

Policy 46 – Public Open Space Contribution



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Council Minute No: **12/22**

Statutory Authority: **Local Government
(Building and
Miscellaneous
Provisions) Act
1993 – Part 3,
Division 8**

OBJECTIVE

To incentivise modest subdivisions of land in key settlement areas of the municipality in order to support population growth, attract investment and maximise underutilised infrastructure capacity, while ensuring larger subdivisions make an appropriate contribution to the provision of public open space.

POLICY

Council will only require a 5% cash payment in lieu of public open space for all subdivisions (unimproved land value of the approved new lots) that create more than five (5) lots. Only at Council's discretion will 5% of the land subject to a subdivision that creates more than five (5) new lots be required for public open space.

Council will not require (i) a 5% cash payment in lieu of public open space, or (ii) a 5% land contribution for public open space, for subdivisions that:

- create five (5) lots or less;
- are for boundary adjustments; or
- consolidate titles via sealed plan.

Any requirement for public open space contribution (payment or land) will only apply to subdivision of land in the general residential, general industrial, light industrial, local business, general business, low density residential, village and urban mixed use zones of the Council's Planning Scheme (of the day).

Notwithstanding the foregoing provisions of this policy, Council may determine to exempt or partially exempt a subdivision that creates greater than five (5) lots from public open space contribution where Council is of the opinion that because of exceptional circumstances a variation or an exemption should be given. In applying the foregoing, regard shall be had only to the exceptional circumstances of the respective subdivision and no variation or exemption is to be construed as establishing a precedent.