

<b>POL</b>	<b>PUBLIC OPEN SPACE</b>	<b>LPP 5.1</b>
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<b>POLICY CODE:</b>	LPP 5.1
<b>DIRECTORATE:</b>	Planning and Development
<b>BUSINESS UNIT:</b>	Planning Department
<b>SERVICE UNIT:</b>	Strategic Planning Service
<b>RESPONSIBLE OFFICER:</b>	Manager, Strategic Planning
<b>FILE NO.:</b>	182/001
<b>DATE FIRST ADOPTED:</b>	19 August 1997
<b>DATE LAST REVIEWED:</b>	10 December 2015
<b>ATTACHMENTS:</b>	N/A
<b>DELEGATED AUTHORITY REF.:</b>	OLPD33
<b>VERSION NO.</b>	8

<b>Dates of Amendments / Reviews:</b>		
DAPPS Meeting:	27 September 2012	2 June 2015
	31 January 2013	27 August 2015
	22 August 2013	26 November 2015
	26 February 2015	
OCM:	11 October 2012	12 March 2015
	14 February 2013	11 June 2015
	12 September 2013	11 June 2015

**BACKGROUND:**

This policy applies to the assessment of structure plan and subdivision proposals in relation to the requirements of public open space reserves within the City of Cockburn. The Western Australian Planning Commission provides the following strategic guidance on the matter of public open space:

- Operational Policy - Liveable Neighbourhoods
- Development Control Policy (DCP) 2.3 - Public Open Space in Residential Areas
- State Planning Policy 3.7 - Planning for Bushfire Risk

Requirements for the provision of public open space in urban areas are detailed under Element 5 of Liveable Neighbourhoods. While Element 5 provides comprehensive requirements in relation to public open space provision, it is silent in relation to a number of land circumstances which the City of Cockburn deems inappropriate for crediting as part of public open space. This Policy identifies such land features which will not be accepted by the City as part of the public open space requirement, including separate matters pertaining to bushfire risk matters.

Management requirements of natural vegetation and public open space reserves is of significant importance, especially in light of the policy framework that pertain to bushfire protection. As per the Planning for Bushfire Risk guidelines, the City requires that all structure plans and subdivision applications include a bushfire assessment should they fall within an identified bushfire hazard area. This policy

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now expands on this, identifying that the City will not accept bushfire protection areas within areas of natural bushland that are existing or proposed to be revegetated through rehabilitation as part of undertaking subdivision and development on the land.

**PURPOSE:**

1. To specify land features that will not be accepted by the City as part of the public open space requirement.
2. To clarify how bushfire protection zones and hazard separation zones will be considered in relation to public open space.

**POLICY:**

- (1) The following land will not be accepted by the City as part of any public open space requirement:
  1. Subdivision entry statements.
  2. Land where public access is incapable, restricted or denied.
  3. Buffers separating incompatible land uses where the width of such buffer is below 30m.
  4. Road verges.
  5. Land with a restriction on the certificate of title which in the opinion of the City will unreasonably impede the ability to use the land for public open space.
  
- (2) No part of the 20m building protection zone should be included within any area of current or proposed public open space, unless:
  - (a) The identified area is already cleared of natural vegetation and is proposed to remain clear of vegetation in a manner that facilitates the ongoing low fuel levels being maintained (such as irrigated manicured parkland); and
  - (b) There is a physical barrier (e.g. 3m concrete footpath, retaining structure, wall, masonry fencing) which demarcates this portion of the public open space such that it does not gradually regenerate through natural processes such as being adjoined by bushland.
  
- (3) The following land will not be accepted by the City as public open space unless, in the opinion of the City, there is some community benefit in doing so. The City may allow such land to be included in restricted use public open space:
  1. Land within or forming part of any utility or easement containing underground infrastructure (such as a gas pipeline) or above ground infrastructure (such as a transmission line corridor);

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- (4) The following land will not be accepted by the City as public open space, unless 'in principle' support is also obtained at the local structure plan stage from Department of Regional Development and Lands and the land will be remediated or investigated to the satisfaction of the Department of Environment and Conservation and the City prior to vesting:
1. Land considered to be 'contaminated' or 'possibly contaminated' under the Contaminated Sites Act 2003
- (5) All other aspects of public open space provision are to comply with Element 5 of Liveable Neighbourhoods.