

6.1 ACCEPTANCE OF MANAGEMENT ORDERS BY THE SHIRE OVER FORESHORE RESERVES

OBJECTIVE

To set out the circumstances under which the Shire of Gingin will accept management responsibility for reserves created under *Planning and Development Act 2005 s.152 Certain land to vest in Crown*.

POLICY

Scope

This policy applies to any reserve created as a result of subdivision of land within the Shire of Gingin in accordance with s.152 for the following purposes:

1. Conservation or protection of the environment;
2. An artificial waterway;
3. A pedestrian accessway;
4. A right-of-way;
5. A reserve for water supply, sewerage, drainage, foreshore management, waterway management or recreation; and
6. A public purpose specified in the conditions of subdivision and related to the subdivision.

Policy Statement

1. Management responsibility for reserves created under s.152 of the *Planning and Development Act 2005* as a consequence of subdivision will only be accepted by the Shire of Gingin if the reserve:
 - a. Is accessible by an already constructed road that is, or in due course will be, linked into the existing local road network; or
 - b. As a consequence of subdivision is provided with a road by the developer that is linked into the existing local road network; or
 - c. Is located within the boundaries of a gazetted townsite; or
 - d. Will provide a beneficial extension to an area of land already owned or managed by the Shire of Gingin.
2. Notwithstanding any other policy provision, where in the public interest the protection of the foreshore is deemed appropriate the Council may, at its discretion, accept a foreshore reservation.

GOVERNANCE REFERENCES

Statutory Compliance	<i>Land Administration Act 2005 - s.152</i>
Industry Compliance	N/A
Organisational Compliance	N/A

POLICY ADMINISTRATION

Review Cycle	2 years	Next Review	2026
Department	Regulatory & Development Services (Planning)		

Version	Decision Reference	Synopsis
1.	18/02/1999 Item 10.3	Policy adopted.
2.	19/04/2011 Item 11.2.2	Policy reviewed without amendment.
3.	20/02/2024 Item 12.3	Policy reviewed and amended.