

Requests for Sale of Public Open Space Reserves Policy

Council Policy

Responsible Directorate: Planning and Community Development

Objective: To establish guidelines for the assessment of requests for sale of public open space reserves.

1. Authority:

This Policy has been prepared in accordance with Clause 8.11 of the *City of Joondalup District Planning Scheme No. 2*, which allows Council to prepare local planning policies relating to planning or development within the Scheme area.

2. Application:

This Policy applies to all local public recreation reserves within the City and land reserved for parks and recreation under the *City of Joondalup District Planning Scheme No. 2*.

3. Statement:

It is the Council's position that requests for the sale of public open space reserves should be considered within the context of the following aims:

- a. To preserve land reserved for public recreation, being public open space, where it provides a benefit to the community.
- b. To give due consideration to the current and future needs of the community and environmental matters in assessing requests for excision or sale of public open space.

4. Details:

4.1. Assessment Guidelines:

- a. The Council views public open space as an extremely valuable community asset.
- b. A clear benefit to the community, outside of any direct financial contribution, is to be established before a proposal seeking the sale of a portion of a public open space reserve is advertised for public comment.
- c. Maintenance of a reserve is not a relevant matter in assessing whether the proposed excision would have a clear benefit to the community.
- d. If such a proposal does not provide a clear benefit to the community and/or does not promote sustainability objectives, the Director Planning and Community Development and Manager Planning Services have the delegated authority to determine that the request not proceed.
- e. If the proposed excision portion of the public open space reserve provides a benefit for the community and promotes sustainability objectives, the request will be advertised for a minimum period of 30 days as follows:
 - i. A sign is to be erected on the site, at the applicant's cost.
 - ii. A notice is to be placed in a local newspaper, at the applicant's cost.
 - iii. Letters are to be sent to nearby landowners.
 - iv. Liaison is to occur with identified local community and interest groups.
 - v. Referral is to be made to the Department of Land Information, Department of Planning and other relevant servicing authorities for comment.
 - vi. A notice is to be placed on the City's notice boards and the City's website.
- f. Upon the closure of advertising, the request shall be referred to Council having due regard for the aims and statements of this Policy. Comments received as a result of advertising carried out in accordance with Section 3(e) above and the requirements of the Department of Planning's *Guidelines for Administration of Section 20A 'Public Recreation' Reserves*.

The applicant shall also obtain a valuation at their cost, from the Valuer General's Office, on the portion of land proposed to be purchased.

Creation Date: September 2006

Amendments: CJ160-08/12

Related Documentation:

- *City of Joondalup District Planning Scheme No. 2*
- *Guidelines for Administration of Section 20A 'Public Recreation' Reserves*
- *Register of Delegation of Authority*