

1. Purpose

This bulletin sets out the policy position of the Western Australian Planning Commission (WAPC) to guide decision making by the WAPC and local government for subdivision, development and scheme amendment proposals for tourism purposes. This bulletin should be read in conjunction with other relevant WAPC policies.

2. Background

The Tourism Planning Taskforce (the Taskforce) was established in September 2002, to address the growing practice of using land zoned for tourism purposes for residential development and the effect of strata schemes on tourism developments. The primary concerns were related to the ongoing operation of strata titled tourist development; the potential conflict between short stay tourists and permanent residents; and the increasing pressure to redevelop tourism sites for other purposes such as residential. A Taskforce report on the issue was endorsed by the WAPC and the State Government in 2006, and Planning Bulletin 83 was adopted in June 2007 to implement some of these recommendations.

In 2009 the Board of Tourism Western Australia commissioned a review of tourism accommodation development on behalf of the tourism industry, including the recommendations of the Tourism Planning Taskforce.

A key outcome of this review was the need for a more strategic and flexible approach to tourism planning to encourage and support investment in the industry. This bulletin seeks to address the matters identified in this review while highlighting the key considerations when planning for tourism.

3. Policy objectives

- Highlight the importance of strategic planning for tourism.
- Recognise local and regional variations in tourism demand and development pressures; and their impacts on the viability of tourism development, in assessing and determining tourism proposals.
- Provide guidance to local government in planning for tourism development to be undertaken as part of the local planning strategy process.
- Provide guidance on the development of non-tourism uses on tourism sites.
- Provide for flexibility in the design and assessment of tourism and mixed use development.

4. Strategic planning for tourism

Tourism is a significant contributor to the state and local economies in Western Australia, particularly in regional areas of the State. The planning system has a vital role to play in facilitating investment in tourism product in appropriate locations. In this regard, where tourism is considered significant within a locality or region, it is recommended that a more detailed tourism component of the local planning strategy be prepared by the local government in consultation with Tourism WA, to take into consideration, amongst other matters, relevant issues raised in the State Planning Strategy, any regional strategies and this bulletin.

Where a local tourism planning strategy has been previously prepared by local government, a summary of the key findings and recommendations should be incorporated into the local planning strategy to establish a land use planning framework for tourism that is relevant to the locality or region.

A key objective of the tourism component of a local planning strategy is to identify:

- **Tourism precincts:** Localities of tourism value or amenity that incorporate or have the potential to incorporate the '5A's' of tourism destination development (attractions, accommodation, access, amenities, activities). These precincts may require more detailed planning to identify specific tourist accommodation sites, complimentary supporting land uses and tourism infrastructure, which should be planned for in an integrated manner; and
- **Tourism sites:** Sites which are zoned for tourism purposes or have an existing tourism function, and that have qualities and attributes which necessitates their retention for tourism purposes.

The tourism component of a local planning strategy should include but not be limited to:

1. Identification of the value of sites based on their capacity to be developed for a quality, sustainable tourism outcome that addresses the current and future accommodation demand for an area, in accordance with the criteria provided in section 6 of this planning bulletin.
2. The process and scope of more detailed planning required.
3. Assessment criteria and principles to guide the development of tourism sites and tourism precincts, and tourism uses within a mixed use development.
4. Identification of appropriate planning mechanisms to be incorporated within the local planning scheme. These could include special control areas or specific tourist zones and/or detailed planning requirements such as the preparation of structure plans prior to subdivision or development zoning.

5. A consideration of appropriate incentives such as plot ratio bonuses to encourage the provision of tourist accommodation or to improve the scale of the tourism component in a mixed use development.
6. A review of the planning framework including the local planning scheme and State and local planning policies and strategies.

Additional factors to be considered within the local tourism planning strategy, relevant to the scale and nature of tourism in an area, are outlined elsewhere in this bulletin.

Interim policy

Where a local government does not have an endorsed local planning strategy or local tourism planning strategy consistent with the policy framework outlined in this bulletin, and a scheme amendment or development application is proposed for an existing tourist zoned site to support residential or a non-tourism use, the amendment report or development proposal should address the matters specified in this bulletin, the *Local Planning Manual 2010*, and any other relevant State and local government policies.

If this site is located within an existing and or potential tourism precinct, the amendment report/development proposal should, where appropriate, take into account the issues and objectives for the precinct and the importance of tourism in the locality.

5. Tourism precincts

The location and scale of a tourism precinct will be determined by consideration of a number of factors including:

- Proximity to tourist attractions and facilities.
- Existing compatible land uses and infrastructure.
- Existing and potential short stay accommodation opportunities.
- Character and amenity.
- Visitation statistics to the locality.
- Access including transport opportunities.
- Capacity to accommodate a mix of uses that complement tourism development.

In determining the size and boundaries of a tourism precinct, the assessment should take into consideration physical barriers such as roads, incompatible adjacent land uses and geographic landforms such as rivers and headlands. Tourism precinct designation in a local planning strategy will not generally be applicable to single lots zoned for tourism purposes, particularly within an urban context, as the policy framework should result in such sites being determined as tourism sites. Tourism precincts can be entire town centres or a street block however are most effective when contained in a walkable catchment area. Examples of existing and potential tourism precincts include: Elizabeth Quay, Scarborough Beach, Albany Waterfront, and the Busselton foreshore in proximity to the jetty.

The local planning strategy should identify the level and requirement for more detailed planning such as the preparation of structure plans or similar for planning tourism precincts. Structure plans may initially be used as a strategic planning mechanism to inform more detailed planning under the local planning scheme.

6. Tourism sites

To help coordinate future land use and development of tourism infrastructure the local planning strategy should identify tourism sites and determine their strategic value and importance to tourism development. This will assist local governments to determine the level and requirement for more detailed planning, such as the preparation of master plans which will facilitate intended development outcomes.

Tourism sites may include existing tourist accommodation developments or non-tourism zoned sites as the site should be assessed on its physical characteristics rather than existing built form or current zoning.

The identification of tourism sites does not imply that the site is suitable for immediate development or re-development. Sites may be identified to facilitate the long term protection of land for tourism purposes where economic conditions appropriate for development may not be reached for a number of years. In these circumstances an appropriate planning framework is required to guide future development of sites at the point when the required level of demand exists. A

specific zone should be used to identify these sites in the Scheme, and to indicate the land use and development parameters applicable.

General location criteria to determine the tourism value of the site includes:

Accessibility

The site has adequate existing or proposed transport links (such as major road or airport access).

Uniqueness

The site contains, or is in the vicinity of, an attraction or prominent and/or unique landmark of local, regional or State significance.

Setting

The setting of the site has an aspect and outlook that supports recreational tourism activities and/or the creation of a tourism character and ambience (e.g. immediately adjacent to a beach).

Tourism activities and amenities

The site provides, has easy access to, or is capable of development of supporting activities and amenities such as tours, fishing, historic sites, walk trails, environmental interpretation, cafes, restaurants, shops and the like.

Supply of land

The site has an element of scarcity in that it may be the only opportunity, or one of a limited number of opportunities, to achieve a significant tourism development in an area.

Site specific criteria to determine the tourism value of the site includes:

Suitability in a land use context

The site is located in a land use context that will not limit the extent of activities available to guests due to amenity impacts on adjoining residents or where the adjoining uses potentially detract from the tourism character of the site (e.g. located within a residential area).

Capability

The site has the capacity to be developed for tourism purposes and accommodate the associated services in a manner that does not detract from the natural attributes of the site or result in environmental degradation. Examples include: clearing for bushfire protection, sewerage capacity, water supply and rubbish disposal.

Size

The size of the site should be adequate to accommodate a sustainable tourism facility with respect to its design, operation and function, and its site specific and wider impacts and consideration of future growth/expansion. This will require a site to be able to be developed without compromising the sustainable use of natural and cultural resources or existing social structures. Development of the site should also contribute to the delivery of diversified and balanced tourism opportunities.

Function

The use of the site meets a particular accommodation, market need and/or ensures a range of tourism accommodation within the locality. Examples are: beachfront caravan parks, school holiday camps and Crown tourism leases.

These criteria are to guide local government in the assessment of the strategic value of tourism sites and determination of the value will be based on the outcome of the assessment of the site against all criteria.

7. Mixed use/residential development within tourism sites

Proposals for non-tourist accommodation developments (such as permanent residential, commercial, retail, conference/reception centre, restaurant/café) within tourism sites, to facilitate the development of tourist accommodation, should be considered on a case by case basis. Where a component of non-tourist accommodation is proposed within a tourism site, non-residential development (such as conference centre) should be considered before or at the very least in conjunction with any residential component, to support a quality tourism outcome. For permanent residential use, local governments may set a percentage limit within their local planning strategy or a local planning policy to guide residential development within tourism sites. Where a tourism site has high tourism value, local governments may consider setting a higher limit for the tourism component to reflect the significance of the site.

Determination of the suitability and extent of the mixed use/residential development should be based on an assessment of the proposal against the following principles, the site's tourism value and other matters considered relevant to a particular site, precinct or location:

- Whether the site has the capacity to be developed for a mix of uses and can also deliver a sustainable tourism outcome that will result in the size, type and quality of tourist accommodation appropriate to the site and location.
- The suitability and sustainability of non-tourism accommodation development within the broader planning and settlement context of the site.
- Assessment of the existing tourist accommodation facilities in the area which takes into consideration the capacity for new tourism development and the projected demand/range of tourist accommodation in a precinct, locality or region.
- In all cases, the scale of residential development should complement the tourism component and priority given to locating the tourism component on those areas of the site providing the highest tourism amenity (e.g. the beachfront).
- Residential units are designed to encourage integration into the management/letting pool for the tourism facility.
- Innovative master planning of the site to integrate residential and tourism components of the site to both enhance the tourism component of the site and to ameliorate potential conflicts that may arise, such as noise, between tourist accommodation and permanent residents.
- Provision of appropriate lot sizes that will attract the desired tourism operator and type of tourism accommodation required.
- The intensity and compatibility of land use and development including consideration of lot sizes, building heights, scale and character of development and the potential impacts on the surrounding area.
- Compliance with the relevant State and local government policies and guidelines.

- The location of all units on the site shall provide for ease of tourism access through the site.
- The tourism component of a mixed use development shall incorporate those facilities normally associated with tourist accommodation developments such as recreation, entertainment facilities and integrated management facilities.
- Appropriate staging so that the tourism development and provision of facilities occurs concurrently to the mixed use and/or residential development.
- Where strata titling is proposed for tourist accommodation, appropriate management arrangements in a management statement which ensures that all tourist units will be let out for tourism purposes, preferably by an on-site letting agent (manager).
- Conversion of an existing tourism development to facilitate a residential component should not be supported without demonstrating the development will provide a quality tourism outcome or a resultant tourism benefit. Examples include a major refurbishment or increase in the number of tourism units, renovations and/or development of public spaces and new facilities such as pool or restaurant.

8. Length of stay provisions for tourism accommodation

To reduce the likelihood of tourism accommodation being used as permanent or semi-permanent accommodation, a maximum length of stay provision of three months in any twelve month period should apply to the tourism units on all developments. This can be implemented through a condition of development or a provision in the scheme to enable for the requirement of an appropriate management statement condition at subdivision and/or development stage.

9. Caravan parks

The WAPC policy position on caravan parks is detailed in *Planning Bulletin 49 Caravan Parks*.

10. Holiday homes

The WAPC policy position on holiday homes is detailed in *Planning Bulletin 99 Holiday Homes Guidelines*.

11. Implementation

Due consideration of Planning Bulletin

The WAPC, Tourism WA and local governments are to consider this policy set out by this bulletin in planning and decision-making for tourism related developments.

Local planning strategies

A tourism component of a local planning strategy will provide local governments with a sound rationale for determining the future land allocation, planning controls and infrastructure needs for tourism based on sound planning principles

The importance of the role of tourism varies considerably across the State and this is recognised in the preparation of the tourism component of a local planning strategy and the identification of tourism precincts and tourism sites. Guidance on the preparation of a local planning strategy is provided in the *Local Planning Manual 2010 (WAPC)*.

Local planning schemes and scheme amendments

The preparation of new or amended local planning schemes should reflect the provisions of this bulletin and guidance contained in the *Local Planning Manual 2010*.

Schemes should include a range of tourist and mixed use zonings allowing for tourism developments and the permissibility of land uses in each zone, to provide for a diverse tourism industry where supported with comprehensive data to support their need in a local planning strategy. Land use definitions in the model scheme text for tourism development should be utilised where appropriate (e.g. bed and breakfast, caravan parks). In addition, an extended range of land use definitions for tourism development (eg. chalet, cabin, eco-tourist facility, farm-stay, guesthouse, holiday home, lodge, tourist resort, serviced apartment, short stay accommodation and tourism development) may be included to provide for consistency in the classification of the different tourism activities with specific reference to length of stay provisions.

Where a local planning strategy or amendment report demonstrates that a site is no longer required in tourism development because of a lack of demonstrated tourism demand or sustainable tourism function, and this is supported by the WAPC in consultation with relevant stakeholders, the WAPC may recommend that the Minister approve the amendment to the Scheme subject to all other relevant planning considerations.

Other planning processes

The WAPC will consider the application of this bulletin where appropriate in the assessment of structure plans, subdivision, strata applications and development applications on sites zoned for tourism purposes or similar. In assessing these proposals it is noted that these are still subject to the outcomes of detailed planning processes and relevant statutory requirements.

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

Subdivision of tourist zoned land

In assessing a subdivision application for land zoned for tourism purposes, the WAPC will, among other things including approved or adopted plans and policies, consider whether the proposed lots will:

- facilitate the development of a quality, sustainable tourism facility;
- Incorporate those facilities associated with tourist accommodation developments such as recreation, entertainment facilities and integrated management facilities.
- provide for current and future tourism demand;
- have the capacity to accommodate the necessary services, management and support facilities without compromising the character, development flexibility or tourism amenity of the site;
- provide the flexibility necessary to facilitate development of a quality tourism facility;

- provide for the retention or enhancement of the strategic value of the site for tourism purposes, including the relationship between individual lots and areas of high tourism amenity (such as the beachfront) and the potential to accommodate current and future tourism demand; and
- result in the wholesale subdivision of a large tourism lot where the residential component is located on separate lot(s) to the tourism component, resulting in tourism lots remaining undeveloped and the potential for future pressure to approve residential components on these tourism lots to finance development.

Strata schemes

It is acknowledged that strata schemes are an important component in the funding of tourist accommodation development. There are risks, however, in the use of such schemes in achieving sustainable tourism developments unless particular management requirements are met. Relevant State and local government policies should be considered in determining strata title conditions. The following matters also need to be addressed in the application:

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

The management statement for the strata scheme shall establish a Schedule 1 by-law that requires as a minimum the establishment of a unit management agreement, lease or alternative arrangement with each owner of a tourism use strata unit, or the owners collectively, and a common facility manager/operator to provide for common on-site management of all such units as a tourism facility.

The management agreement, lease or alternative arrangement shall cover but not be limited to letting agent (manager) arrangements, reception, access, security, maintenance, caretaking, refurbishment, marketing and other services reasonably required for the development to operate as a tourism facility. The management statement shall be approved by the relevant local government and the WAPC.

Further information

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

Policy Development
Department of Planning
Locked Bag 2506
Perth WA 6001

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