforce Coordinator
Regional Land Use and
Infrastructure
Department for Planning and
Infrastructure
469 Wellington Street
Perth WA 6000

Policy and Planning
Industry Development and Visitor
Servicing
Tourism Western Australia
2 Mill Street
Perth WA 6000

Please quote reference
801/01/01/0050P in all DPI
correspondence.

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