

NEW RESIDENTIAL DEVELOPMENTS, PUBLIC OPEN SPACE REQUIREMENTS

40. Hon Jim Scott to the Parliamentary Secretary representing the Minister for Planning and Infrastructure
- (1) What requirement is there for the provision of public open space in any new residential development?
- (2) Is the provision of public open space requirements the same for strata title subdivision and green title subdivision?
- (3) If not, what are the differences?
- (4) Does the Western Australian Planning Commission not specifically require the provision of 10 per cent public open space for strata title subdivision?
- (5) If not, what are the conditions for the provision of public open space at strata title subdivisions?

Hon GRAHAM GIFFARD replied:

- (1) The Western Australian Planning Commission requires land to be given up for public open space upon residential subdivision according to Policy DC2.3 - Public Open Space in Residential Areas. The provisions of this policy generally require:

10% of the gross subdivisible area to be given up free of cost and vested in the Crown as a Reserve for Recreation;

that an additional open space requirement would not be imposed on a resubdivision where an open space contribution has been made in the past;

that where the subdivision would create five lots or less the 10% requirement would generally not be imposed;

additional land to be set aside as open space (either to be given up free of cost or to be set aside in a separate lot pending acquisition) depending upon the merits of the case. Notably land adjacent to the ocean or river/watercourses may be required to be set aside in addition to the normal open space requirement.

Alternatively provisions of the legislation (section 20C of the Town Planning and Development Act) may be employed to enable a landowner to provide cash-in-lieu of an open space contribution. The policy regarding the extent to which cash-in-lieu of land is acceptable (generally where the open space would be inappropriate or too small to be developed as open space) and the purposes for which cash-in-lieu may be spent (generally for the development of land or the purchase of land within the locality of the subdivision) is also set out in Commission Policy DC 2.3.

- (2)-(5) The Commission may impose the same requirements on strata subdivisions as would apply to green title subdivision. However, in most cases strata subdivision occurs on land previously subdivided from which a public open space contribution has been made. In these cases an additional open space contribution would not be required.

It should be noted that the strata subdivision of dwellings involving five lots or less on a land parcel of less than 2,500 sqm is determined by the relevant local government.