

Public Open Space Acquisition and Improvement Policy

Policy Endorsement:	Endorsement required by Council		
Policy Superseded by this Policy:	Not Applicable		
Directorate:	City Planning, Design and Amenity		
Responsible Officer:	Manager Planning and Design		
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1. Policy Objective (or Purpose)

This Policy outlines a framework to implement the *Greater Dandenong Open Space Strategy 2020-2030* and the current *Greater Dandenong Open Space Contributions Plan* to achieve a high-quality, accessible and sustainable open space network for the enjoyment of the Greater Dandenong community.

In alignment with the Strategy and Contributions Plan this Policy seeks to:

- Ensure Council complies with the *Subdivision Act 1988*;
- Provide guidance on the acquisition, funding and improvement of a comprehensive open space network;
- Provide guidance regarding situations where it's not possible to acquire land, such as spending open space funds on the capital improvement of current open space or the conversion of other Council land, particularly in areas of changing demand on open space with increased population/housing density; and
- Ensure the operation of the Open Space Reserves Fund is transparent and complies with agreed Council processes.

2. Background

It is recognised that Council provides significant investment into the existing open space network as guided by the *Greater Dandenong Open Space Strategy 2020-2030* (the Strategy) criterion for the quality of public parks and overall reserve network.

Council's Strategy sets out Council's long-term plan to provide a high-quality, accessible and sustainable open space network for the enjoyment of the Greater Dandenong community. Any improvements proposed are indicative and subject to the Open Space Framework, Action and Monitoring Plan, Guiding Criteria and available funding.

The Strategy recognises that priority is to be given to areas of identified need for the existing population and/or areas forecast to accommodate high population growth. These areas are identified as 'Priority Areas'.

The *Subdivision Act 1988* and *Planning and Environment Act 1987* enable Council to collect public open space contributions for the acquisition or capital improvement of public open space land. These contributions are collected through the *Greater Dandenong Planning Scheme – Clause 53.01*.

3. Scope

This Policy applies to all public open space and/or potential public open space land related activities such that it will guide Council and Council Officers in considering:

- Suitability of Council owned land for conversion to public open space;
- Purchase of land for public open space;
- Public Open Space land selection requirements;
- Capital improvements to existing public open space;
- Operational management of the Open Space Reserve Fund

Definitions

Public Open Space - Land that provides outdoor recreation, leisure and/or environmental benefits and/or visual amenity (Victorian Planning Authority). Traditional types of open

space include parks and gardens, playgrounds, sports fields and recreational facilities. Non-traditional open space includes urban and civic spaces, schools and tertiary institutions, cemeteries, streets, paths, railway corridors and tree reserves. All such facilities form part of the open space network.

Greater Dandenong Open Space Strategy 2020-2030 - The Strategy provides direction on how Council will improve the open space network for the benefit of the entire community.

Greater Dandenong Public Open Space Contributions Plan - The Contributions Plan is a Reference Document to the *Greater Dandenong Planning Scheme* which provides the methodology and process to calculate the current open space contribution rate in the municipality.

Open Space Reserves – The Open Space Reserves are the financial accounts containing the contribution funds collected through the *Greater Dandenong Planning Scheme - Clause 53.01*

4. Policy

Council will consider the criteria outlined at Appendix 1, 2 and 3 regarding the acquisition or improvement of public open space and/or potential public open space land; and the management of the Open Space Reserves.

Council will ensure that Public Open Space projects are linked to asset management principles, asset management policy and asset management planning for optimal lifecycle planning and management.

Council will ensure that all areas of Council give due consideration to the principles which underpin the *Greater Dandenong Open Space Strategy 2020-2030* when undertaking their normal business.

4.1 Open Space Acquisition

Council will endeavour to expand the open space network by a minimum of 1,500 square metres on an annual basis by regularly investigating opportunities to purchase appropriate parcels of land for the purpose of public open space.

Council will prepare an assessment of each potential public open space acquisition and should consider:

- If the proposed land is on the market;
- The Land Selection Criteria (Appendix 1);
- If the land can be developed and maintained within Council's resources; and
- The requirements of the *Subdivision Act 1988* and the *Greater Dandenong Planning Scheme*.

Where Council requests a land contribution and the developer offers an open space parcel or link that does not meet the minimum land area criteria, Council can:

- Request or negotiate a larger land area as part of the project approval where the minimum contribution rate applies;
- Request or negotiate a combination of land and cash contributions; or
- Add to the developer's land to create a viable open space parcel or link.

4.2 Open Space Improvements

Council will endeavour to improve the quality of the existing open space network on an annual basis.

Council will:

- Give due consideration to the requirements of the *Greater Dandenong Planning Scheme* and the *Greater Dandenong Open Space Strategy 2020-2030*, including the Open Space Improvements Criteria (Appendix 2).
- Develop a concept/sketch plan for all land for public open space improvement purposes.
- Consider the utilisation of the Open Space - Planning, Development and Improvements reserve on a project by project basis as per Council's Capital Improvement Program process.
- Ensure each Public Open Space improvement project budget reflects the requirements of the *Subdivision Act 1988*, with all other expenses costed as part of Council's Capital Improvement Program Fund.

4.3 Open Space Reserves Operation

All proceeds from the Greater Dandenong Open Space Contributions Plan are required to be used in accordance with the *Subdivision Act 1988* and *Planning Environment Act 1987* and must be allocated to the Council's Open Space Reserves.

In order to comply with the *Subdivision Act 1988*, Council cannot use Open Space Contribution funds on maintenance or capital expenditure that is not directly related to the improvement or acquisition of public open space (Appendix 3).

It is policy that Open Space Contribution funds held in the Open Space Reserves should be used only in accordance with this Policy.

Distribution of Open Space Reserves

All cash contributions collected through the *Greater Dandenong Planning Scheme – Clause 53.01* as designated by the *Subdivision Act 1988* (except for contributions collected under a specific Development Contributions Plan), are held in Council's statutory *Open Space Reserves*:

- Open Space – Planning, Development and Improvements reserve
- Open Space – Acquisitions reserve

Management of Open Space Reserves

- All cash contributions are applied to the Open Space - Planning, Development and Improvements reserve.
- All land acquisitions and associated costs (e.g. demolition, site reinstatement, legal and/or other purchasing costs) are to be funded from the Open Space – Acquisitions reserve.

- The balance of the Open Space – Acquisitions reserve is maintained at approximately \$6 million by drawing down on the Open Space - Planning, Development and Improvements reserve at the end of each financial year.
- The Open Space - Planning, Development and Improvements reserve should be drawn down on a regular basis to complement the CIP Fund in funding eligible elements of open space improvement projects as outlined below.

5. Victorian Human Rights and Responsibilities Charter 2006 – Compatibility Statement

All matters relevant to the *Victorian Human Rights and Responsibilities Charter 2006* have been considered in the preparation of this policy and are consistent with the standards set by the Charter.

6. Review

Upon review of this policy, Council will:

- Ensure that this policy remains compliant with relevant legislation, and relevant Council strategies and documents;
- Provide a summary of the assessments and outcomes for potential open space acquisition; and
- Provide a summary of the operation of the Open Space Reserves.

7. References and Related Documents

References

- Greater Dandenong Open Space Strategy 2020-2030
- Open Space Contributions Plan
- *Subdivision Act 1988*
- *Planning and Environment Act 1987*
- *Charter of Human Rights and Responsibilities Act 2006*
- City of Greater Dandenong Asset Management Policy

Related Documents

- *Local Government Act 2020*
- Asset Management Strategy 2015-2022
- Greater Dandenong Climate Emergency Strategy 2020-2030
- Make Your Move Greater Dandenong Physical Activity Strategy 2020-2030
- Community Wellbeing Plan 2017-2021
- Community Engagement Policy
- Community Engagement Framework 2019
- Public Transparency Policy
- Council Plan 2017-2021
- Sustainability Strategy 2016-2030
- Greening our City Strategy 2018-2028
- Playground Strategy 2013-2023
- Community Safety Plan 2015-2022
- Diversity, Access and Equality Policy 2015

8. Appendices

As specified above, Council will consider the criteria outlined at Appendix 1, 2 and 3.

PLACE – HIGH QUALITY PARKS, RESERVES AND CONNECTIONS

Needs and Demand

- The site should be within a Priority Area (Gaps in residential zones or higher open space needs area) as identified in the needs Suburb Analysis of the Strategy.
- Priority should be given to address Priority Areas (physical gaps in residential zones) that are greater than 2,000sqm.
- Priority should be given to acquiring land in suburbs with the least percentage of total open space.

Land Quality

- The site should be suitable for the intended purpose, giving consideration to the gradient of the site and flooding to minimise development and maintenance costs and ensure long term flexibility in the use of public open space.
- The site should be free from inherent issues such as contamination or weed infestation.

Connectivity

- The site should be located on or near identified active transport (pedestrian and cycle) networks and offer potential to link to the wider open space network including forming open space linkages.

Shape

- Land should be of regular shape to allow flexibility for useable open space. Preferably the land would be square or a wide shallow rectangular shape. Alternatively, land that has the capacity to function as a linkage or access corridors in the Open Space network must be a minimum width of 10 metres.

Size

- The size of the site will determine categorisation in the open space hierarchy and should meaningfully contribute to the broader open space network or contribute to the assembly of a parcel of land. The site must be a minimum land area of 500m²; preferably 750m² and minimum width of 20m. Connectivity linkages or access corridors have no minimum land area but must have a minimum width of 10m.

Adjoining Land Use (compatibility)

- The adjoining land has a positive influence contributing to the recreational, ecological, social and cultural value of the open space, without private appropriation of public open space or excessive traffic, noise, light spill or overshadowing.

Constraints

- The site should not be constrained by contaminated land restrictions, property easements, drainage lines, overhead structures, etc.
- The site should be free of structures and protrusions, such as balconies or other building projections that may encroach into the public open space reserve, except for historic buildings or structures relating to the designated public open space.

Ongoing Maintenance and Management

- Council can adequately resource the ongoing management and maintenance of the land.

PEOPLE - OPEN SPACE FOR ALL

Accessibility

- The location and design of the public open space should provide for people of all abilities.
- The site should provide an entrance from a public roadway.

Amenity

- Visual and passive amenity values relate to the influence open space has on the liveability of neighbourhoods, providing visual relief from built form, the break open space provides from noise levels associated with traffic and other urban land use activities and adequate levels of sunlight (a minimum of 3 hours of direct sunlight between 9am and 3pm during mid-winter and at least 5 hours of direct sunlight between 9am and 3pm on September 22).

Equity

- The Greater Dandenong community should have reasonable access to public open space.
- The site should contribute to the broader open space network to ensure the provision of public open space meets the objectives and standards of the Greater Dandenong Planning Scheme.

Physical Activity

- The potential for the site to accommodate a range of organised, unstructured and informal recreational physical activities.

OPPORTUNITY – A GREENER CITY

Visibility

- The site should have potential to provide a high degree of casual surveillance and passive security.
- Corner sites or sites with substantial road frontage are preferred to ensure good access and community surveillance
- The site should have the ability to provide public open space which is consistent with Crime Prevention Through Environmental Design (CPTED) principles.

Character – Landscape & Cultural Heritage

- Its contribution to the character and attractiveness of the neighbourhood.
- Indigenous and non-Indigenous values that could be enhanced and protected in the open space including natural features such as large canopy trees.
- These values will also influence the future use and design of the open space.

Ecological

- The site has existing biodiversity values or potential to contribute to improving/creating future habitat/wildlife corridors.

Appendix 2 Open Space Improvements Criteria

PLACE – HIGH QUALITY PARKS, RESERVES AND CONNECTIONS

Land Use

- What is the existing and potential residential density of the surrounding area?
- Is the current open space conveniently located to services and existing or future users?

Quality

- The potential of the open space to be upgraded for existing and future needs of the community
- The extent and condition of existing facilities, vegetation and habitat. How well does the quality of the open space measure using an Open Space Quality Assessment Tool?
- The extent to which the open space meets the Park Development Standards (Appendix B of Greater Dandenong Open Space Strategy 2020-2030) as appropriate to the identified hierarchy and typology.

PEOPLE - OPEN SPACE FOR ALL

Identified Need

- Is the area within a walkable distance to existing open space?

Typology Need

- The extent to which the open space has the capacity to be multi-use and support a range of passive and active recreational activities for people of all abilities.
- Is there a variety of different open space types within the area?

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Amenity Benefits

- What other benefits could be achieved through improvements as identified in other Council plans and strategies?

Sustainability

- The extent to which improvements could contribute to sustainable land management outcomes, including mitigating the impact of climate change on the open space.

Appendix 3 Expenditure of Open Space Reserves

Contribution funds must be used in accordance with the *Subdivision Act 1988*.

These contributions can be expended on capital works as shown in the table below:

<ul style="list-style-type: none"> • Civic and urban open space areas & public meeting places 	<ul style="list-style-type: none"> • Drains & irrigation (parks & sportsgrounds) 	<ul style="list-style-type: none"> • Fencing & retaining walls (e.g. parks, sportsgrounds)
<ul style="list-style-type: none"> • Footpaths (in parks, bike trails & shared paths in parks) 	<ul style="list-style-type: none"> • Lighting (parks, civic spaces, sportsgrounds) 	<ul style="list-style-type: none"> • Outdoor furniture, BBQs, drinking fountains (parks & sportsgrounds)
<ul style="list-style-type: none"> • Trees (e.g. parks, bushland reserves, sportsgrounds) 	<ul style="list-style-type: none"> • Playgrounds & play structures (in parks, reserves & sportsgrounds) 	<ul style="list-style-type: none"> • Public toilets (e.g. parks, sportsgrounds)
<ul style="list-style-type: none"> • Water tanks at parks & sportsgrounds 	<ul style="list-style-type: none"> • Sporting structures in parks & reserves (e.g. cricket wickets/pitches, skate parks) 	<ul style="list-style-type: none"> • Sportsgrounds (e.g. tennis courts surfaces, sportsground refurbishments, warm season grasses)
<ul style="list-style-type: none"> • Picnic shelters 	<ul style="list-style-type: none"> • Community gardens 	<ul style="list-style-type: none"> • Wetlands
<ul style="list-style-type: none"> • Informal recreation infrastructure 		

These contributions cannot be expended on maintenance and priority projects as shown in the table below:

<ul style="list-style-type: none"> • Bridges 	<ul style="list-style-type: none"> • Carparks 	<ul style="list-style-type: none"> • Council buildings, including sporting buildings/pavilions /change rooms/ coaches boxes)
<ul style="list-style-type: none"> • Drains (not in parks/sportsgrounds) 	<ul style="list-style-type: none"> • Equipment 	<ul style="list-style-type: none"> • Fencing (all other areas)
<ul style="list-style-type: none"> • Footpaths in streets 	<ul style="list-style-type: none"> • Groundskeeper accommodation 	<ul style="list-style-type: none"> • Information technology
<ul style="list-style-type: none"> • Leisure and recreation centres 	<ul style="list-style-type: none"> • Library resources 	<ul style="list-style-type: none"> • Lighting (e.g. carparks, road reserves, all other areas)
<ul style="list-style-type: none"> • Office furniture 	<ul style="list-style-type: none"> • Playgrounds (e.g. located in child-care centres, kindergartens, non-Council owned land) 	<ul style="list-style-type: none"> • Public toilets (e.g. located in shopping centres, other areas)
<ul style="list-style-type: none"> • Road safety / transport strategy 	<ul style="list-style-type: none"> • Roads 	<ul style="list-style-type: none"> • Sheds or stores in parks / sportsgrounds
<ul style="list-style-type: none"> • Signs 	<ul style="list-style-type: none"> • Street trees 	<ul style="list-style-type: none"> • Streetscapes
<ul style="list-style-type: none"> • Traffic management devices 	<ul style="list-style-type: none"> • Retarding Basins 	<ul style="list-style-type: none"> • Public art