



Shire Dandaragan

Local Planning Scheme No. 7

Amendment No.38

Summary of Amendment Details

Amending Table 1 – Zoning Table by modifying the permissibility of the land use 'caravan park' from not permitted (X) to permitted (P) in the Harbor zone

Planning and Development Act 2005

**RESOLUTION TO ADOPT AMENDMENT
TO LOCAL PLANNING SCHEME**

***Shire of Dandaragan Local Planning Scheme No.7
Amendment No.38***

Resolved that the Local Government pursuant to section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

Amending Table 1 – Zoning Table by modifying the permissibility of the land use ‘caravan park’ from not permitted (X) to permitted (P) in the Harbor zone.

The amendment is standard under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reason(s):

- 1. the amendment is consistent with a Local Planning Strategy for the Scheme Area that has been endorsed by the Western Australian Planning Commission; and**
- 2. the amendment is not a complex or basic amendment.**

Dated this _____ day of _____ 20____

(Chief Executive Officer)

1.0 INTRODUCTION

The Department of Transport (DoT) manages and operates the Jurien Bay Boat Harbour (JBBH). The JBBH has historically been used by the community in Jurien Bay for commercial boating and small-scale commercial fishing, as well as recreational uses such as boating and swimming.

The JBBH is located on Crown land reserve 39419 and is zoned “Harbour Zone” in the Shire of Dandaragan Local Planning Scheme (LPS) No. 7 that allows for a range of land uses relating to fishing, boat building and maintenance, tourism, commercial activities, public recreation community and club facilities.

DoT prepared the *Jurien Bay Boat Harbour Development Plan* in 2017 that identifies six planning precincts within the Harbour, each having specific objectives and associated uses that contribute to those objectives. The combination of land uses within the precincts supports the primary role of the Harbour in line with its vested purpose, facilitating appropriate maritime commercial, industrial and tourism and recreational use and development activities.

DoT recently advertised an Expression of Interest (EOI) to lease 4.5 ha of land within JBBH Precinct 4 – Tourism/Mixed Use. The Lobster Hut Hospitality Group Pty Ltd submitted a response to the EOI to develop a resort/caravan park on Precinct 4 and to enter into a lease agreement with DoT.

DoT seeks to progress the development of the of Precinct 4 and the proposed lease agreement, however, under the current LPS No.7 in the Harbour Zone a “Resort” development is a “P” - Permitted Use but a “Caravan Park” is an “X” – Not Permitted Use.

Therefore, Scheme Amendment to LPS 7 to allow a “Caravan Park as a “P” - Permitted Use within the Harbour Zone is being submitted for adoption by Council.

2.0 BACKGROUND

Location

Jurien Bay is situated 275 kilometres north of Perth and historically has been a small fishing and tourist-based town servicing the cray fishing industry and tourists from the local, regional and Perth metropolitan areas.

Following the opening of the Indian Ocean Drive and the reorganisation of the rock lobster fishery, from 2010 the town became much more focused on tourism. Jurien Bay has the ambition of becoming the “Dunsborough of the North” with a growing permanent population and developing as a broader tourist destination.

A key feature of the town is the JBBH which was opened in 1988 to provide a refuge for commercial and recreational vessels on the coast. There is no other harbour between Two Rocks in Perth’s norther Suburbs and Dongara some 350km north of Perth. The Harbour also services the central coast fishing industry, provides for increasing demand for recreation and tourism uses and provides an excellent location for recreational fishers to launch boats and access the adjacent marine park.

The Harbour is approximately 2km north of the Jurien Bay town centre in the Shire of Dandaragan, in the Wheatbelt region of Western Australia.

Figure 1 indicates the regional location and boundaries of the Harbour.



Figure 1: Jurien Bay Boat Harbour location

Harbour Ownership

The land within the JBBH comprises Crown land reserve R39419 proclaimed under the *Marine and Harbours Act 1981 (MH Act)* and vested under the Land Administration Act Management Order for “Harbour Purposes” registered under the *Land Administration Act 1997* in October 2006 to the care of the Minister for Transport.

The JBBH is operated by the DoT under the provisions of the *Marine and Harbours Act 1981* and DoT is responsible to construct, provide and maintain facilities and services, on land and in water that are desirable to meet the needs of effective and efficient shipping and boating, both recreational and commercial.

Reserve 39419 is made up of three parcels:

1. Parcel id 219775, Certificate of Title Volume 3117, Folio 168
2. Parcel id 221359, Certificate of Title Volume 3122, Folio 491
3. Parcel id 052027, Certificate of Title Volume 3140, Folio 577

The total area of the JBBH, including water areas, is 30.28 ha.

Site Context - Precinct 4 Jurien Bay Boat Harbour Development Plan 2017

DoT prepared the *Jurien Bay Boat Harbour Development Plan 2017* that identifies six planning precincts within the Harbour, each having specific objectives and associated uses that contribute to those objectives (See Figure 2). The six planning precincts are:

1. Maritime Industry – Waterfront – focused on boat building, commercial fishing, storage and industrial uses which require direct waterfront access for operations;
2. Maritime Industry – Other – focused on boat building, commercial fishing, storage and industrial uses other than those described in Precinct 1;
3. Recreational Boating – for general community boating, boat launching and car-trailer parking
4. Tourism/ Mixed Use – for non-boating tourism, private and public recreation, commercial and accommodation uses;
5. Coastal Protection– coastal foreshore reserve for protection and limited recreation and access; and
6. Seabed – for dedicated commercial and recreational boating and supporting infrastructure.

The Development Plan is currently under review to update the internal harbour planning precincts to the following:

1. Maritime Industry – Waterfront – focused on boat building, commercial fishing, storage and industrial uses which require direct waterfront access for operations;
2. Future Investigation Area – DoT will undertake further investigation to determine the appropriate land uses for this large northern area of the boat harbour;
3. Recreational Boating – for general community boating, boat launching and car-trailer parking
4. Tourism – tourist/visitor accommodation, resort, caravan park, cabin, related and associated commercial activities, private and public recreation;
5. Coastal Protection – coastal foreshore reserve for conservation, protection and controlled recreational access; and
6. Seabed – for dedicated commercial, recreational boating and supporting infrastructure.

Precinct 4 is identified for Tourism purposes suitable for the development of an integrated resort / caravan park facility.



Figure 2: Jurien Bay Boat Harbour Planning Precincts

Precinct 4 - Site Area

Precinct 4, the site subject to this proposed Amendment comprises 4.5 ha. Precinct 4 is Parcel id 219775, Certificate of Title Volume 3117, Folio 168 being part of Crown Reserve 39419 (See Figure 3) and zoned Harbour Zone in LPS No 7 (See Figure 4).

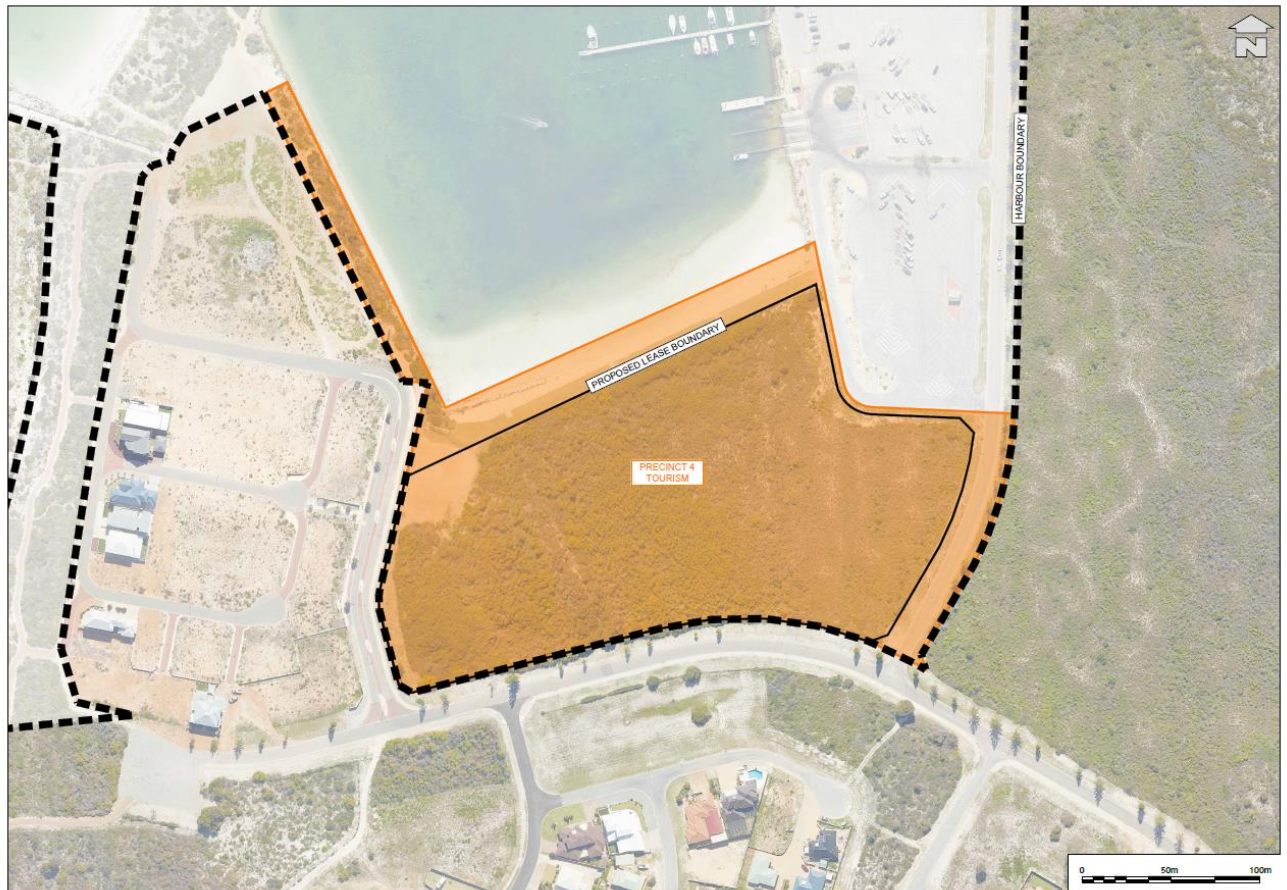


Figure 3: Precinct 4 – Tourism

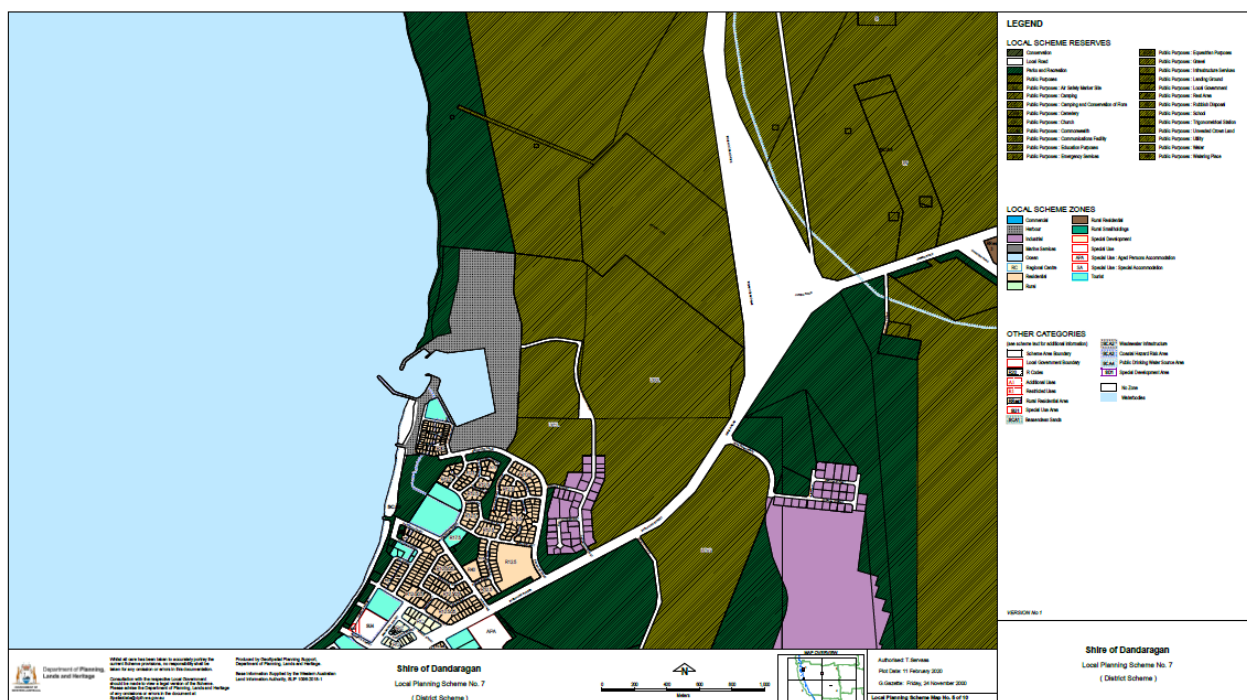


Figure 4: Harbour Zone in LPS no. 7

Current & Surrounding Land uses

Precinct 4 is currently vacant land containing remnant coastal heathland. To the north are the other boat harbour Precincts.

The southern boundary of Precinct 4 is Seaward Drive with residential areas located further south. Harbour Road, an internal DoT harbour access road, forms the eastern boundary and Oceanic Way is the western boundary.

Precinct 4 has harbour water frontage along the western boundary. A vacant privately owned site zoned for “Tourism” in LPS No. 7, abuts the western boundary.

Physical Characteristics

Precinct 4 is predominately flat and mostly at RL 2 metres AHD. A small area in the south west corner retains some reasonable quality vegetation but also contains tracks and disturbed/cleared areas.

There are firebreaks and 4x4 tracks through the site. The man-made boat sea harbour wall with a small sand beach forms the north/western boundary

Infrastructure

All services are available and extend to the boundary of Precinct 4.

All required services and headwork connections for reticulated water, sewer, power, and telecommunications will be extended to the site by the leaseholder.

3.0 LOCAL PLANNING CONTEXT

Section 75 of the *Planning and Development Act 2005* gives a Shire the power to amend its local planning scheme.

Pursuant to the Regulation 35 (2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, this proposed Amendment is a basic amendment and required to change the use class classification of “Caravan Park” in the Harbour Zone to a “P” use.

State & Regional Planning Context

The following documents provide the regional and sub regional strategic planning context for the JBBH and the subject site of Precinct 4.

- *Wheatbelt Regional Planning and Infrastructure Framework (WRPIF) 2015*

Under the WRPIF, Jurien Bay is acknowledged as a major urban centre in the region with a population of 1502 (at 2015) and is targeted for future growth.

It identifies Jurien Bay as requiring major recreational and cultural facilities, employment and community services, as well as providing a major regional tourism attractor requiring maintenance and ongoing improvement of marine infrastructure.

This proposed Amendment supports the WRPIF’s intentions to promote marine tourism and recreational infrastructure in Jurien Bay.

- *Guilderton to Kalbarri Sub-Regional Planning Strategy (2019)*

The *Guilderton to Kalbarri Sub-regional Strategy* (the Strategy) covers the coastal area between Guilderton and Kalbarri. The sub-region is administered by eight local governments, with the Mid-West and the Wheatbelt Development Commissions coordinating and promoting economic development in their respective regions.

The Western Australian Planning Commission (WAPC) has identified a range of issues consistently experienced throughout the coastal area from Guilderton to Kalbarri, particularly in coastal settlements. These include urban growth pressure, climate change, coastal erosion and inundation, tourism pressures, protection of biodiversity and landscape values, and bushfire planning.

The primary purpose of the Strategy is to guide growth and outline the strategic directions for future planning and development within the Guilderton to Kalbarri sub-region.

The Strategy notes “*that caravan parks are a fundamental component of Western Australia’s tourism accommodation mix, particularly in the Guilderton to Kalbarri sub-region where self-drive travel is the most practical means of moving between locations.*”

Caravan parks are primarily intended to provide short-stay accommodation for leisure tourists, and can vary considerably in size, scale, function, design, location, services and facilities.

Caravan parks are particularly under pressure within the sub-region, as many are in locations that are attractive for redevelopment. The retention and development of caravan parks as affordable holiday accommodation within the State is a priority that is being addressed across government.

It is important to try to protect existing budget accommodation such as caravan parks. Where the need has been identified, local planning strategies can offer an opportunity to identify suitable sites for new budget accommodation and support appropriate developments.”

In a recent study of tourism trends, economic outlook and future needs of the Guilderton to Kalbarri sub-region (Department of Planning, Lands and Heritage, 2017), findings suggested that six new caravan parks will be required by 2035 across the sub-region under a low growth scenario and 14 under a high growth scenario.

This proposed Amendment supports the intent of the objectives of the Strategy.

Jurien Bay Regional Centre Growth Plan 2012

The *Jurien Bay Regional Centre Growth Plan* “aspires to a vibrant community that interfaces well with the natural environment. It aims to cultivate its tourism sector while protecting Jurien Bay’s natural resources, as well as growing local business opportunities and creating a resilient export-oriented economy”.

The plan identifies that this will be achieved by leveraging local assets, of which the Harbour is an example. The Harbour is recognised in the plan as an underutilised asset with potential for further community, recreation, tourism, commercial and industrial development.

This proposed Amendment will result in the development of a much needed tourism facility to better utilise the JBBH area as recommended in the Growth Plan.

- Central Coast Strategic Tourism Planning Study 2008

The *Central Coast Strategic Tourism Planning Study* primary goals are to promote tourism investment; review applicable planning policies and identify tourism product development opportunities.

The JBBH is identified in the study as “able to provide significant social and economic benefits for the local community. Future development is to include commercial, tourist, recreational facilities integrated with marine industry and the fishing industry”. The Harbour is also cited as an opportunity to develop a Mandurah-style marina that provides public access along the waterfront.

This proposed Amendment supports the intention to improve and build upon tourism opportunities within, and associated with, the JBBH.

State Planning Policies

State Planning Policy 1 (SPP1) applies to all land and development in Western Australia and includes many subsidiary policies which apply to the JBBH area.

The following State Planning Policies are particularly relevant to this proposed Amendment.

- State Planning Policy 2 Environment and Natural Resource Policy (SPP 2)

SPP 2 is intended to integrate environment and natural resource management with broader land use planning and decision-making, to protect, conserve and enhance the natural environment and to promote and assist in the wise and sustainable use and management of natural resources.

SPP 2 outlines general policy measures for planning strategies, regional and local schemes and decision making which include:

- Avoid development that may result in unacceptable environmental damage;
- Actively seek opportunities for improved environmental outcomes including support for development which provides for environmental restoration or enhancement;

- Protect significant natural, indigenous and cultural features, including sites and features significant as habitats and for their floral, cultural, built, archaeological, ethnographic, geological, geomorphological, visual or wilderness amenity;
- Take into account the potential for economic, environmental and social (including cultural) effects on natural resources; and
- Ensure use and development on or adjacent to the coast is compatible with its future sustainable use for conservation, recreation and tourism in appropriate areas.

The natural marine and coastal foreshore environment of the JBBH area is part of its attraction and management of the JBBH area will need to be considered in the implementation of the overall DoT's JBBH Development Plan.

There are no threatened ecological communities identified on a search of the Department of Biodiversity and Conservation data base, on the subject site.

This proposed Amendment area will however take advantage of the harbour water frontage and the marine environment.

○ State Planning Policy 2.6 State Coastal Planning Policy (SPP 2.6)

SPP 2.6 guides decision making in coastal locations, including managing development and land use changes and the establishment of reserves. It establishes the requirement of those developing or using the land to take into account coastal processes, landform stability, coastal hazards, climate change and biophysical criteria. It requires identification of appropriate areas for development and use as well as due diligence to be paid to biodiversity and ecosystem integrity and indigenous and cultural significance.

The Harbour is classed as “essential coastal infrastructure” requiring a coastal location within an area which may be subject to coastal hazards. The Harbour is exempt from Setbacks under SPP 2.6, however building standards, minimum floor levels may still apply, and management measures may need to be implemented to mitigate against coastal erosion /flooding and other hazards.

The Shire of Dandaragan has undertaken a *Coastal Hazard Risk Management and Adaption Plan (CHRMAP)* to identify risks and plan adaptation responses to natural variability and the expected impacts of sea level rise for the Shire's coastline.

The CHRMAP does not specifically include the JBBH area as it is State Government marine infrastructure and has a different risk category and adaptation plan, as say, for private residential development.

However, any future development will need to respond to SPP 2.6. and the Shire's CHRMP as part of the development application process.

○ State Planning Policy 2.9 Water Resources (SPP2.9)

SPP 2.9 is intended to protect, conserve and enhance water resources that are identified as having significant economic, social, cultural and/or environmental values and assist in ensuring the availability of suitable water resources to maintain essential requirements for human and all other biological life.

Management of water quality in the JBBH is of high importance and will need to be considered in the planning and implementation of any future land development within the JBBH area. DoT has been investigating the build-up of and decomposition of wrack within the harbour and the impact it has on water quality. DoT is currently seeking State funding for new capital works to

increase water flow and circulation in the boat harbour and a new breakwater structure to mitigate against build-up of wrack that has resulted in adverse water quality events.

The proposed Amendment itself will not adversely affect the harbour water quality. However, drainage management plans will need to be prepared as part of detailed planning and design process for any future development to ensure JBBH water quality standards are maintained.

- State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP 3.7)

SPP 3.7 is intended to implement effective, risk-based land use planning and development to preserve life and reduce the impact of bushfire on property and infrastructure. It works to avoid the threat of bushfire to people, property and infrastructure. It does this by reducing the vulnerability to bushfire through the identification and consideration of bushfire risks in decision-making at all stages of the planning and development process.

The JBBH is within a bushfire prone area and a BAL assessment and Bush Fire Management Plan will need to be prepared by the leaseholder when planning and implementing future development within Precinct 4.

Local Planning

- Shire of Dandaragan Local Planning Strategy 2020

The *Shire of Dandaragan Local Planning Strategy* outlines the land use planning direction for the next 10-15 years and is to be applied for planning decision making by the Shire and the WAPC. It also guides amendments to LPS 7 and assessment of structure plans, subdivision and development applications.

Part 4 of the Strategy outlines the recommended planning directions and actions.

Part 4.3 - Commercial / retail and industry Action 2 recommends DoT develop a strategic plan for the JBBH precinct to capitalise on increased tourism in the region. This has been undertaken by the JBBH Development Plan.

Part 4.4 - Tourism of the Strategy states planning strategic directions as being:

- *“Plan for a range of tourism accommodation options to meet the needs of short-stay visitors.*
- *Support the retention and development of caravan parks as affordable holiday accommodation. In consultation with State agencies and the tourism industry, monitor trends and plan for a range of accommodation forms/types in response to requirements of the tourism sector.”*

Six strategic actions refer to preparing and planning for a range of accommodation types/forms and, in particular, refer to;

- Prepare a long-term caravan park and camping site strategy, identifying key existing and new sites, to address increasing demand in Jurien Bay, Cervantes and for nature-based locations

Part 4.7- Economy refers to *“support growth of the tourism sector by assisting operators to provide a range of products to cater for differing consumer experiences and expectations “*

Tourism Actions refer to *“work with all levels of government and the tourism industry sector to ensure continuous improvement of tourism products and experiences within the Shire by focusing on access, accommodation, attractions, activities and amenities”.*

Section 5.7 - Tourism states *“that in 2017 the tourism industry was worth \$85M, that most visitors stay in camping grounds and caravan parks, and that capitalising on opportunities for higher quality branded short stay accommodation in Jurien Bay requires further investigation”*.

Part 6.3 identifies potential tourism development opportunities in Jurien Bay and specifically refers to the JBBH:

“Lot 1225 Breakwater Drive/Harbour Drive (Reserve 39419) & Lot 1248 Seaward Drive (Reserve 39419). The JBBH area is identified in this Strategy as a strategic infrastructure asset that is underutilised and has significant potential to create a vibrant commercial, tourist and recreation precinct. This Strategy recommends the Shire work with the Department of Transport (DoT) to prepare a strategic plan for the Jurien Bay Boat Harbour Precinct to capitalise on increased opportunities for tourism in the region”.

It notes that Jurien Bay will grow its tourism industry and that there is only a small number of tourism land uses:

“Tourism is a significant contributor to the economy therefore it will be necessary to ensure a sufficient supply of land and infrastructure to support growth in this sector. Protection of existing caravan and camping sites is important alongside identification of new sites to ensure this popular form of tourism accommodation remains a viable choice for consumers. At present, the Scheme provides only a small number of tourism land uses, minimal guidance on assessing tourism proposals, does not adequately protect tourism sites through zoning, and does not provide direction regarding site requirements that place limitations on length of occupancy or restrictions on the residential component within tourism developments”.

Section 5.7– Tourism, refers to key publications that includes the *Guilderton-Kalbarri Sub-Regional Planning Strategy* (WAPC, 2019) and the *Local Tourism Planning Strategy* prepared by the Shire and Tourism Western Australia and supports the recommendations.

A key finding of the Section 5.7 - Tourism is:

“Further growth of the tourism sector needs to be supported by continuous improvement of tourism products and experiences. This should include options for branded tourism developments in Jurien Bay and Cervantes”

The proposed Amendment supports the strategic intentions of the *Local Planning Strategy* in relation to tourism growth, new tourism development and providing a range of accommodation types and experiences and development opportunities within the JBBH area including new facilities for tourism such as resort/caravan park.

- *Local Planning Scheme No. 7*

The operative planning scheme for the Shire of Dandaragan is *Local Planning Scheme No. 7 (LPS 7)*.

The land within the JBBH boundary is currently zoned ‘Harbour’ in *LPS 7* and the land use class table in sets out the Permitted (P), Discretion (D), Advertising (A) and Not Permitted (X) land uses along with the definitions for those land uses.

However, under the current *LPS 7* in the Harbour Zone a “Resort” development is a “P” - Permitted Use but a “Caravan Park” is an “X” – Not Permitted Use.

This proposal seeks adoption to a Scheme Amendment to allow a “Caravan Park as a “P” - Permitted use within the JBBH “Harbour” Zone for Precinct 4.

Local Economic and Tourism Strategies

- Jurien Bay Growth Plan Vol 1&2 (2012) and Strategic Community Plan (2012)

The *Jurien Bay Growth Plan* provides a vision and aspirational goals for investment, growth and ongoing whole of Government support. It is aligned with the *Strategic Community Plan* that provides a blueprint for the investment in the future of the Shire, key development priorities and a partnership approach for working with the communities, the private sector and tiers of government.

It recognises tourism and recreation as key growth drivers and this depends on the areas natural terrestrial and marine assets. The 5 key goals of the *Plan* are:

Strong Economic Base and Enabling Infrastructure; Amenity and Lifestyle; Focus on Community; Natural Environment; Shire of Dandaragan Organisation and its People.

The *Growth Plan Vol 1&2 Strategy* refers to the JBBH as follows:

“The Boat Harbour precinct is currently an underutilised infrastructure asset with greater potential to contribute to tourism, recreation and the economy”. It goes on to list actions that will enhance the JBBH.”

“Boat Harbour

- *The boat harbour services the commercial fishing industry and provides a range of community benefits for recreation and tourism. The harbour and land immediately adjacent is substantially underutilised and has considerable capacity for further development.*
- *Continued development of the harbour is required to deliver significant social and economic benefits to the community and create a vibrant commercial, tourist and recreational precinct integrated with a diversified fishing and marine industry. It is a strategic infrastructure asset, not only for Jurien Bay and the Central Coast sub-region, but for the State.*
- *The Shire of Dandaragan Council supports the concept presented in the Jurien Bay Boat Harbour Southern Precinct plan and encourages the Department of Transport to work with the Shire to pursue tourism and mixed-use development at the Marina precinct.*
- *The Council is also supportive of pursuing a long-term caravan park strategy identifying key sites for the future to address tourist demand. Planned development at the Boat Harbour, existing structure plans and reviewing of lease arrangements will be considered as part of this activity.”*

One of the key Actions/Activity/Project under the Capital Works part of the Strategy identifies the JBBH Southern Precinct (ie Precinct 4 the subject site of this Amendment) as an area to

“Activate the commercial and tourism potential of the Jurien Bay Boat Harbour Southern Precinct (6Ha land parcel vested with the Department of Transport) in a staged development approach (please refer to Master Plan) for;

- *Tourist Chalet Park*
- *Waterfront mixed use complex*
- *Iconic Attraction”*

The desired outcome of these proposed actions for Precinct 4 is:

“Greater utilisation of a strategic asset for Jurien Bay and WA and contribution to tourism and retail offering in the Central Coast sub-region.”

The proposed Amendment supports the strategic intentions of the *Jurien Bay Growth Plan Vol 1&2 (2012)* and the *Strategic Community Plan (2012)* in relation to tourism growth, underutilisation of the JBBH area and activation of the JBBH southern Precinct 4 for tourism purposes.

- *Local Tourism Planning Strategy (LTPS) 2012*

The *Local Tourism Planning Strategy (LTPS)* prepared by Tourism Western Australia and adopted by the Shire and the State Government agencies in 2012 identifies key tourism planning issues not addressed in the Shire’s local planning framework and makes recommendations to address these shortfalls.

The *LTPS* outlines many tourism opportunities in the Shire and highlights the importance of short stay accommodation and providing for and protecting caravan park sites in the Shire.

The *LTPS* states that Council will be required to give ‘due regard’ to the *LTPS* in the consideration of planning proposals including outline development plans, rezoning applications and subdivisions and development applications which have a tourism element.

It refers to the JBBH area as a key asset which offers significant development and tourism opportunity but is presently underdeveloped and poorly utilised. It recommends that further detailed planning is required in conjunction with key stakeholders to capitalise on the potential of the Marina precinct to benefit tourism in the region.

The key recommendation relevant to this proposed Amendment is Recommendation 4:

Recommendation 4 of the *LTPS* recommends the Shire *“Initiate a Scheme Amendment to the Shire of Dandaragan Local Planning Scheme No. 7 (or an omnibus amendment) to incorporate the additional Caravan Park zone, and tourism land use definitions within Table 1: Zoning Table as outlined below”*

	Residential	Commercial	Industrial	Harbour	Marine Services	Rural	Rural Residential	Tourist	Caravan Park
Accommodation									
Bed & Breakfast	A	P				A	D	P	
Cabin						A		P	P
Chalet						A		P	D
Caravan Park				A		A		P	P
Eco-Tourist Facility						A		P	
Guest House/Lodge						A		P	
Holiday Home	D	D						D	
Hostel		A		A				P	
Hotel		P		A				P	
Motel		P						P	
Park Home Park									A
Tourist Resort								P	
Serviced Apartment Dwelling	P	D				P	P	D	
Grouped Dwelling	A							D	
Multiple Dwelling	A							D	
Activities									
Art Gallery and Sales		P		A		A		P	
Café		P		A		A		P	D
Small Bar		P		P		D		P	A
Event				D		A		A	
Experiential Use		A				A		A	
Restaurant	A	P		A				P	D
Tavern		P		A				P	
Shop		P	D	A	A			D	D
Civic Use		D		A				D	
Reception Centre		D						D	

Extract from the *Local Tourism Planning Strategy 2012* Table 5.1: Proposed Tourism Zones and Use Classes in Table 1: Zoning Table of Local Planning Scheme No. 7

This recommendation is most relevant as it confirms the Shire's previous support for an Amendment to include a Caravan Park as an "A" use in *LPS 7* in the Harbour Zone at the time the *LPS* was adopted in 2012.

An "A" use in the *LPS 7* means that "the use is not permitted unless the local government has exercised its discretion by granting development approval after giving special notice in accordance with clause 64¹ of the deemed provisions";

However, Recommendation 4 has never been implemented via changing the land use table.

Even though the Recommendation 4 proposed an "A" use, it can be a "P" use given that this proposed Amendment will be advertised allowing the public to comment further, and since there is only one caravan park proposed for the JBBH, it is more logical to class it as a "P" use.

This proposed Amendment to change a Caravan Park from "X" to a "P" use supports the previous Recommendation 4 of the adopted *Local Tourism Planning Strategy 2012* in relation to tourism growth, providing for a range of accommodation types and experiences including caravan park sites, and the under-utilisation of the JBBH area.

¹ Clause 64 provides for the advertising of the development application, consult with neighbours and erect a sign and to determine the application within 90 days.

- Economic and Tourism Development Strategy (ETDS) 2020

The ETDS has five aims:

“1. Planning: Ensure a supportive planning system to encourage future investment;

- Efficient planning to support events, activation and development;*

2. Marketing and Promotion: Support and promote development of new events;

- Conduct targeted, cooperative marketing campaigns;*

3. Investment Attraction: Promote key investment opportunities;

- Attract new accommodation development; Facilitate agriculture, aquaculture and renewable energy projects*

4. Advocacy and Infrastructure Development;

- Advocate to the State and Commonwealth for infrastructure investment; Continue to advance Jurien Bay and Cervantes foreshore redevelopments and connect these strategic sites with the Turquoise Way Path.*

5. Expand community infrastructure to improve liveability;

- Maximise the private sector utilisation of the Shire’s airports facilitating leases and building new infrastructure.”*

The *ETDS* states the economy of the Shire of Dandaragan is small and focused around traditional industries. The Shire of Dandaragan’s Gross Regional Product (GRP) was \$361 million in 2018-19. The largest industries by value are agriculture (beef cattle and sheep farming, rock lobster and broadacre farming) and construction.

The *ETDS* also states that Tourism is a very important sector, representing approximately 9% of the total economy and like many tourism regions, the Shire’s businesses are reliant upon the seasonal boost provided by visitors. Tourism not only benefits accommodation and tour operators but also has a significant impact on the Shire’s retail businesses, cafes, restaurants, making all these businesses seasonal.

The *ETDS* goes on to address the COVID 19 situation as follows:

“In the current COVID-19 Pandemic there has been a severe impact on all business activity. In response the Shire of Dandaragan implemented a rapid response and recovery plan to manage and combat the impacts from the COVID-19 restrictions and negative impact on local business.”

The Shire’s COVID-19 Recovery Plan includes:

“• Capital spending: the Shire is injecting millions into capital works and maintenance programs. Some of this funding is already being spent within the local economy and more will take place over the coming financial year. This money generates considerable economic activity locally, employing people and providing a further stimulus through their expenditure in the broader economy.

• Licensing: the Shire has engaged proactively with local food and beverage businesses impacted by current social distancing policies to inquire if permits are required for outdoor seating (to make up for any lost seating indoors). Other required operating licensing will also be fast tracked.

• Deferment of loans to community groups: community organisations with loans through the Shire will have payments deferred.

- *Deferment of rates and fees: residents or businesses having trouble paying rates will have payments deferred at no interest.*

- *Information provision: the Shire has aided local businesses seeking information regarding State government restrictions as well as Commonwealth Government support programs, making referrals to the WA Business Assistance Centre and the Small Business Development Corporation.”*

These activities constitute the immediate activities of this *Strategy* in response to the COVID-19 crisis, providing short-term benefits and outcomes for local businesses”.

This proposed Amendment supports the strategic intentions of the *Dandaragan Economic and Tourism Development Strategy* and the Shire’s *COVID 19 Recovery Plan* in relation to a supportive planning regime to encourage investment and capital spending, support and promote tourism growth, new development and better choice of accommodation types.

4.0 PROPOSAL

Part 3 of *LPS 7* outlines the objective of the Harbour Zone and Part 3.3 outlines the Zoning Table.

The Zoning Table indicates, subject to the provisions of the Scheme, the uses permitted in the Scheme area in the various zones.

The Zoning Table shows that a “Caravan Park” is an “X” use class in the Harbour Zone. The local government must refuse to approve any ‘X’ use of land. Approval to an ‘X’ use of land may only proceed by way of an amendment to the Scheme.

It is proposed to amend *LPS 7* Part 3.3 Zoning Table to change the use class permissibility of a “Caravan Park” in the Harbour Zone from an “X” use to a “P” use.

Planning Justification

The proposed Amendment will facilitate the development of Precinct 4 for an integrated managed resort with several elements that include;

- A range of accommodation types and budgets from camping, glamping pods, caravan sites, self-contained cabins and serviced resort rooms;
- Centrally managed resort facilities with reception, swimming pools, bar, conference events room, playground outdoor picnic/barbeque facilities;
- Restaurant showcasing the regions finest seafood that can also be used for events;
- Supporting retail such as a boutique souvenir shop, local tour operators and booking offices;
- Harbour beachside facilities and beachfront boulevard and floating jetty where boat tour operators can pick up customers, all with public access.

The proposed Scheme Amendment is justified as follows:

- **Consistent with Local and State Government strategic sub- regional and local planning and tourism strategies**

The key State and local government strategic planning and tourism strategies all recognise the potential and importance of the growing tourism sector as an opportunity to attract more visitors for longer stays, promote the region and the town of Jurien Bay and provide support to the local economy and more employment opportunities. They all recommend to actively encourage and support new tourism development and choice in the Jurien Bay and the region.

The proposed Amendment will contribute towards achieving the stated objectives of the State and local planning and tourism/economic strategies.

- **Improve tourism opportunities**

Under Part 3 of *LPS 7* the Harbour Zone objective is: “to provide for harbour uses including fishing, boat building, maintenance, servicing, **tourism, commercial, public recreation**, community and club facilities.”

State and local government planning policies and strategies support regional economic and tourism growth. Specifically the Shire of Dandaragan *LPS 7*, *Local Tourism Plan* and *Community Growth Plan* and the *Economic and Tourism Development Strategy 2020* that have been adopted by the Shire and endorsed by the WAPC all support fostering tourism opportunities, providing a wider range of accommodation types and price points, enhancing economic activity and increasing job opportunities in Jurien Bay and the region.

A resort/caravan park is a much-needed tourism facility in Jurien Bay that will support the increasing tourism growth and provide more accommodation choice. The numbers of tourists and the demand for tourist accommodation for overnight stays is increasing and this development will service the tourism market and provide many economic and social benefits for Jurien Bay and surrounding areas.

- **Supply a wider range of accommodation types**

Currently there is lack of a range of built tourist accommodation choices in Jurien Bay. Tourism zoned sites that have been identified in the Shire of Dandaragan (Draft) *Local Tourism Planning Strategy* (modified Jan. 2011), are mostly not built yet, resulting in a limited range of accommodation. The existing and identified sites identified in the *LPS* include:

- the caravan park on Bashford Street between White and Roberts Streets.
- the large vacant tourist on the corner of Heaton and Roberts Streets, which has an approval in principle for a major tourism accommodation development in conjunction with residential and other commercial uses.
- two adjoining sites at the intersection of Casuarina Crescent and Hasting Street adjacent to the foreshore. These are large areas of land in prime locations adjacent to Memorial Park on the coast.
- the Boat Harbour has a vacant tourism site on the southern end of the Harbour (ie Precinct 4 in the JBBH).
- the Apex Camp on Bashford Street opposite Doust Street is an important community based tourism facility.

The proposed Caravan park/resort at JBBH Precinct 4 is identified as a Tourist site and the proposed development will accord with the Shire’s preferred approach to the provision of accommodation facilities.

- **Support growth and economic stimulus in the local community**

The Shire received approximately 300,000 visitors per annum between 2013 and 2017 who collectively spent approximately \$85 million annually. Most of this annual spend is contributed by domestic visitors, who contributed \$62 million or 73% of the total. On average, domestic visitors spent three nights in the Shire while international visitors spent two nights.

Future development of Precinct 4 will result in increased economic activity for other business opportunities in Jurien Bay during construction and ongoing operation. Once completed the resort

will attract additional short stay visitors, provide additional economic benefits and an economic multiplier effect to local business.

An *Economic Benefit Report* undertaken by the Australia Caravan Industry Association of Australia – *Jurien Bay Holiday Park 2020*² estimates that for every \$1 spent in a caravan holiday park there is \$1.38 of economic activity is generated by the park.

- **Provide jobs in the local area**

Traditionally the Shire has been an agricultural / fishing-based economy. Tourism provides an opportunity to expand the economic base of the Shire and to provide a greater range of job opportunities to the local population.

A range of job opportunities will be available at the different stages (planning, design and construction, operation and ongoing maintenance) of the proposed development.

Construction will require a workforce and of a range of trades for approximately 18 months build and ongoing operation and maintenance of the resort including office staff, restaurant/bar staff and services, cleaning, grounds maintenance etc will provide ongoing jobs and economic benefits to the local community.

- **Provide an anchor tenant in the JBBH and stimulate other developments in the boat harbour**

The proposed development of Precinct 4 will add significant activity and vibrancy to the JBBH and attract more visitors to Jurien Bay. Increased patronage of the JBBH will result in more demand for boat ramps, boat pens and refuelling and other activities with flow on effects for other business and provide new business opportunities.

The proposed use and lease of the Precinct 4 site will provide a financial return to DoT that can assist to underpin other expenditure and upgrade or provide new facilities within the JBBH area.

A lease condition will require any future development to commence within 12 months of commencement of the lease (subject to planning and other building approvals). This ensures a rapid commencement and finish of the proposed resort/caravan park development so maximising benefits to the Shire, local community and DoT.

Opportunities, Constraints and Issues

The proposed Amendment to change the use permissibility of a Caravan Park from “X” to a “P” in the Harbour Zone in *LPS No 7*, will open up many opportunities in Jurien Bay to provide a much needed boost in economic activity, new jobs and to provide modern contemporary tourism facilities in Jurien Bay to attract a broader range of users, longer stays and more choice in the tourism market.

The proposed Amendment will give an opportunity for the Shire and State to implement many of the strategic planning objectives and implementation actions, to promote and attract new development and accommodation types in Jurien Bay that are identified in the numerous local and State government strategic planning documents, some of which are referred to in this Amendment report.

² Brighthouse Strategic Consulting estimate that the resort will generate over \$8M of additional economic activity per annum (Economic Benefit Report – Commercial Caravan Holiday Park to a Local Community 2012)

Issues that will need to be addressed at the more detailed development planning and design stages but are not seen as constraints to the consideration of this proposed Amendment for a change in land use permissibility, include;

- Environment – Flora and fauna; There are no rare and endangered or ecological threatened communities identified on a search of the DBCA data base, on the subject site Precinct 4. Existing native vegetation will be retained where possible and the use of indigenous species can be part of future landscape plans.
- Bushfire – The JBBH, and the Amendment area, is in a bushfire prone area, as identified by Department of Fire and Emergency Services. A Bushfire Assessment Level (BAL) and a Bush Fire Management Plan will need to be prepared for any proposed development at the detailed planning and design stage. Additional planning and building requirements may be required subject to the more detailed assessment of the bush fire risk and can be implemented at the detailed planning and design stage.
- Water Quality - Water quality of the Harbour needs to be managed and mitigation measures are being put in place by DoT. However, a Drainage and Nutrient Management Plan and a landscape and maintenance plan will need to be prepared as part of the detailed planning and design stage to minimise use of nitrogen and phosphate-based fertilizers from the Amendment area that may contribute nutrients to the Harbour marine waters. Direct runoff from any car parks, roads and other hard stand surfaces will need to be managed.
- Services – Power, main sewer and water are available to the Amendment area. The closest main sewer, that services the residential areas, is available at Seaward Drive and Oceanic Way. Connection to this sewer is available upon paying the required headwork charges.
- Vehicle access - The main access to the Amendment area is via Seaward Drive and Oceanic Way. A change of use for this site will result in an increase in traffic to the site that can be readily managed on the existing road network.
- Pedestrian and Cycle Access - The foreshore portion of the Precinct 4 is proposed to be retained as a public space with provision for pedestrian and cycleway access to connect to residential areas to the south and other Harbour areas to the north.

5.0 CONCLUSION

The Amendment area, Precinct 4, of the JBBH has been identified as a Tourist site and all the State and local government strategic planning policy documents support encouraging new tourism facilities and development and the many economic benefits they bring.

This proposed Amendment to Amend Table 1 - Zoning Table by modifying the permissibility of the land use 'caravan park' from not permitted (X) to permitted (P) in the Harbour zone, is an exceptional opportunity to provide an opportunity for a contemporary resort/caravan park within the JBBH area and for the community to realise benefits from the associated increase in visitor numbers and the flow-on value adding economic activity.

Considering the above, we respectfully request WAPC endorsement of the proposed scheme Amendment at the earliest possible convenience.

Planning and Development Act 2005
RESOLUTION TO AMEND LOCAL PLANNING SCHEME

Shire of Dandaragan Local Planning Scheme No.7
Amendment No.38

Resolved that the Local Government pursuant to section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

Amending Table 1 – Zoning Table by modifying the permissibility of the land use ‘caravan park’ from not permitted (X) to permitted (P) in the Harbor zone.

COUNCIL ADOPTION

This Standard Amendment was adopted for the purposes of public advertising by resolution of the Dandaragan Shire Council at the Ordinary Meeting of the Council held on the 23 day of September, 2021.

.....
SHIRE PRESIDENT

.....
CHIEF EXECUTIVE OFFICER

This is done following advertising and consideration of submissions ↓

COUNCIL RECOMMENDATION

This Amendment is recommended [for support/ not to be supported] by resolution of the [LOCAL GOVERNMENT] at the [NAME] Meeting of the Council held on the [number] day of [month], 20[year] and the Common Seal of the [LOCAL GOVERNMENT] was hereunto affixed by the authority of a resolution of the Council in the presence of:

.....
SHIRE PRESIDENT

.....
CHIEF EXECUTIVE OFFICER

WAPC ENDORSEMENT (r.63)

.....
DELEGATED UNDER S.16 OF
THE P&D ACT 2005

DATE.....

FORM 6A - CONTINUED

APPROVAL GRANTED

.....
MINISTER FOR PLANNING

DATE.....