



Nature-based Parks

Guidelines for Developers and Local Governments

This Guideline is to assist developers and operators with the preparation of a Management Plan that will underpin the licensing and regulation of a nature-based park by the local government authority.

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Disclaimer:

This guideline is to be read in accordance with the Regulations and is not a substitute for the Legislation. You may need to contact an independent consultant to assist you in applying for the nature-based park licence. If you require assistance in the interpretation of the Regulations and this Guidelines, please contact the Department of Local Government and Communities at (08) 6551 8700, 1800 620 511 (Country Callers) or via e-mail at info@dlgc.wa.gov.au

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1. Objectives

This guideline aims to provide guidance to local government, developers and operators of nature-based parks on the approval process of a nature-based park and also what conditions can be imposed on the licence.

2. Legislation

In approving a nature-based park, some of the relevant legislation is as follows:

- *Caravan Parks and Camping Grounds Act 1995*
- *Caravan Parks and Camping Grounds Regulations 1997*
- *Land Administration Act 1997*
- *Planning and Development Act 2005*
- *Health Act 1911*
- *Building Act 2011 and Code*
- Relevant Local Laws

3. Management Plan (Schedule 1, Form 1)

The Management Plan submitted by the operator will be the main planning document for the operator and the one a local government uses to assess the application, and to license and regulate the park. The Management Plan will require the operator to provide essential details on how the proposed nature-based park is managed and the type of facilities being provided.

Some of the matters that the Management Plan nature-based needs to address include:

- (a) Market segment being targeted;
- (b) Infrastructure to be provided (in light of the market);
- (c) If a full range of infrastructure is not to be provided, how potential customers will be informed;
- (d) Environmental impact and sustainability;
- (e) Waste management;
- (f) Traffic management;

- (g) Risk management;
- (h) The number of sites proposed; and
- (i) The proposed maximum capacity of the facility.

It is intended that a flexible approach be taken when assessing the Management Plan, with a focus on the intended market segment for the park and type of facilities required, balanced with environmental sustainability.

When assessing this information, the local government should have primary regard to the sustainability of the site and the environmental impact of the proposed facility. The provision of infrastructure (toilets, showers, water etc) should be aligned to the market segment targeted. It should take into account the feasibility of providing basic services and the environmental impact.

The local government should consider that nature-based parks are meant to be low-cost, small-scaled tourist accommodation when requesting further information from the operator.

The local government can impose conditions on the licence to reduce environmental impact including, but not limited to, restricting the length of stay and the number of sites.

More information on the content of a Management Plan is included below.

4. Definition of a nature-based park

(Proposed definition)

Under the Regulations, a nature-based park means a facility offering short-stay holiday accommodation in a non-urban area and which is in a natural setting.

Natural setting

Schedule 8 of the Regulations defines 'natural setting'.

When determining whether a nature-based park is the appropriate licence category, the prime consideration is whether it is in a natural setting surrounded by vegetation. The development should be consistent with the surrounding landscape character. The impact of artificial light and noise should be taken into consideration and it must be in a non-urban setting. A natural landscape can include an agricultural setting if the other criteria are met.

For example, if there is an established caravan park or town centre within close proximity, it is arguable that the nature-based park is not in a natural setting.

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Impact on environment

A nature-based park could be expected to be a small scale operation as environmental impact is a key consideration. A nature-based park may, however, consist of a number of discrete and physically separated nodes. The requirements should be assessed for each of these nodes. One of the key considerations is environmental sustainability of the site which restricts a nature-based park from being a large operation with high density.

The development should, where possible, contribute to conserving biological diversity and natural resources. Watercourses should be protected from pollution discharges and effluent systems must be appropriate not only to the protection of human health but to the environmental context.

Limited facilities

A nature-based park will often have limited facilities. This should be linked to the targeted market segment and their needs, and the location or remoteness of the nature-based park which makes provision of a higher level of facilities unreasonable.

Consideration should be given to the location of the nature-based park and how far it is from access to facilities such as power and water (ie. beyond 5km of the grid to property boundary). If there are existing caravan parks and camping grounds which are able to comply with the requirements of the Regulations, it is an indication that there is access to such facilities. The local government is to ensure consistency in granting exemptions for a nature-based park to have limited facilities.

Appropriate licence

Before granting a nature-based park licence, the local government needs to consider if there is a more appropriate licence for the application – transit park, caravan park, camping grounds etc. This should not be used as an opportunity for operators to apply for a nature-based park to reduce the facilities provided where a more appropriate licence category could apply.

If the nature-based park has been substantially extended or redeveloped since initial licensing, the local government should consider if conditions have changed and whether it is still appropriate as a nature-based park.

If a nature-based park has been approved with lesser facilities than laid out in this Guideline, the local government should review the licence conditions on licence renewal. This will also be the case where the urban area has encroached on the park and/or access to services (power, water and sewerage etc) is now available.

5. Calculation of camping sites

Under regulation 51, the maximum number of camping sites endorsed by a local government on a licence for use at a facility is not to exceed one site per 25 square metres of camping ground available at the facility.

A local government can specify a lower density (that is, each site requiring a greater area) taking into consideration the site, environmental sustainability, fire risk and other safety issues.

6. Licence area

The nature-based park licence may apply to a designated area which is part of a larger area owned by the operator. The regulations do not apply to areas that are not covered by the licence.

For example, if the nature-based park is on a farm, the existing buildings can be excluded from the nature-based park licence.

It is important to note that due to the requirement of a nature-based park to be in a natural setting, it is unlikely that a nature-based park can co-exist with a caravan park or permanent buildings such as holiday cabins and chalets.

7. No permanent accommodation and certain buildings

Schedule 7, Clause 11 of the Regulation

It is expected that people staying at a nature-based park will bring their portable accommodation with them. This will ensure that there will be minimal or no impact on the environment after the visitors leave.

If the proposed nature-based park is on a farm or there is a mixed use of land, the Regulations in relation to nature-based park only apply to the designated licence area. Other accommodation should not be part of the nature-based park licence.

The only buildings on the nature-based park should be a manager's house (where there is a permanent residence for a manager), ablution facilities or washing up facilities.

A rigid annexe is not to be constructed in a nature-based park unless it is attached to the residence of the manager (regulation 34(1A)). No carport or pergola is to be constructed on a nature-based park unless it is attached to the residence of the

manager (regulation 39(1A)). No storage shed is to be constructed on a nature-based park except one that is associated with the operation of the facility (regulation 40(1A)).

8. Length of stay

(Proposed Regulation for max length of stay in a nature-based park)

Length of stay is determined based on the information provided in the management plan. There needs to be a balance between the number of people that will be in the park and whether there are enough facilities to cater to that number of people. The local government can issue a **restricted licence** which limits stays to shorter periods than prescribed in the Regulations if basic facilities are not provided, such as toilets or waste disposal.

The local government should limit the length of stay in the licence conditions on the basis of:

- The environment impact on the site
- The extent of infrastructure provided (ie. number of toilets, access to power and drinking water etc)
- Seasonal weather conditions (ie. cyclonic period, hot weather)

Table 1 – Guidance on determining the length of stay for restricted licence

Facility Status	Length of stay (days)
No water	3
No toilets	3
No toilets but there is chemical dump point	7
No power	7

9. Purpose of stay

The main purpose of staying at a nature-based park is tourism, particularly people who want to experience nature. According to the definition, a nature-based park is small scale and in a natural setting. One of the key considerations is to ensure there is minimal or no impact on the environment before approval is given to establish these parks. As such, permanent or long-stay occupation is not appropriate. Before granting approval, the local government needs to ensure that the purpose of the stay is not for permanent or long term residence and will not impact on the environment. (This form of licence is inappropriate for worker's accommodation, or long-stay tenants, for example.)

10. Restricted licence

(Proposed Regulation)

The local government can issue a restricted licence which limits stays to shorter periods if basic facilities are not provided, such as water, toilets or waste disposal.

Some matters to consider in granting a restricted licence:

- Sustainability of the site (per licence application);
- Infrastructure to be provided, as outlined in the management plan;
- if there are no communal toilets, whether every caravan and camp is fully self-contained, including with a chemical toilet;
- The provision of a chemical dump point (dump points are not necessarily adjacent to nature-based park but can be in logical proximity); and
- Hard waste management.

11. Limit of people on site

Schedule 7, Clause 4 of the Regulations

A site is defined as an area in a facility marked or intended for the use of one caravan or camp.

Schedule 7, Clause 4 states that no more than 10 people, or such lesser number as is approved, are to camp at a site at any one time unless the licence holder of the facility agrees that the tents of a group of people who are associated may be pitched together on the site.

This affects the overall number of people staying at the nature-based park, and hence the impact on the environment.

The local government can approve a lesser number of people to be allowed to camp at a site in line with the environmental sustainability of the location and other relevant considerations.

12. Distance between caravans and camps

Schedule 7, Clause 8 states that there must be at least 3 metres between a caravan/camp and another caravan/camp. There must also be at least 3 metres between a caravan/camp and a building on the facility that is not on a site.

Schedule 7, Clause 7 allows the local government or licence holder to **increase** minimum distances between camps in particular cases. This decision should be based on the environmental impact and the need to maintain the 'natural' sense of a nature-based park. It should follow an assessment of risk, particularly from fire.

13. Marketing and advertising materials

(Proposed Regulation)

All advertising and promotional materials are required to accurately identify the limited facilities available at the facility.

Advertising requirements can be imposed as a licence condition to ensure compliance. This could include what facilities should be listed on signboards, the website, pamphlets etc.

A sign at a nature-based park should advise of the contact details for the licensee or manager and the times they are available.

14. Buildings on a nature-based park

(Proposed Regulations - the only buildings allowed on a nature-based park are manager's house, toilets, showers or washing up facilities)

The nature setting of a nature-based park is critical.

If the nature-based park is part of a pastoral farm, existing buildings on the farm or pastoral station is likely not to come under the licence area of the nature-based park. The local government needs to ensure that the licence area is clearly outlined.

15. Roads

(Proposed Regulations)

Nature-parks by their nature may be in isolated and remote areas with non-standard road access. The local government can exempt a nature-based park from certain requirements of a facility road under the Regulations if a traffic management plan is provided which deals with access and egress requirements to the satisfaction of the local government.

In assessing the traffic management plan, consideration should be given to the market segment being targeted, the size and the type of vehicles that will be accessing the park. If the facility access road does not meet the width requirements under Schedule 7, Clause 15(1)-(3) and is at least 500 metres in length, alternative access requirements can take the form of requiring:

- Passing points every 500m; and
- A turning circle at the end of the facility entrance road to enable all vehicles with caravans to turn.

Depending on the terrain and site specific characteristics, construction of a loop road (one way road) is suggested in difficult terrain. There should also be clear designation of ingress and egress for ease of vehicle manoeuvring and in case of emergency.

Safety and ability to quickly leave in an emergency should be key considerations.

16. Recreational areas

Under Schedule 7, Clause 18(1) of the Regulations, at least 1/10 of the total area of a facility is to be recreational area.

It is expected that the natural setting will form the recreational area. While 1/10 of the total area is to be recreational area, no recreational facilities are required to be provided.

17. Toilets and showers

Toilets may be uni-sex or single sex. A registered building surveyor should determine if the toilets and/or showers need to comply with disability access requirements.

The type of toilets and showers should be determined with attention to their environmental impact and availability of services (water and power etc).

Location of toilets and showers

(Proposed Regulations)

Under Schedule 7, Clause 19 of the current Regulations, there is to be at least one toilet within 90 metres of each site at a facility unless otherwise approved. The nature-based park operator can make an application to the local government to increase the distance of a toilet to a site. Showers in the nature-based park do not need to be within 90 metres of each site at a facility.

The local government can consider any environmental issues, and feasibility of having a toilet within 90 metres of each site in the context of the Management Plan before granting approval.

Number of showers, toilets and hand basins at nature-based parks

(Proposed Regulation)

Schedule 7, Clause 23

- (1) A nature-based park is to have two toilets for every 20 sites, unless otherwise approved.
- (2) If fewer toilets are provided than specified under (1), a chemical waste dump point is to be provided in logical proximity.
- (3) A nature-based park is to have a minimum of one shower and one hand basin for every 20 sites, unless otherwise approved.

- (4) A nature-based park may be issued with a restricted licence if it does not comply with (2) providing every recreational vehicle, caravan or camp on the facility is fully self-contained and the length of stay is restricted to three days.

Toilets may be uni-sex or single sex. Showers, hand basins and toilets should be provided if a nature-based park has ready access to power, water and waste disposal.

If water is reasonably available at the facility and grey water can be appropriately dealt with, showers should be required under the licence.

In determining the number of toilets, there needs to be consideration of the market segment and whether the facility only caters for fully self-contained vehicles. If no toilets are provided, the nature-based park should only cater to fully self-contained vehicles with either a chemical dump point in logical proximity or a restricted length of stay of three days.

If there is a mixed market segment where not all vehicles are fully self-contained, the local government needs to balance the needs of the segment and consider how many toilets are needed before granting approval for any lesser number under the proposed subclause (1).

If day visitors are expected at the location, consideration should be given to increase the number of toilets and other amenities provided. It is suggested that there are separate facilities for day users and overnight camping.

The waste management section of the Management Plan is to address how the toilets are to be serviced and maintained.

Chemical dump point

(Proposed Regulations) Schedule 7, Clause 23(2) If fewer toilets are provided than specified under (1), a chemical waste dump point is to be provided in logical proximity. Schedule 7, Clause 47(2), a nature-based park is required to have a communal chemical soil waste dump point in logical vicinity if the number of toilets required under cl 23(2) of this Schedule is not supplied.

A chemical waste dump point in logical proximity can include one in an off-site location. The chemical waste point may be provided in conjunction with a local government or owner/operator of another facility. In these circumstances, the applicant must provide evidence and details of the agreement with the owner of the chemical waste point for use by users of the nature-based park.

The waste management section of the Management Plan is to address how the toilets and chemical dump point are to be serviced and maintained.

The Department of Health's website contains information and a list of approved systems. Department of Environment deals with solid waste management, with information available on its website.

Shower, handbasin and power point requirements

(Proposed Regulations) Schedule 7, Clause 24(2), 26(1A) and 27(4)

The local government is to consider access to power sources to generate hot water in giving an exemption for the provision of hot water.

18. Napkin disposal units

Schedule 7, Clause 29

The Waste Management component of the Management Plan should address how these disposal units, where required, are to be serviced and maintained.

19. Washing up facilities for campers

(Proposed Regulations Schedule 7, Clause 31(4) A nature-based park may be exempted from having a washing up facility for campers.)

Potable water must be provided if there is a camp kitchen.

Local government should consider whether potable water can be obtained before granting an exemption.

The disposal of grey water needs to be addressed in the Management Plan.

20. Lighting and Electricity

(Proposed Regulations Schedule 7, Clause 32(4) and 37)

A nature-based park may be exempted from the requirement of providing light under Schedule 7, Clause 32 if a power source is not reasonably available.

The local government should encourage operators to incorporate solar lighting. This can be for public areas such as toilets.

A nature-based park can be exempted from supplying a facility with electricity.

21. Fire management

Schedule 7, clause 33, 35, 36.

Every site is to be within the reach of the nozzle end of a fire hose (Sch 7, cl 33). Where a local government is of the opinion that a facility's water supply is not adequate to operate fire hoses effectively, the facility is to have fire extinguishers in accordance with Schedule 7, Clause 35. Fire equipment is to be maintained, accessible and ready for use at all times (Sch 7, cl 36).

The Risk Management component of the Management Plan should specifically address the risk of fire, how this will be mitigated and what fire fighting equipment will be available in the case of fire. The regular maintenance of this equipment should also be addressed.

If the nature-based park is in a fire-prone area, the local government should impose a higher level of fire management in the licence condition. There can also be a requirement for warning signs to be installed and advertising material to inform visitors of fire risk. The parking of vehicles within the site should also be considered so that all vehicles are able to independently leave the site in case of a fire.

22. Water

Tap at a nature-based park

Schedule 7, Clause 40.

There is to be a centrally located tap at (a transit park and) a nature-based park for use by all occupiers unless otherwise approved. If it is not feasible to provide water at a site, the licensee can be exempted from this requirement.

The exemption must be given by the Executive Director, Public Health (see Sch 7, Cl 42). If the water is not potable, this must be clearly labelled.

Potable water for sites

Schedule 7, Clause 42.

If water can be readily made available then it should be provided. In the Health local laws, there is a general requirement that drinking water be provided; if not the operator needs to seek exemption.

Application for exemption is to be made to Department of Health and will be dealt with on a case by case basis.

Every effort must be made to notify potential visitors if no potable water is available – this includes on all advertising materials, websites and on signs at the entrance to the facility.

Waste water disposal

Schedule 7, Clause 46.

Sullage waste water dump point should be provided especially if there is water provided. The Department of Health approves waste water management and septic tanks. The Department of Health’s website contains information and a list of approved system.

23. Cyclone activity

Schedule 7, Clause 48.

Where a facility is in an area in a cyclonic region each caravan, annexe or other building or structure on a site is to be made safe, and in particular is to be tied down using anchor points, as approved, capable of securing the caravan, annexe or other building or structure in winds at design wind speed for that area, during any cyclonic activity or while there is warning of possible impending cyclonic activity.

If the nature-based park is located in a cyclonic region, the Risk Management component of the Management Plan should specifically address the risk of cyclone and how this will be managed.

24. Rubbish

Schedule 7, Clause 49.

Rubbish bins at nature-based parks are to be provided as is approved by the local government.

The Waste Management component of the Management Plan should address how hard waste (rubbish) is to be managed. This includes the frequency of service of any receptacles and how and where the material collected will be disposed of.

If the occupiers are expected to take their own rubbish with them, the advertising material and information provided by the operator should ensure that the occupiers are well-informed of this fact.

25. Telephones

Schedule 7, Clause 50 states that there is to be at least one telephone available at all times for the use of occupiers at a facility, unless otherwise approved.

A licensee can be exempted from the requirement of providing a telephone. Communications in an emergency situation may be addressed in the Risk Management component of the Management Plan.

26. How to apply

A nature-based park operator is to fill in a prescribed form under Schedule 1, Form 1 (the Management Plan) and submit it to the local government for approval. The local government can require further information from the applicant. If the proposed nature-based park does not comply with the legislation, Ministerial approval may be required.

If the land is not freehold land, the local government should require the applicant to show that relevant approval has been given by the owner to operate a nature-based park on the land. The nature-based park also needs to be consistent with the land use. The local government will be able to advise if there are any other relevant local policies on land use that apply.

The local government should also consider that a small facility would have lesser requirements for specialist advice to be provided to support the Management Plan.

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Notes

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