

PART 2 – RESERVES

2.1 RESERVES

Certain lands within the Scheme Area are shown on the Scheme Map and classified into either:

- (a) Metropolitan Region Scheme Reserves; or
- (b) Local Reserves.

2.2 METROPOLITAN REGION SCHEME RESERVES

2.2.1 The land shown as “Metropolitan Region Scheme Reserves” on the Scheme Map are lands reserved under the Metropolitan Region Scheme and are shown on the Scheme Map in order to comply with the Act. Those lands are not reserved by this Scheme. The provisions of the Metropolitan Region Scheme continue to apply to such reserves.

2.2.2 Amendment of Metropolitan Region Scheme

Where, after the gazettal date, the Metropolitan Region Scheme is amended to zone a Regional Reserve, the Council shall treat an application for Planning Approval on such land as though the development involves a “D” use, and such of the provisions of Part 3 and Part 6 as are relevant to “D” uses shall apply until the Scheme has been amended to include the land in a zone or Local Reserve (see subclause 3.2.2).

2.3 LOCAL RESERVES

2.3.1 Local Reserves

“Local Reserves” are delineated and depicted on the Scheme Map according to the legend thereon.

2.3.2 Use of Local Reserves

Any Local Reserve not owned by or vested in the Council may be used:

- (a) for the purpose for which the land is reserved under the Scheme;
- (b) where such land is vested in a public authority, for any purpose for which such land may be lawfully used by that authority;
- (c) for the purpose for which it was used at the Gazettal Date unless the land in the meantime has become vested in a public authority, or unless such use has been changed with the approval of the Council; or
- (d) for any purpose approved by the Council but in accordance with any conditions imposed by the Council;

but shall not be used otherwise or for any other purpose.

2.3.3 Development of Local Reserves

Unless the proposed development is a public work exempted by the Act, or the written approval of the Council is first obtained, no person shall:

- (a) demolish or damage any building or works;
- (b) remove or damage any tree;
- (c) excavate spoil or waste the land so as to destroy affect or impair its usefulness for the purpose for which it is reserved;
- (d) construct, extend, or alter any building or structure other than a boundary fence;
- (e) carry out or commence to carry out any other development on any Local Reserve.

2.3.4 Applications for Planning Approval on Local Reserves

- 2.3.4.1 The Council may consider applications for Planning Approval for land within a Local Reserve but shall have due regard to the ultimate purpose intended for the Local Reserve and the matters set out in Clause 6.8 (“Matters to be Considered by Council”).
- 2.3.4.2 Provisions in the Scheme relating to applications for Planning Approval and the exercise of any discretion thereon shall, insofar as they are not inconsistent with this clause, apply to Local Reserves.
- 2.3.4.3 To the extent that it is reasonable to do so, the Council shall apply or impose development standards and requirements which would be imposed for development of the kind in question on zoned land, and the Council shall for that purpose stipulate the zone most relevant for comparison.
- 2.3.4.4 Where any land is partly zoned under the Scheme and partly included in a Local Reserve, then the general provisions of the Scheme shall apply to the part which is zoned, and where the circumstances permit, the Council may give one decision in respect of the part of the land which is zoned and a different decision in respect of the part of the land included in the Local Reserve.
- 2.3.4.5 The Council shall, in the case of land reserved for the purposes of a public authority, consult with that authority before giving its approval.

2.3.5 Right of Disposal

The Council may deal with or dispose of land it has acquired for a Local Reserve upon such terms and conditions as it thinks fit provided that the land is used or preserved for the use for which the land is reserved.