



PUBLIC OPEN SPACE RESERVE GUIDELINES 2019



Campaspe
Shire Council

1. Purpose

This document has been prepared to inform the contribution and expenditure from the Public Open Space Reserve in conjunction with the Campaspe Open Space Strategy 2014, Clause 53.01 of the Campaspe Planning Scheme and Campaspe Shire Council Policy 107 Public Open Space Provision.

2. Use of this Document

This document is to inform all decisions relating to the operation of the Public Open Space Reserve. This includes but is not limited to:

- Acceptance or demand of developer public open space contributions in accordance with Clause 53.01 of the Campaspe Planning Scheme and Section 18 of the *Subdivision Act, 1988*;
- The acceptance of any other contributions of money, land or infrastructure for public open space contribution;
- The expenditure of any funds received in lieu of a public open space contribution;
- The expenditure of any funds received from the sale of public open space;
- Determining to dispose of public open space by sale or any other means;
- The management of funds within the reserve.

This document is to be used in conjunction with any comments from Council's Integrated Open Space Management Group (IOSMG).

3. Principles

All decisions made with reference to this document must:

- Support the fair, orderly, economic and sustainable provision of open space throughout our communities;
- Provide access to open spaces that meet community needs and support the relinquishment of redundant open spaces and assets;
- Ensure good governance and transparency in decision making;
- Accord with the principles, policies and requirements of the Campaspe Planning Scheme, the Campaspe Open Space Strategy, The Campaspe Council Plan and any other relevant adopted strategy or policy positions of Campaspe Shire Council;
- Consider the position of Campaspe Shire Council's Integrated Open Space Management Group.

4. Public Open Space Contributions

4.1 Contribution Guidelines

New subdivision in a Residential, Industrial or Commercial Zone must be levied at the rate specified in the schedule to Clause 53.01 – Public Open Space Contribution and Subdivision of the Campaspe Shire Council Planning Scheme and the associated schedule.

Public open space contributions in the form of land contributions or a combination of cash-in-lieu and land will be requested and/or accepted at Council's discretion as guided by the following matters:

- The position of the Campaspe Open Space Strategy (2014) or other endorsed positions;

- Any town or structure plan endorsed by council;
- The open space requirements of any community and the need for additional lands to achieve this;
- The capacity of the developer to provide appropriately located, oriented, accessible and unencumbered land;
- The quality of any concept plans provided for the development of the open space;
- Any other relevant matters.

4.2 Open Space Land Contribution Conditions

When it is determined that a land contribution is appropriate the land proposed must meet the following conditions:

- The land must satisfy the principles and the vision of the Campaspe Open Space Strategy (2014);
- The land must be of an appropriate area and a minimum dimension of 10m, unless adjacent to or contributing to an existing open space that already exceeds these measurements;
- The land must not be encumbered, including in the following ways:
 - Land that would ordinarily be excluded from development due to the need to conserve flora and fauna values;
 - Conservation and heritage areas;
 - Land that may be contaminated;
 - Waterways, retarding basins or wetlands;
 - Land that is steeply sloping;
 - Land that is affected by a servicing easement.

4.3 Open Space Contribution Decision Guidelines

When determining the appropriateness of any proposed open space land contribution, the Responsible Authority must consider the following as appropriate:

- The alignment of any proposed open space with any endorsed council plan or strategy to the satisfaction of the Responsible Authority;
- The proximity of the site to existing or future residential catchments;
- The needs and requirements of the community for public open space;
- The potential for the site to create a high quality open space environment through development of the contributed land;
- Any landscaping plans provided with the contribution;
- The capacity of the site to be subject to a high degree of casual surveillance;
- The accessibility of the site;
- The impact of flooding and inundation on the site;
- The visibility of the site from adjacent thoroughfares;
- The separation of the site from major or secondary arterial roads.

5. Public Open Space Reserve Management

5.1 Conditions for Access to the Reserve

In case of a cash-in-lieu contribution, the reserve is to be hypothecated for:

- The development or acquisition of new open spaces that service urban growth areas;
- The upgrade of existing open spaces in order to provide services to urban growth areas;
- The development of infrastructure to improve access for new urban areas to existing and new open spaces;
- The fund must be expended in the same locality as the source of that income.

Prior to any determination regarding access to the fund, the IOSMG must develop a prioritised project list that includes the following considerations:

- Consent from the relevant departments and bodies including but not limited to: The manager responsible for the delivery of the project; The relevant land manager; and the Planning and Building Manager;
- The existing Capital Works Programme;
- The adopted position of Council in any strategy, report or plan;
- The prioritised open space project list managed by the IOSMG in accordance with the COSS;
- The locality, location and conditions associated with the contribution and sale, including the spaces that directly service any contributing land;

5.2 Rules for the Management of the Fund

A register of payments to the fund must be maintained that identifies:

- The source of the payment as either a contribution, sale or other income;
- Any planning permit number, council decision or document associated with the payment;
- The date of the payment;
- The locality associated with the payment and the property ID of any properties associated with the payment;
- If a developer contribution the name of the payer and the developer;

5.3 Retention of moneys within the fund

Moneys are not to be retained in the reserve indefinitely. Unless funds have been earmarked for a specific future project, funds should be expended as soon as practicable.