

Title	Development on Local Reserves
Policy Number (Governance Purpose)	LPP 5.20



Policy Type

Local Planning Policy

Policy Purpose

Part 61 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) prescribes development which is exempt from the need to obtain development approval.

The intent of this Local Planning Policy (LPP) is to develop a set of criteria to exempt the requirement of development approval for Local Reserves reserved under the City's Town Planning Scheme No. 3 (TPS 3) only and does not address Reserves reserved under the Metropolitan Region Scheme.

This will allow the facilitation of development without development approval under Part 61(1)(i) of the Regulations which allow the carrying out of works as specified in an approved LPP.

(1) Application

This policy applies to all development on Local Reserve – Parks and Recreation and Local Reserve – Public Purpose.

It is not the intention of this LPP to provide more onerous requirements than the requirements for assessment under TPS 3 and the Regulations. Therefore a development may be deemed compliant if it conforms to the provisions of this LPP.

(2) Implementation

1. Where a proposal meets the provisions of this policy, no development approval is required.
2. Where a proposal does not meet the provisions of this policy, development approval is required, and advertising may be required subject to assessment of the impact on adjoining landowners.
3. Where a development approval is required, the application for development form, drawings, justification letter and checklist must be completed. The City will not require a copy of the Certificate of title or the consent and indemnity form.

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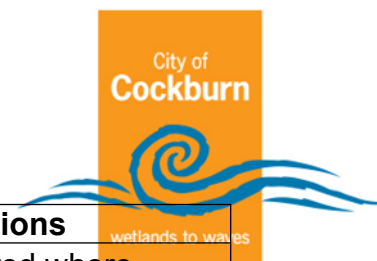


Policy Statement

(1) Provisions

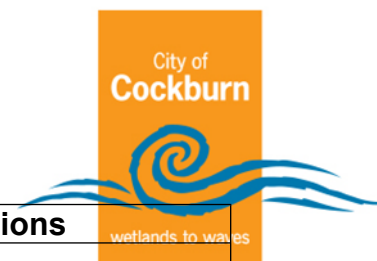
Development Type	Planning Requirements and Exemptions
Tree / Shrub Planting	No Development Approval Required, irrespective of plant size or height.
Footpaths, Dual Use Paths	No Development Approval required for footpaths or dual use paths that have obtained prior civil approvals for their respective locations by the City as required.
Sand Pits	No Development Approval required.
Earthworks	<ul style="list-style-type: none"> • Development Approval is not required for Earthworks applications in line with approved civil drawings by the City, under an approved subdivision, and where the land has already been identified as a local reserve under an approved Structure Plan. • Development Approval is required where the lot has not been ceded as a local reserve. • Development Approval is required for Earthworks where native vegetation is proposed to be cleared, unless: <ul style="list-style-type: none"> i. The native vegetation is located within an easement or within 2m of any lot boundary; ii. The clearing is required to be implemented in accordance with an approved Structure Plan; or iii. The State or Commonwealth has approved the clearing.
Play or Gym Equipment	<ul style="list-style-type: none"> • Manufactured play or gym equipment shall be exempt from Development Approval. • Bespoke play or gym equipment shall be assessed by a qualified playground auditor and confirmed to be compliant to be deemed exempt from Development Approval.
Drinking Fountains	No Development Approval required.

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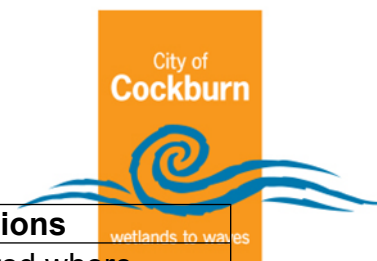
Development Type	Planning Requirements and Exemptions
Shade sails	<ul style="list-style-type: none"> Development Approval is not required where replacing 'like for like' within the same location, footprint and height. Development Approval is not required for new shade sails, provided the development is setback a minimum of 2m from any lot boundary or road reserve.
Picnic, Barbecue Areas and Shelters	No Development Approval is required provided the development is setback a minimum of 2m from any lot boundary or road reserve.
Walkway Shelters, Sheltered Roofed Structures	No Development Approval is required provided the development is setback a minimum of 2m from any lot boundary or road reserve.
Pot Plants	No Development Approval required, regardless of size or scale.
Retaining Walls	<ul style="list-style-type: none"> Development Approval is not required for Retaining Wall applications in line with City approved civil drawings under an approved subdivision where the land has already been ceded as a local reserve and Retaining Walls greater than 2m in height (measured from the Natural Ground Level) are setback a minimum of 2m of any lot boundary or road reserve. Where Retaining Walls greater than 2m in height (measured from the Natural Ground Level) are setback within 2m of any lot boundary or road reserve, whichever is applicable, Development Approval is required. Development Approval is required where the lot has not been ceded as a local reserve.
Free standing walls	<ul style="list-style-type: none"> Development Approval is not required for free standing walls in line with City approved civil drawings under an approved subdivision, where the land has already been ceded as a local reserve and the Free Standing Walls greater than 2m in height (measured from the Natural Ground Level) are setback 2m of any lot boundary or road reserve, whichever is applicable.

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	<ul style="list-style-type: none"> • Where the Free standing walls greater than 2m in height (measured from the Natural Ground Level) are setback within 2m of any lot boundary or road reserve, whichever is applicable Development Approval is required. • Development Approval is required where the lot has not been ceded as a local reserve.
Seating	No Development Approval required.
Litterbins	No Development Approval required.
Access Roads	<ul style="list-style-type: none"> • Development Approval is not required for access roads which are less than 20m in length and constructed from compacted materials (such as limestone) in line with City approved civil drawings under an approved subdivision, where the land has already been ceded as a local reserve. • Development Approval is required for hard surface access roads which are constructed from asphalt or concrete, and are longer than 20m in length, where the land has already been ceded. • All access roads require development approval where proposed on land yet to be ceded as a reserve.
Access roads within Public Open Space sites	<ul style="list-style-type: none"> • Development Approval is not required for access roads which are less than 20m in length and constructed from compacted materials (such as limestone) in line with approved civil drawings under an approved subdivision by the City where the land has already been ceded as a local reserve. • Development Approval is required for hard surface access roads which are constructed from asphalt or concrete, and are longer than 20m in length, where the land has already been ceded. • Where the lot has not been ceded – development approval is required.

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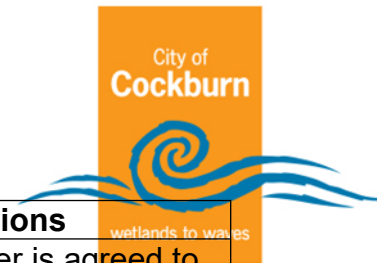
Development Type	Planning Requirements and Exemptions
Car parking	<ul style="list-style-type: none"> Development Approval is not required where replacing car parking areas like for like, meaning the exact same location, footprint and number of bays. Development Approval is required for all new car parking bays or car parking areas.
Vehicle charger infrastructure	<ul style="list-style-type: none"> No Development Approval required where locating this infrastructure within an approved car parking area. Development Approval is required for all new car parking bays and car parking areas which proposed vehicle charger infrastructure.
Irrigation systems	No Development Approval required.
Bores	No Development Approval required.
Sports lights/ floodlighting	<ul style="list-style-type: none"> No Development Approval is required where replacing sports lights/ floodlights like for like, meaning the exact same location, height and light omission. Development Approval is required for all new sports lights/ flood lights. No Development Approval is required for Shelter and footpath lighting and solar bollards.
Goal posts and practice nets, volleyball posts, nets and cricket nets	<ul style="list-style-type: none"> No Development Approval is required where replacing goal posts and practice nets like for like, meaning the exact same location, height and width. Development Approval is required for all new goal posts and practice nets.
New volleyball courts, hockey pitches and bowling greens	Development Approval required.
Drainage basins and sumps	<ul style="list-style-type: none"> Development Approval is not required for drainage basins and sumps applications in line with City approved civil drawings under an approved subdivision, where the land has already been ceded as a local reserve. Development Approval is required where the lot has not been ceded as a local reserve.

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Conversion of stormwater drainage swales into underground detention basins	Development Approval required.
Fences (all types)	<ul style="list-style-type: none"> Development Approval is not required for fence applications in line with City approved civil drawings under an approved subdivision where the land has already been ceded as a local reserve. Development Approval is required where the lot has not been ceded as a local reserve.
Entry Statement signage	Development Approval required.
Jetty, Pontoons, Groynes and boardwalks	Development Approval required.
Skate parks and pump tracks	Development Approval required.
Water play	Development Approval is not required for recycled water play where the location is setback greater than 2m of any lot boundary or road reserve, whichever is applicable.
Toilet facility/ Ablutions	Development Approval required.
Artwork	<ul style="list-style-type: none"> No Development Approval required for Artwork. Development Approval is required for any Artwork that proposes a variable message sign.
New buildings/ facilities including enclosed bin storage areas	Development Approval required.
Bird Hides	No Development Approval required.
Closed-Circuit Television (CCTV)	<ul style="list-style-type: none"> Development Approval is not required where CCTV is proposed to be affixed to an approved building or structure. Development Approval is required, where CCTV is proposed on a freestanding pole within 2m of any lot boundary or road reserve, whichever is applicable.
Sea Containers and other Transportable Structures	<ul style="list-style-type: none"> Development Approval is not required where: <ul style="list-style-type: none"> i. they relate to storage of items on a temporary basis for an approved use on the local reserve that has obtained Development Approval; and

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	ii. the location of the sea container is agreed to in writing by Head of Development Assessment and Compliance.

Strategic Link:	Town Planning Scheme No. 3
Category:	Planning – Town Planning & Development
Lead Business Unit:	Development Assessment and Compliance
Public Consultation: (Yes or No)	Yes
Adoption Date: (Governance Purpose Only)	10 November 2022
Next Review Due: (Governance Purpose Only)	November 2024
ECM Doc Set ID: (Governance Purpose Only)	11229732