

Public Open Space Provision

Council Policy Number	107
Date adopted	17 September 2019
Scheduled for review	September 2021



1. Purpose

This purpose of this policy is:

- To inform Campaspe Shire Council ('Council') decisions in relation to the contributions to public open space ('POS'), the sale, acquisition or disposal of POS by Council.
- To guide decisions for the provision and utilisation of POS contributions for both infill residential subdivisions and new residential areas in the municipality, within the context of Clause 56 of the Campaspe Planning Scheme and Section 18 of the *Subdivision Act 1988*.
- 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 to service the same locality as the source of that income.

Prior to any determination regarding access to the fund, the Integrated Open Space Management Group ('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 Campaspe Open Space Strategy ('COSS');
- The locality, location and conditions associated with the contribution and sale, including the spaces that directly service any contributing land;

2. Definitions

Integrated Open Space Management Group	Formed in accordance with Action 1.1 of the COSS from relevant areas of Council to provide an integrated approach to the planning and management of POS.
Public Open Space	POS is any open, non-built space managed or owned by council or another Public Land Manager that is broadly accessible for: community use and activity; aesthetic or place making value; the protection of areas of heritage, cultural or ecological value; and utility use such as drainage reserves or flood retention.
Public open space contribution	A contribution paid by a developer as part of a subdivision or development through negotiation or

Public Open Space Reserve (POSR)

in accordance with the Planning Scheme or *Subdivision Act 1988*.

A cash reserve held by Council that accrues funds from cash-in-lieu contributions under Planning Scheme or Subdivision Act and from the sale of public open space.

3. Policy Statement

Council operates and maintains more than 100 public open spaces

The following principles guide Council when assessing open space provision in new subdivisions. Any land or cash contributions of POS, and decisions relating to the acquisition and disposal of POS 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;
- Operate in accordance with the principles, policies and requirements of the Campaspe Planning Scheme, the Campaspe Open Space Strategy 2014, The Campaspe Council Plan and any other relevant strategy or policy positions of Council;
- Consider any comments or objections received from the IOSMG.

4.1 Public Open Space Reserve Guidelines

Any decision relating to the contribution of POS or cash-in-lieu of any contribution must be in accordance with the Public Open Space Reserve Guidelines 2019 (or as amended).

4.2 Operation of Public Open Space Reserve

The POSR is the fund accumulated from the developer contributions and from the sale or disposal of existing public open space. Decisions relating to expenditure from the POSR must consider the matters outlined in this policy as well as the Public Open Space Reserve Guidelines.

4. Exclusions

Nil

5. Human Rights

This policy has considered and complies with the Human Rights and Responsibilities contained in the Victorian Charter of *Human Rights and Responsibilities Act 2006*.

6. Related Legislation

Planning and Environment Act 1987

Subdivision Act 1988

7. Related Policies, Procedures and Strategies

Campaspe Open Space Strategy 2014

Campaspe Planning Scheme

Campaspe Playground Strategy 2007 (Reviewed 2012)

8. Attachments

Public Open Space Reserve Guidelines (2019)

9. Review Period

Two Years

Responsible Officer

Recreation Manager

10. Administrative Updates

It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter the policy, such a change may be made administratively. Examples include a change to the name of a Council department, a change to the name of a Federal or State Government department, and a minor update to legislation which does not have a material impact. However, any change or update which materially alters this document must be by resolution of Council.

11. Approval History

Adopted	14 June 2007	Minute Book Reference No 11129 (item 10.4)
Revised	21 August 2012	Minute Book Reference No 1057 (Item 4.16)
Revised	19 August 2014	Minute Book Reference No 878 (Item 6.1)
Revised	17 October 2017	Minute Book Reference No 2865 (item 6.3)
Revised	17 September 2019	Minute Book Reference No 3516 (item 7.1)
Revised	1 March 2021	Administrative update to apply consistent reference to Campaspe Shire Council ('Council')

Chief Executive Officer: 

Date: 3/3/2021

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