

Requests for Sale of Public Open Space Reserves Local Planning 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 Schedule 2, Part 2, of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* which allows the local government 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 *Local Planning Scheme No. 3*.

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 or Manager Planning Services are to advise the applicant.
- 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 Planning, Lands and Heritage 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 and comments received as a result of advertising carried out in accordance with Section 4(e) above.

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 (CJ156-09/06)

Formerly:

Amendments: CJ160-08/12, CJ223-12/22

Last reviewed: December 2022 (CJ223-12/22)

Related documentation: • City of Joondalup Local Planning Scheme No. 3

File reference: 89391