CITY OF WODONGA VIC



APPENDIX E

Wodonga Open Space Strategy
Interface Guidelines

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1. Overview

Introduction

The Interface Requirements Guidelines support the Wodonga Open Space Strategy and include measures to protect the environmental and biodiversity values of these significant open spaces, whilst allowing for urban development and community access where appropriate.

However, these guidelines do not provide specific ecological management requirements. Relevant policy and management plans should be referenced (e.g. Bushfire Management Plans and WREN Biodiversity Management Plans).

What is an interface?

An interface is the transition between two different types of adjacent land areas. For example the interface between a residential area and environmental land would include a road reserve and planted buffer to serve as a fire break and an ecological buffer for the environmental land.

Who is the audience for this document?

Developers, planners and landscape architects should use this document to consider the interfaces between different land uses when planning and designing projects in Wodonga.



1Typical interface between residential and environmental land.

Wodonga, VIC [Source: GHD]

Why is interface design important?

Well-considered interface design can reduce or eliminate damage by urban development on environmental land, for instance:

- Reducing weed invasion by use of dense buffer planting.
- Providing 'cues for care' to encourage community support for environmental values and reduce vandalism and rubbish dumping.
- Protecting vegetation and habitat from trampling via well-planned access points and routes.
- Grading and slopes that prevent runoff from adjacent roads, stormwater drains and or developments.
- Fire management planning and design to make planned burns easier, safer and cheaper.
- Using signage and interpretation to educate about the values of environmental land, appropriate use and discouragement of feral and domestic animals to protect native fauna.
- Reducing impermeable surfaces adjoining environmental land to allow for ground water availability.

What does environmental land contribute?

Environmental land is an important and valuable asset for Wodonga and make up a large proportion of the Council estate. These open spaces include, but are not limited to, the Wodonga Retained Environmental Network (WREN), native vegetation offset sites, river frontages, wetland reserves, nature-based parks, and the six hills surrounding the municipality (Federation Hill, Bears Hill, Baranduda Range, Huon Hill, Klings Hill / Hunchback Hill Complex, and Mahers Hill).

Environmental land contributes to the open space network in many ways, such as:

- Protecting native vegetation and biodiversity.
- Offsetting loss of native vegetation in newly developed areas.
- Providing informal recreation opportunities (e.g. walking) and access to nature for the community including nature play opportunities for children.
- Providing important habitat links and corridors.

Scope of document

The following pages describe different interface types between environmental land and urban areas including: road reserves, industry, residential, and public open space.

The document includes:

- General requirements for all interface treatments, such as signage, fencing, access, and trail heads or reserve entries.
- Specific requirements for each interface type, including diagrams of zones, buffers, access and planting arrangements.
- Planting design/transition between open space & bushland (e.g. formal and/or clumped to minimise fire risk, weed spread, etc).
- Preferred plant species character for interfaces.
- Reference links for relevant documents.

2. General requirements

Cues to care

'Cues to care' is a concept developed by Joan Nassauer in 1995. She suggested that when people see a street or park that is well cared for then they are more likely to value and respect that place. Examples of 'Cues to care' include:

- High quality and well maintained fencing.
- Attractive edge plantings.
- Absence of rubbish.
- High quality non-faded signage that is kept up-to-date and free from graffiti.
- Mown lawns (outside of reserve).

"Perception of human intention may be the difference between a nature preserve and a dumping ground"

Nassauer, Joan. (2007). Messy Ecosystems, Orderly Frames. Landscape Journal. 14.

Sustainability

The full life cycle and environmental impact of any materials including fencing, gates, bollards and signage should be considered. Environmentally responsible materials that are recycled, reclaimed or responsibly sourced are preferred. Also consider material construction methods, durability and fire resistance (i.e. limit use of recycled plastic products in bushfire prone areas).

Trees removed during development should be re-purposed as landscaping treatments, or for habitat within reserves. Where trees cannot be re-purposed on site, council will consider transport and storage of trunks for use elsewhere.



2Re-purposing of trees removed during development.

[Source: GHD]

Buffer zone

Generally a minimum of a 6m buffer zone treatment is required to ensure there is sufficient space provided for long-term practical maintenance to be undertaken. Creation of a minimum 6m buffer zone allows an orderly transition between different types of land, for example residential developments and environmental land, which provides for a 2m pathway with a 2m verge on either side of the pathway.

This is considered to be a necessary buffer treatment to create a safe and practical width for community access and for council maintenance. This treatment is a proven practical solution and is consistent with the outcomes achieved in several subdivision developments in Wodonga.

Other benefits of creating the buffer zone include reduction of perceived fire, pest and snake risks.

Signage and interpretation

Signage as wayfinding

Wayfinding helps visitors navigate recreation and environmental land and understand the difficulty or length of walking/cycling trails and what facilities are available.

- Where appropriate use the Australian Walking Track Grading System benchmarks to AS 2156.1-2001 for trailhead signage.
- Map signage can be combined with interpretative signage.
- When naming Council and community assets work in partnership with Traditional Owners and Aboriginal Communities.

Interpretation

Interpretation helps visitors engage with and appreciate cultural, historical and environmental values of a place. Interpretation is not just signage, but can include public artworks or themed landscape design.

- Ensure interpretative signage is high quality, well maintained and free from graffiti.
- Work with Traditional Owners and Aboriginal Communities to find opportunities for interpreting and sharing their knowledge and stories (where appropriate).

Bushfire management

"Development plans must specify an area of land between the development edge and non-urban areas (e.g. WREN area) consistent with the separation distances specified in AS3959-2009, where bushfire risk is managed to enable the development, on completion, to achieve a maximum BAL 12.5 rating under AS3959-2009

A frontage road must be provided interfacing any environmental land and other open space. The road reserve width required is variable dependent on the fire risk and the design response required to ensure bushfire defendable space and building setback distance standards are met. In exceptional circumstances where topography prevents practical delivery of a road reserve the responsible authority may permit lots directly adjoining environmental land or open space. However the lots adjacent must front onto the reserve or open space with other appropriate interface treatment such as pedestrian and cycle ways and passive surveillance design elements, and must provide the defendable space required by the Planning Scheme."

(Source: Wodonga Planning Scheme Amendment C121)

Planting

Refer to the Wodonga Open Space Strategy Public Open Space Standards (Appendix D) for preferred tree and plant species list.

"Landscaping adjacent to retained native vegetation or habitat must be complementary to conservation and bushfire management objectives and use appropriate native species to the satisfaction of the responsible authority."

(Source: Wodonga Planning Scheme Amendment C121).



3High quality interpretive signage communicates the value of environmental land, invites visitors to enter and provides a "cue to care".

Wodonga, VIC [Source: GHD]

Access

Pedestrian, bicycle and motor vehicle access should be appropriately controlled for different land types. This is particularly important for environmental land. Access controls include fencing, gates, openings, bollards, paths and landscape elements.

Fencing

Fencing should be used when there is a requirement for pedestrian, cyclist, motor vehicle and livestock access to be restricted.

- Fencing should be used to restrict access to high value or sensitive environmental land.
- Fencing design and materials should be appropriate for the land use context. For example, wire and picket fencing is not appropriate for recreation areas, but would be for an agricultural context.
- Poor fencing design can promote a sense of the area being uncared for and contribute to the likelihood of damage and rubbish dumping. Ensure fencing design can be easily maintained and repaired.
- Ensure fencing is installed early as rubbish dumping usually occurs prior to fencing being installed in new developments.

Designated entry points

Use gates and/or appropriate entry treatments to allow community access into environmental land (e.g. walking and cycling) whilst controlling motor vehicle and livestock access.

- Gates and openings are important to allow the community to engage with and enjoy environmental land, which increases the likelihood of them becoming advocates for protecting these areas.
- Gates and openings are useful in directing access to approved areas of the reserve, in order to minimise maintenance costs and protect significant environmental values.
- Ensure gates are designed to allow all-abilities access (e.g. pushers, wheelchairs, visually impaired) to enter environmental land.
- Openings in fences are easier to maintain than gates and provide better all-abilities access.
- Utilise landscape design planting and elements to direct pedestrian access toward designated entry points.



5Buffer planting between street and environmental land.

Wodonga, VIC [Source: GHD]



4Rocks and logs used to communicate transition between passive recreation area and parkland.

Wodonga, VIC [Source: GHD]

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7Buffer planting between street and environmental land.

Wodonga, VIC [Source: GHD]



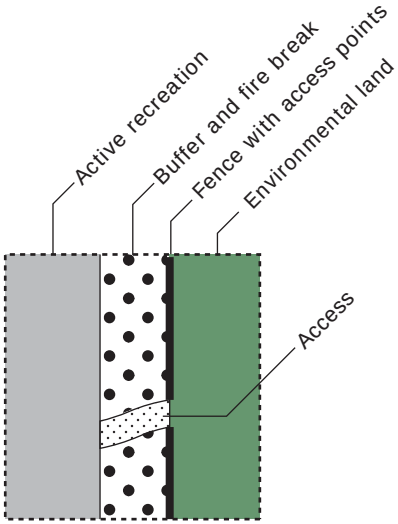
6Rocks and logs used to communicate transition between passive recreation area and parkland.

Wodonga, VIC [Source: GHD]

3. Interface requirements

Active recreation and environmental land interfaces

Typical interface



Access

A - If fencing is required for active recreation, ensure sufficient gates or openings are provided and fence is low lying to allow retrieval of recreation items (e.g. Frisbee, balls).

Buffer

B - Low height and low fuel native species buffer planting minimises weed invasion from recreation area.

C - Logs and rocks may be used to delineate change in land use between active recreation and environmental land. Low lying edge treatment that allows entry at designated points.

Passive surveillance

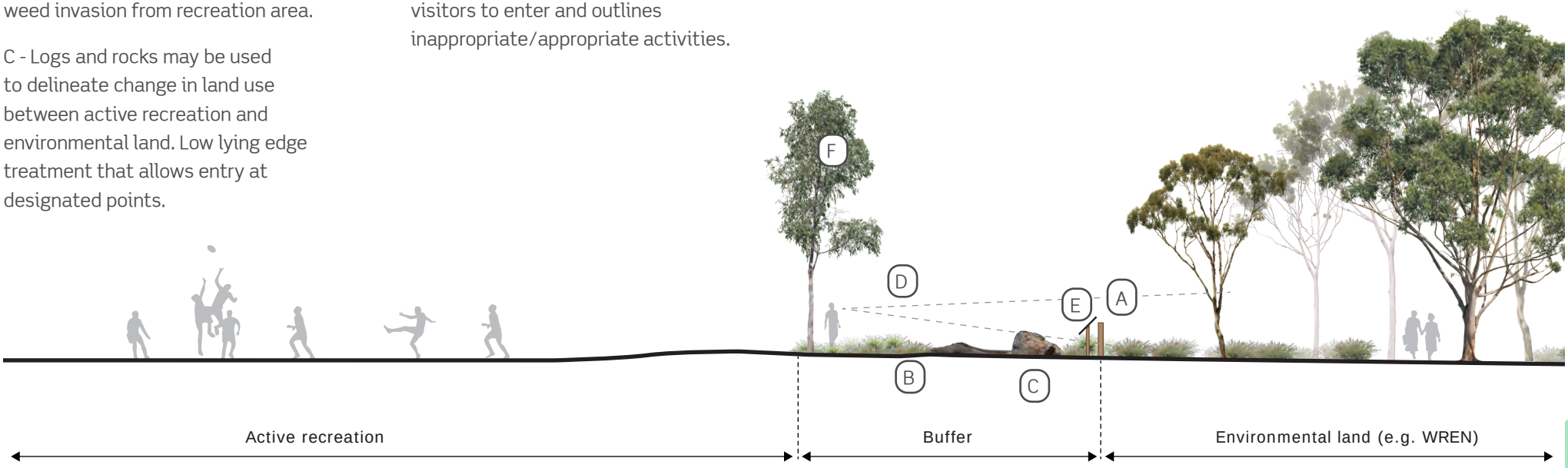
D - Low planting at edge of environmental land allows for passive surveillance to improve safety and reduce undesirable behavior.

Signage and interpretation

E - Signage communicates the value of environmental land, invites visitors to enter and outlines inappropriate/appropriate activities.

Amenity

F - Trees to provide canopy cover and shade for recreation/amenity. Select species that compliment adjoining environmental land (e.g. indigenous/ native). Ensure spacing between trees to avoid continuous/clustered canopy cover as per CFA buffer requirements.



Note: All vegetation and spacing treatments must comply with bushfire management plans, asset protection zones and relevant requirements

Passive recreation and environmental land interfaces

Typical interface

Access

A - Optional fence if livestock graze in environmental land.

B - Encourage recreation trails adjoining open space and provide suitable entry points into environmental land (foot traffic directed to entry points).

Buffer

C - Use logs and rocks to delineate change in land use between passive recreation and environmental land.

D - Native species buffer planting minimises weed invasion from recreation area. Must comply with bushfire management requirements. Plant at high densities to suppress weed growth.

Signage and interpretation

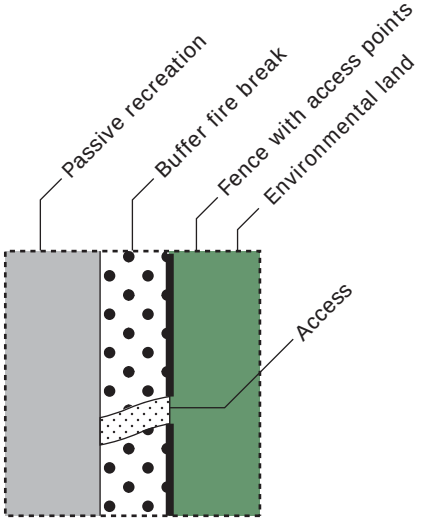
E - Signage communicates the value of environmental land, invites visitors to enter and outlines inappropriate/appropriate activities.

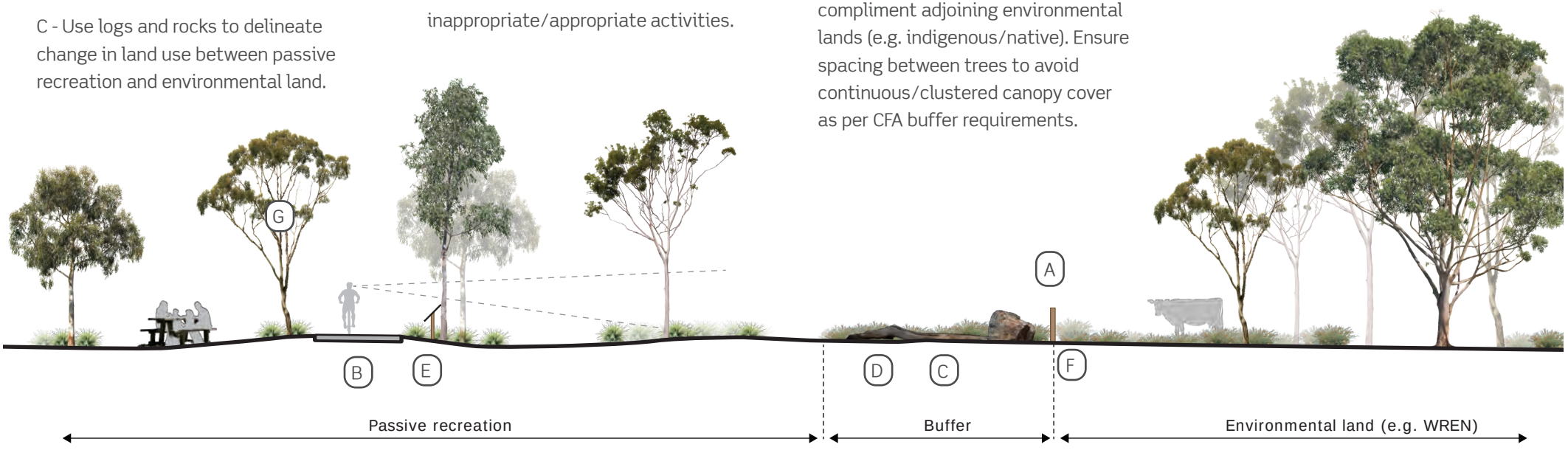
Passive surveillance

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Amenity

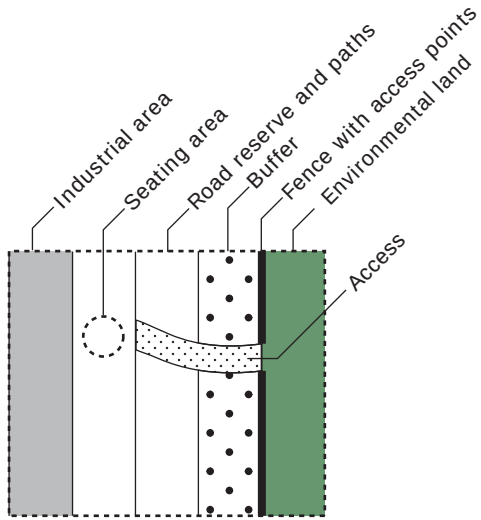
G -Trees to provide canopy cover and shade. Select species that compliment adjoining environmental lands (e.g. indigenous/native). Ensure spacing between trees to avoid continuous/clustered canopy cover as per CFA buffer requirements.





Industrial and environmental land interfaces

Typical interface



Access

A - Fences reduce wind-blown rubbish from entering environmental land and restrict motor vehicle access, while allowing pedestrian access through gates or openings.

Buffer and fire break

B - Native species buffer planting minimises weed invasion from industrial area. Majority to be low level planting to serve as a fire break.

Passive surveillance

C - Low planting allows for passive surveillance to improve safety and reduce undesirable behaviour.

Amenity

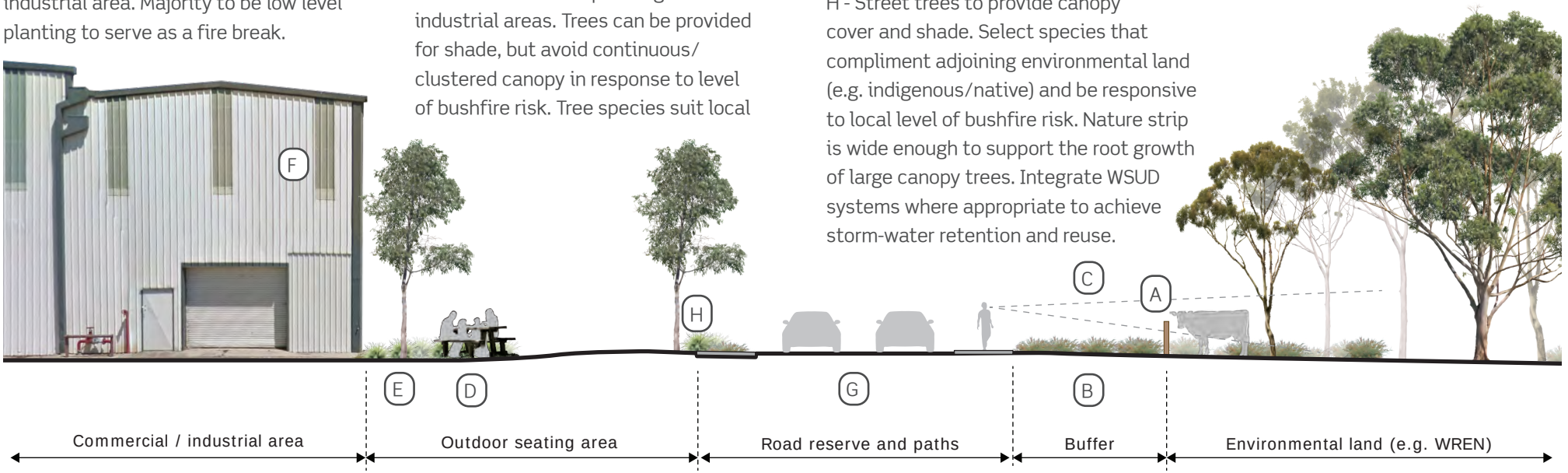
D - Encourage provision of outdoor seating for employees and environmental land users.

E - Provide low level planting near industrial areas. Trees can be provided for shade, but avoid continuous/ clustered canopy in response to level of bushfire risk. Tree species suit local character while providing canopy cover to outdoor seating area.

F - Buildings are constructed to Bushfire Attack Level (BAL) standards and are orientated towards environmental land to provide passive surveillance.

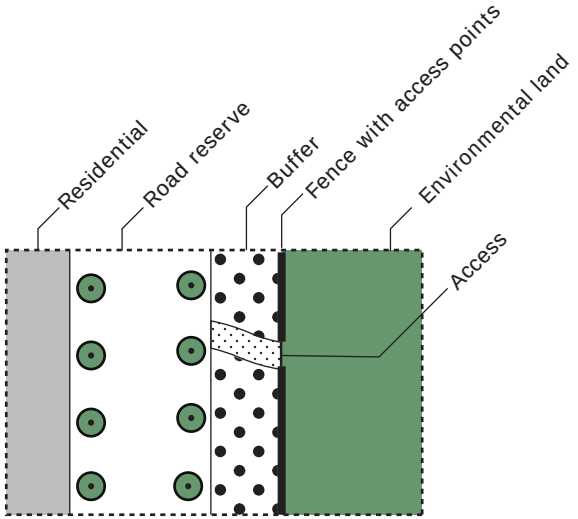
G - Road reserve between residential and environmental land as per relevant state and local planning policy.

H - Street trees to provide canopy cover and shade. Select species that compliment adjoining environmental land (e.g. indigenous/native) and be responsive to local level of bushfire risk. Nature strip is wide enough to support the root growth of large canopy trees. Integrate WSUD systems where appropriate to achieve storm-water retention and reuse.



Residential and environmental land interface

Typical interface



Access

A - Fencing prevents motor vehicle access and directs foot traffic to formal entry points.

B - Use paths to connect residential area with designated entry points into environmental land.

Buffer and fire break

C - Native species buffer planting minimises weed invasion from residential gardens. Majority to be low level planting to serve as a fire break. Avoid clusters of longer canopy planting.

Signage and interpretation

D - Signage communicates the value of environmental land, invites visitors to enter and outlines inappropriate/appropriate activities.

Passive surveillance

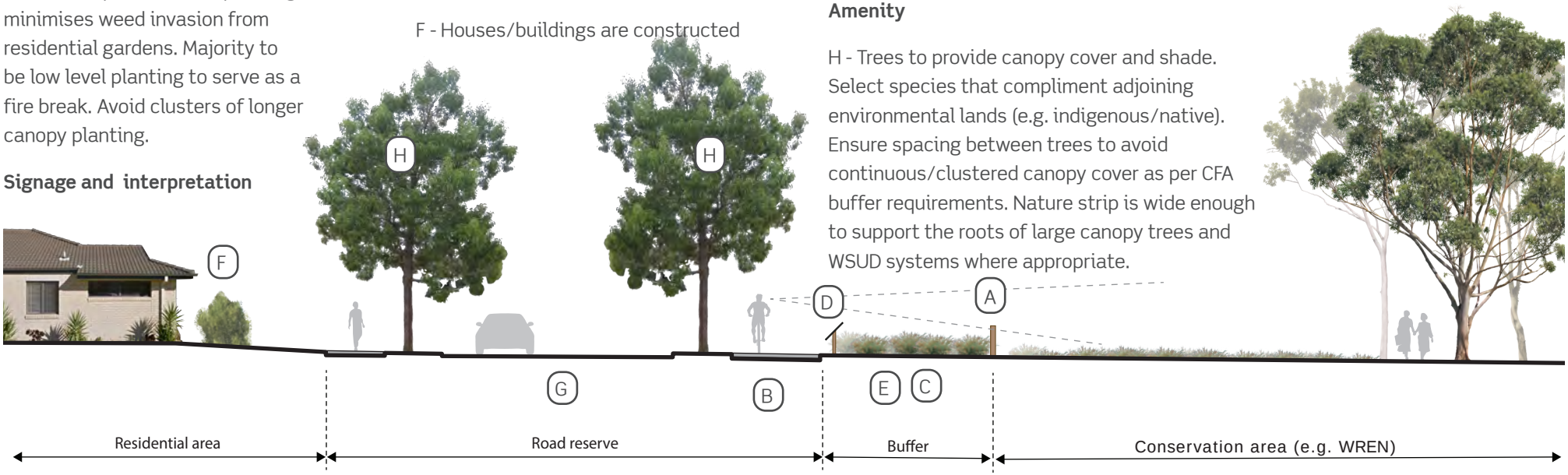
E - Low planting at edge of environmental land allows for passive surveillance to improve safety and reduce undesirable behavior.

F - Houses/buildings are constructed to Bushfire Attack Level (BAL) standards and orientated towards environmental land to provide passive surveillance. Back fences facing reserves is discouraged.

G - Road reserve between residential and environmental land as per relevant state and local planning policy

Amenity

H - Trees to provide canopy cover and shade. Select species that compliment adjoining environmental lands (e.g. indigenous/native). Ensure spacing between trees to avoid continuous/clustered canopy cover as per CFA buffer requirements. Nature strip is wide enough to support the roots of large canopy trees and WSUD systems where appropriate.



Development and hill environmental land interface

Typical interface

Slope treatment

A - Avoid slopes/gradients steeper than 1 in 5 as they limit planting and maintenance access. Specify retaining structures of high quality material for steep sites, where appropriate.

B - Install catch drains at the base of embankments to prevent flooding in residential areas

C- Native species buffer planting of low level, to screen embankments.

Access

D- Fences reduce wind-blown rubbish from entering environmental lands and act as a safety barrier for pedestrians and wildlife.

Amenity

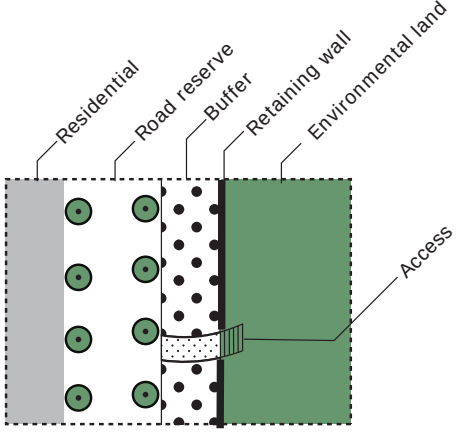
E - Street trees to provide canopy cover and shade. Select species that compliment adjoining environmental land (e.g. indigenous/native).

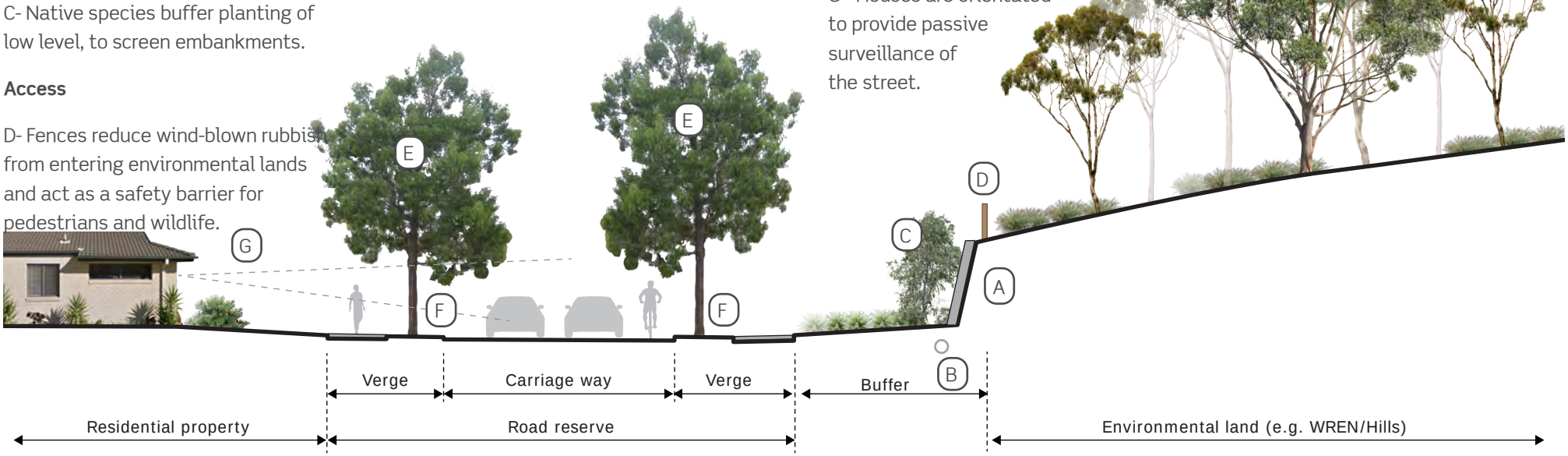
Ensure spacing between trees to avoid continuous/clustered canopy cover as per CFA buffer requirements.

F - Nature strip is wide enough to support the root growth of large canopy trees. Integrate WSUD systems where appropriate to achieve storm-water retention and reuse were appropriate. Design of verge on the hill side to be decided based on subdivision design and site situation.

Passive surveillance

G - Houses are orientated to provide passive surveillance of the street.





Road reserve interface

Typical interface

Access

A - Footpaths on both sides of road reserve to improve access and connectivity.

Signage and interpretation

B - Signage communicates the value of water sensitive urban design, if required

Passive surveillance

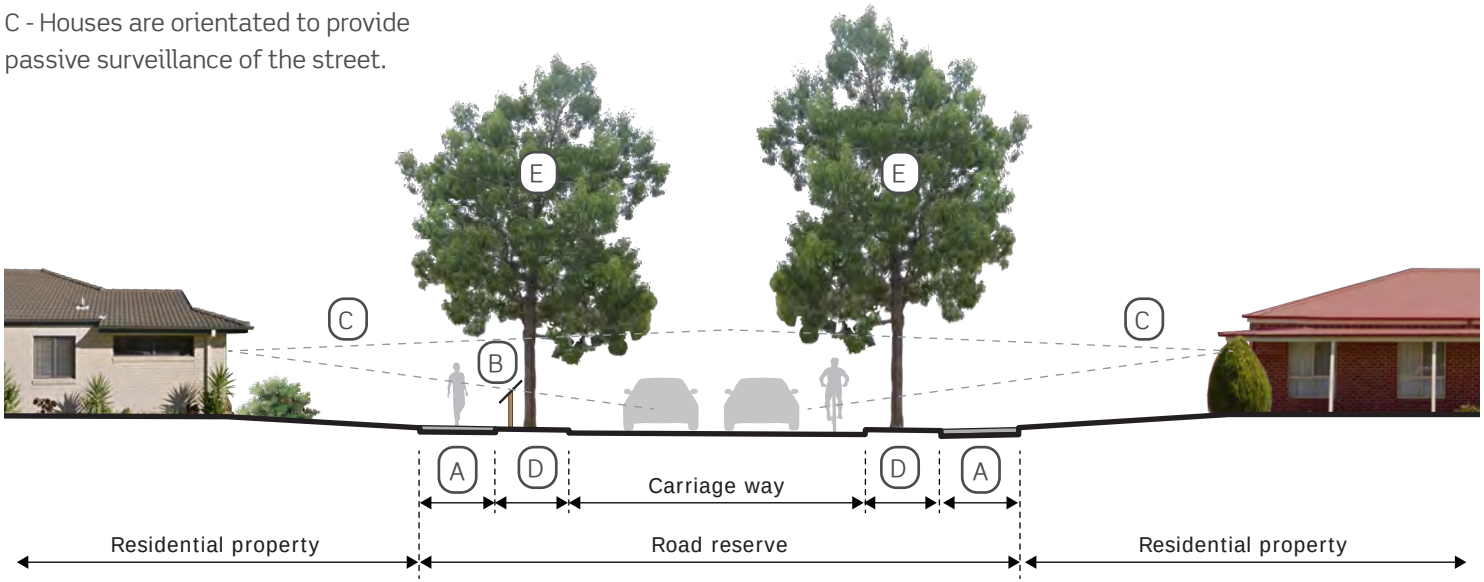
C - Houses are orientated to provide passive surveillance of the street.

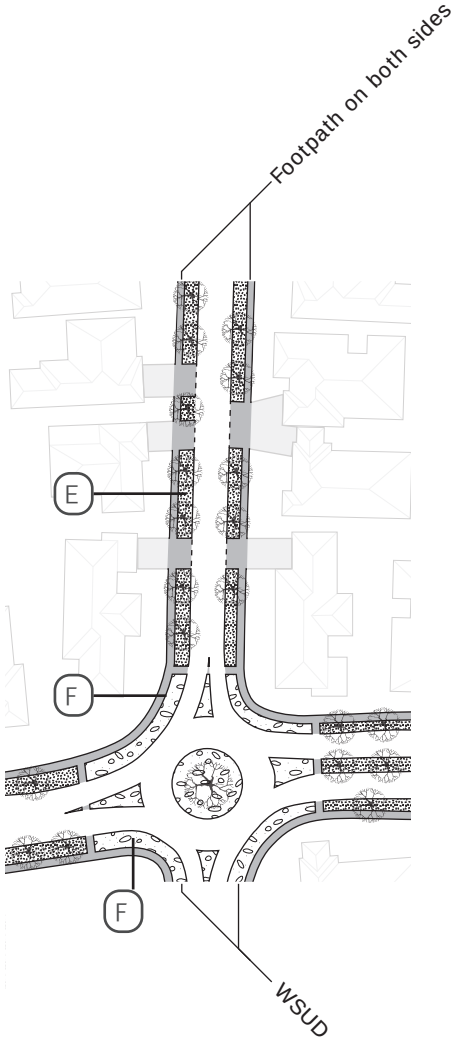
Amenity

D - Identify areas for Road Reserve planting and plant vegetation and tree species that minimise water usage. Nature strip is wide enough to support the root growth of large canopy trees. Integrate WSUD systems where appropriate to achieve storm-water retention and reuse.

E - Tree species in line with Neighbourhood Character (Housing Strategy) while providing canopy cover to shade paths.

F - Focus on amenity/feature planting and WSUD at estate entries and key intersections/areas of visual importance (e.g. roundabouts, shops recreation centers community facilities)





4. References

Construction of buildings in brushfire AS 3959 2009

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Leneva and Baranduda Precinct Structure Plan, VPA, June 2017

Wodonga Aboriginal Reconciliation Action Plan, 'Bringing People Together' 2017-2018 to 2018-2019 https://www.wodonga.vic.gov.au/about-us/corporate-documents/strategies-plans-policies/images/Aboriginal_Reconciliation_Action_Plan_Web.pdf

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Water Sensitive Urban Design Guidelines, south eastern councils https://www.melbournewater.com.au/sites/default/files/South-Eastern-councils-WSUD-guidelines.pdf

SCOPE AND LIMITATIONS

This report has been prepared by GHD for the City of Wodonga and may only be used and relied on by the City of Wodonga for the purpose agreed between GHD and the City of Wodonga as set out in Section 1.1 of this report.

GHD otherwise disclaims responsibility to any person other than the City of Wodonga arising in connection with this report. GHD also excludes implied warranties and conditions, to the extent legally permissible. The services undertaken by GHD in connection with preparing this report were limited to those specifically detailed in the report and are subject to the scope limitations set out in the report.

The opinions, conclusions and any recommendations in this report are based on conditions encountered and information reviewed at the date of preparation of the report. GHD has no responsibility or obligation to update this report to account for events or changes occurring subsequent to the date that the report was prepared. The opinions, conclusions and any recommendations in this report are based on assumptions made by GHD described in this report. GHD disclaims liability arising from any of the assumptions being incorrect.

GHD has prepared this report on the basis of information provided by the City of Wodonga and others who provided information to GHD (including Government authorities), which GHD has not independently verified or checked beyond the agreed scope of work. GHD does not accept liability in connection with such unverified information, including errors and omissions in the report which were caused by errors or omissions in that information.



Endnotes

1Highlands estate https://vnpa.org.au/wp-content/uploads/2017/02/Start-with-the-Grasslands.pdf

2Highlands estate https://vnpa.org.au/wp-content/uploads/2017/02/Start-with-the-Grasslands.pdf

3Highlands estate https://vnpa.org.au/wp-content/uploads/2017/02/Start-with-the-Grasslands.pdf

4Highlands estate https://vnpa.org.au/wp-content/uploads/2017/02/Start-with-the-Grasslands.pdf

5Paramount park Derrimut https://vnpa.org.au/wp-content/uploads/2017/02/Start-with-the-Grasslands.pdf

6Highlands estate https://vnpa.org.au/wp-content/uploads/2017/02/Start-with-the-Grasslands.pdf

7Paramount park Derrimut https://vnpa.org.au/wp-content/uploads/2017/02/Start-with-the-Grasslands.pdf

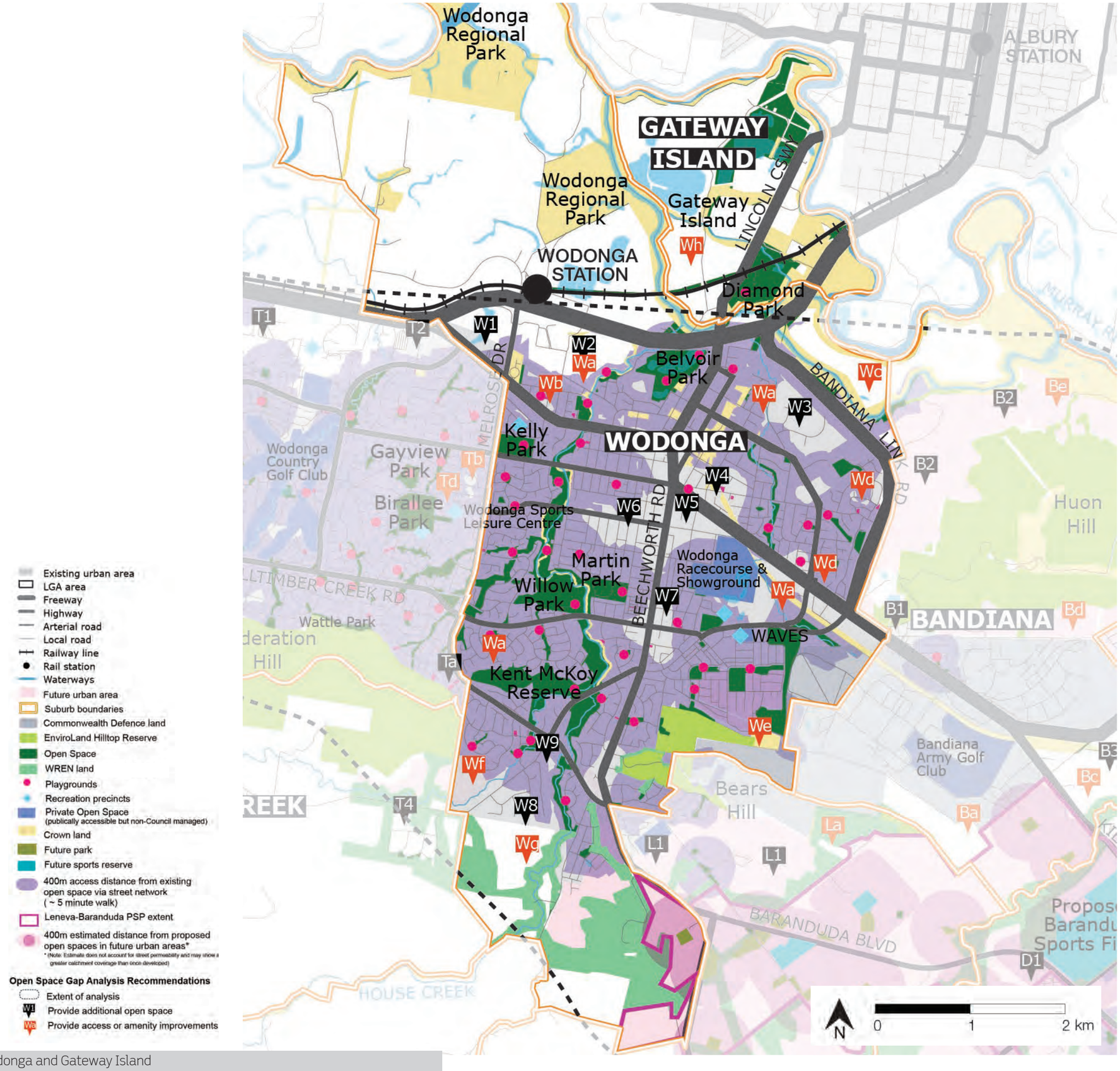
APPENDIX F



A3 Figures / Map Book

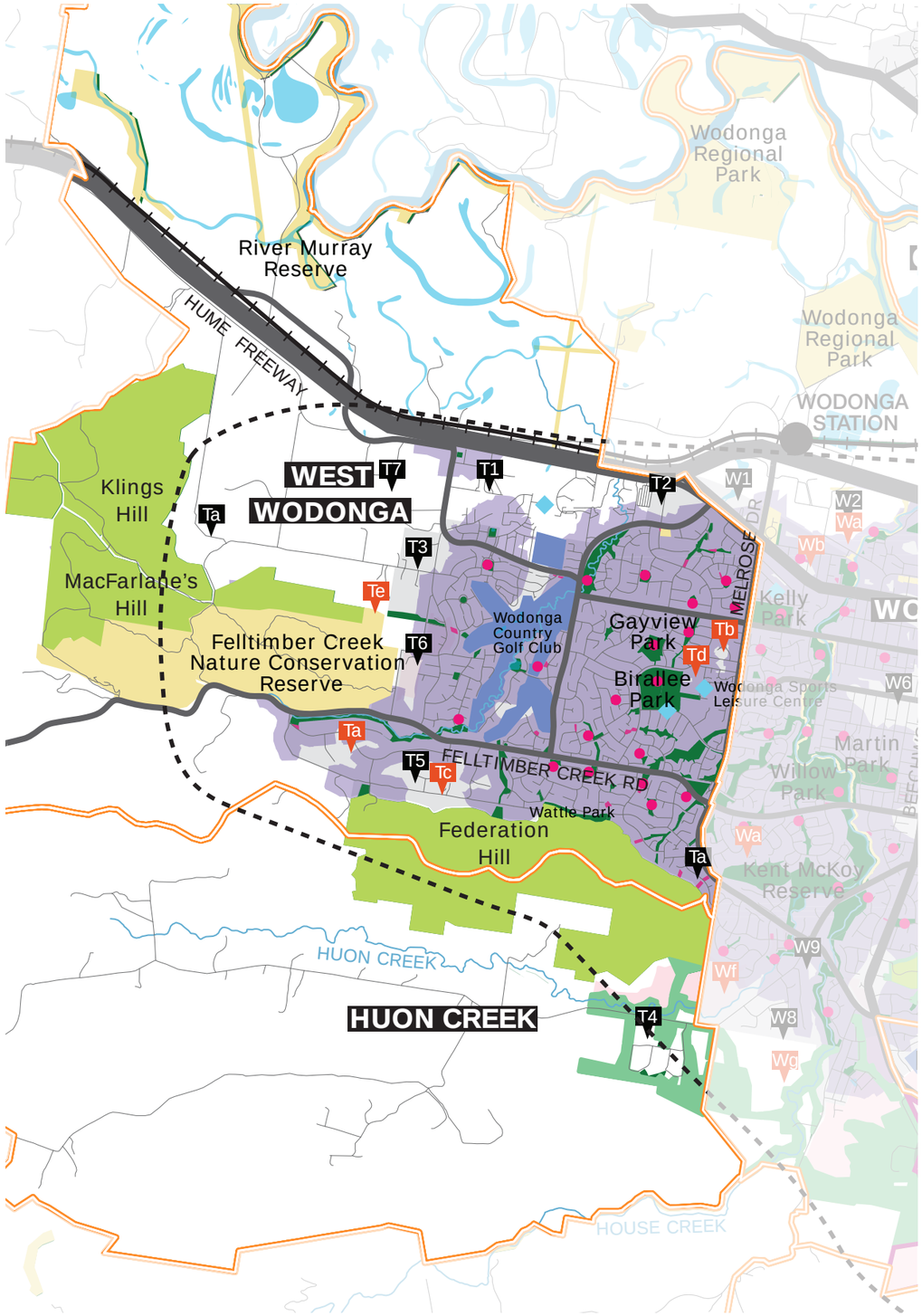
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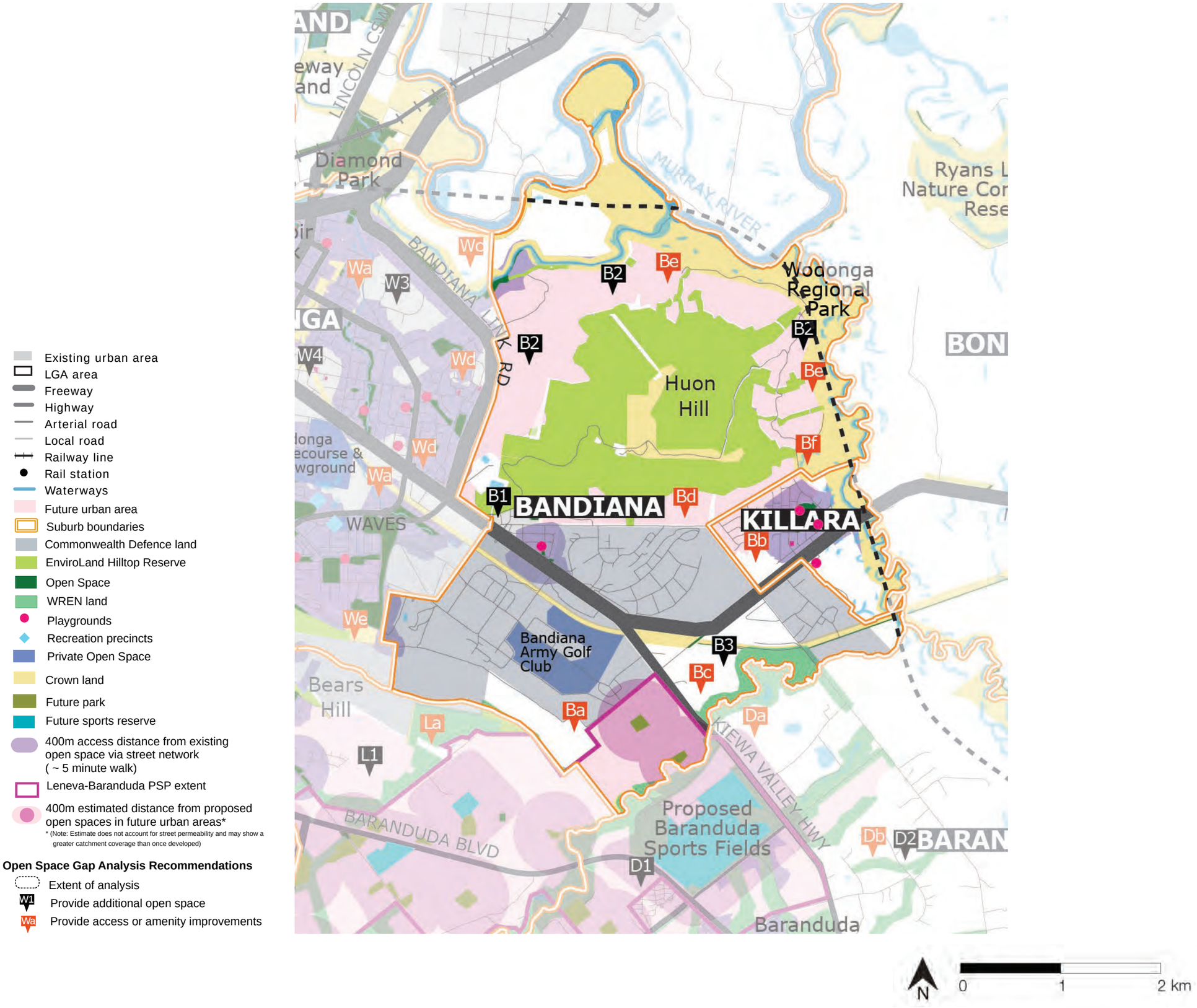


▲ Figure 1: Precinct map - Wodonga and Gateway Island

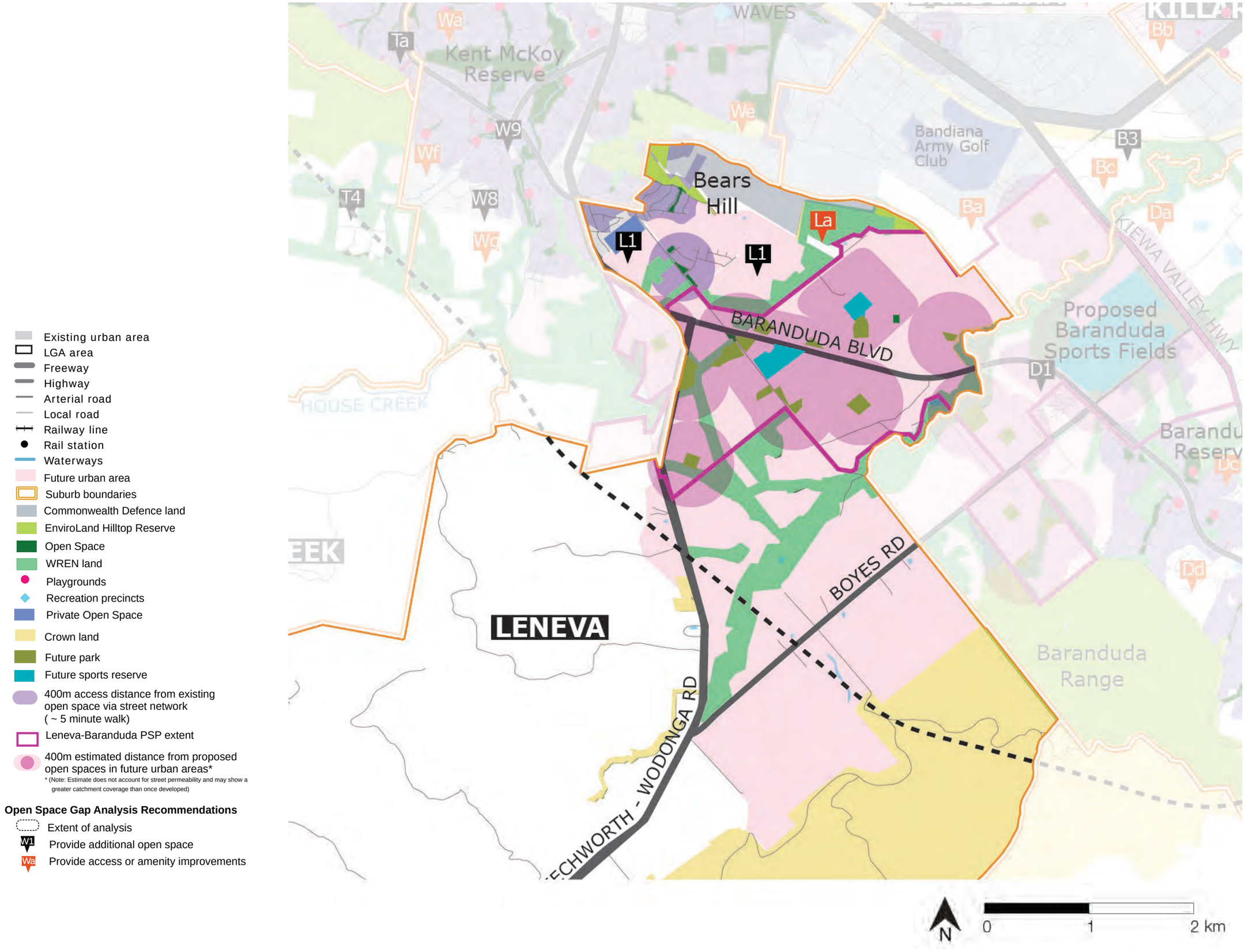




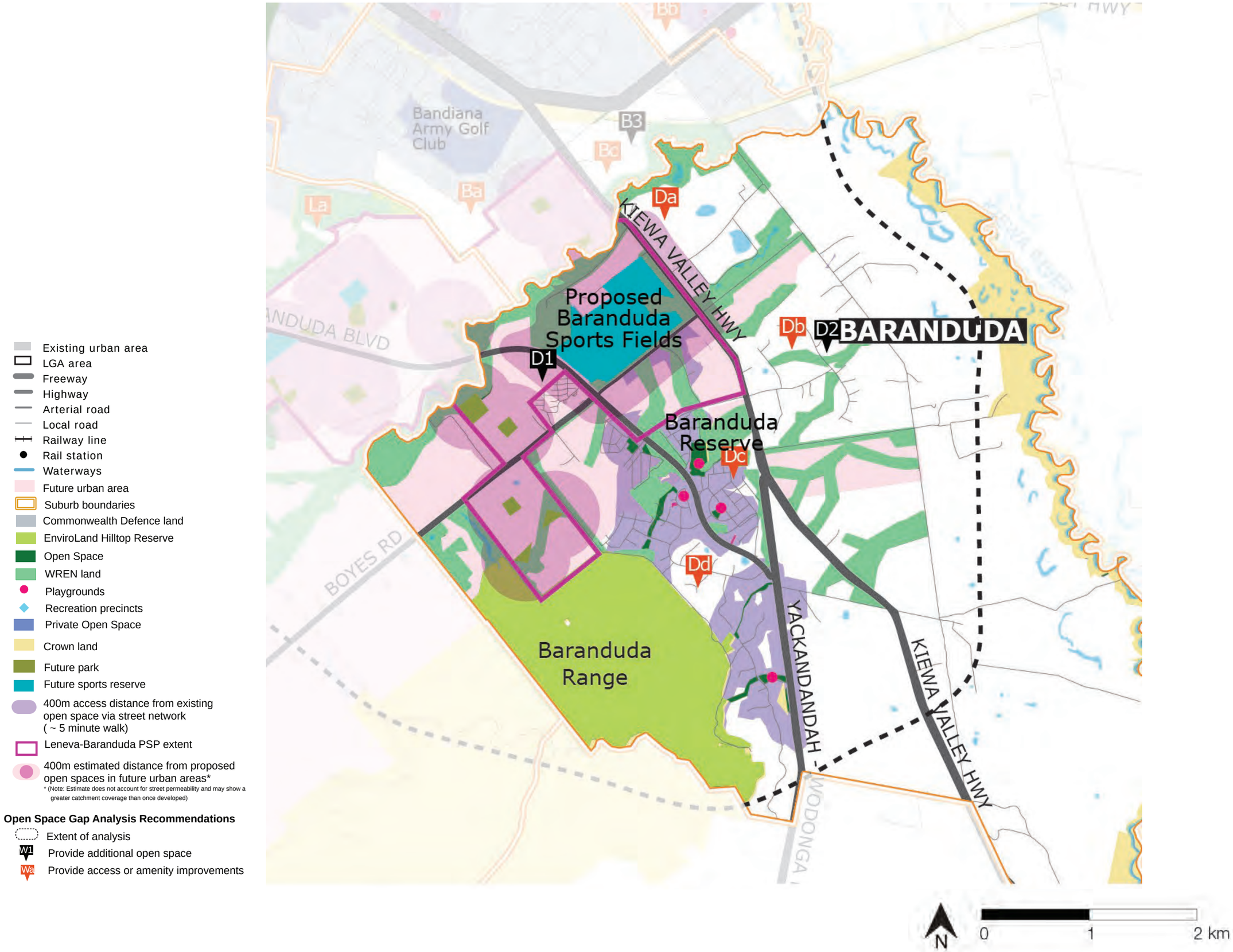
▲ Figure 2: Precinct map - West Wodonga and Huon Creek



▲ Figure 3: Precinct map – Bandiana and Killara



▲ Figure 4: Precinct map – Leneva



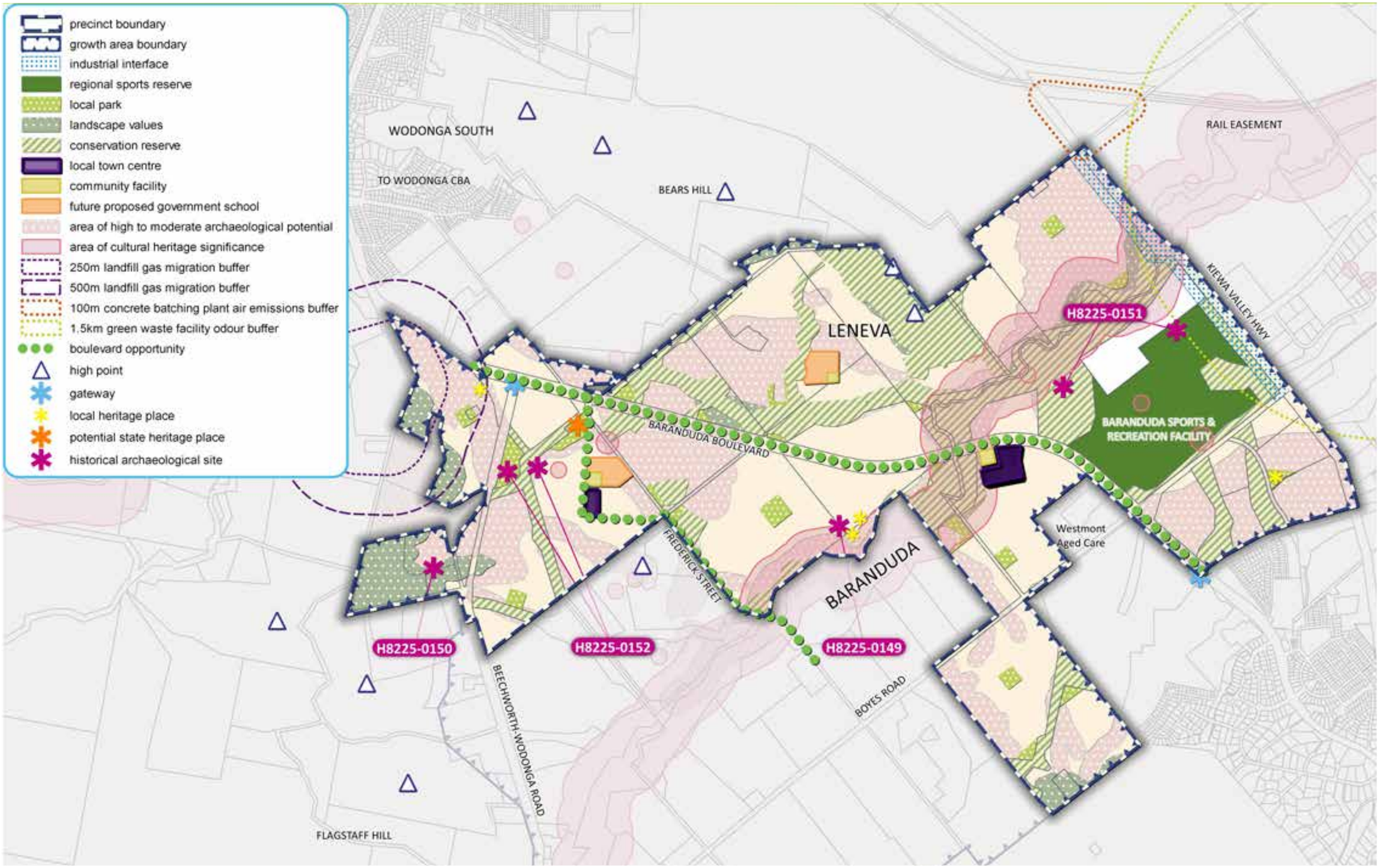
- Existing urban area
- LGA area
- Freeway
- Highway
- Arterial road
- Local road
- Railway line
- Rail station
- Waterways
- Future urban area
- Suburb boundaries
- Commonwealth Defence land
- EnviroLand Hilltop Reserve
- Open Space
- WREN land
- Playgrounds
- Recreation precincts
- Private Open Space
- Crown land
- Future park
- Future sports reserve
- 400m access distance from existing open space via street network (~ 5 minute walk)
- Leneva-Baranduda PSP extent
- 400m estimated distance from proposed open spaces in future urban areas*

* (Note: Estimate does not account for street permeability and may show a greater catchment coverage than once developed)

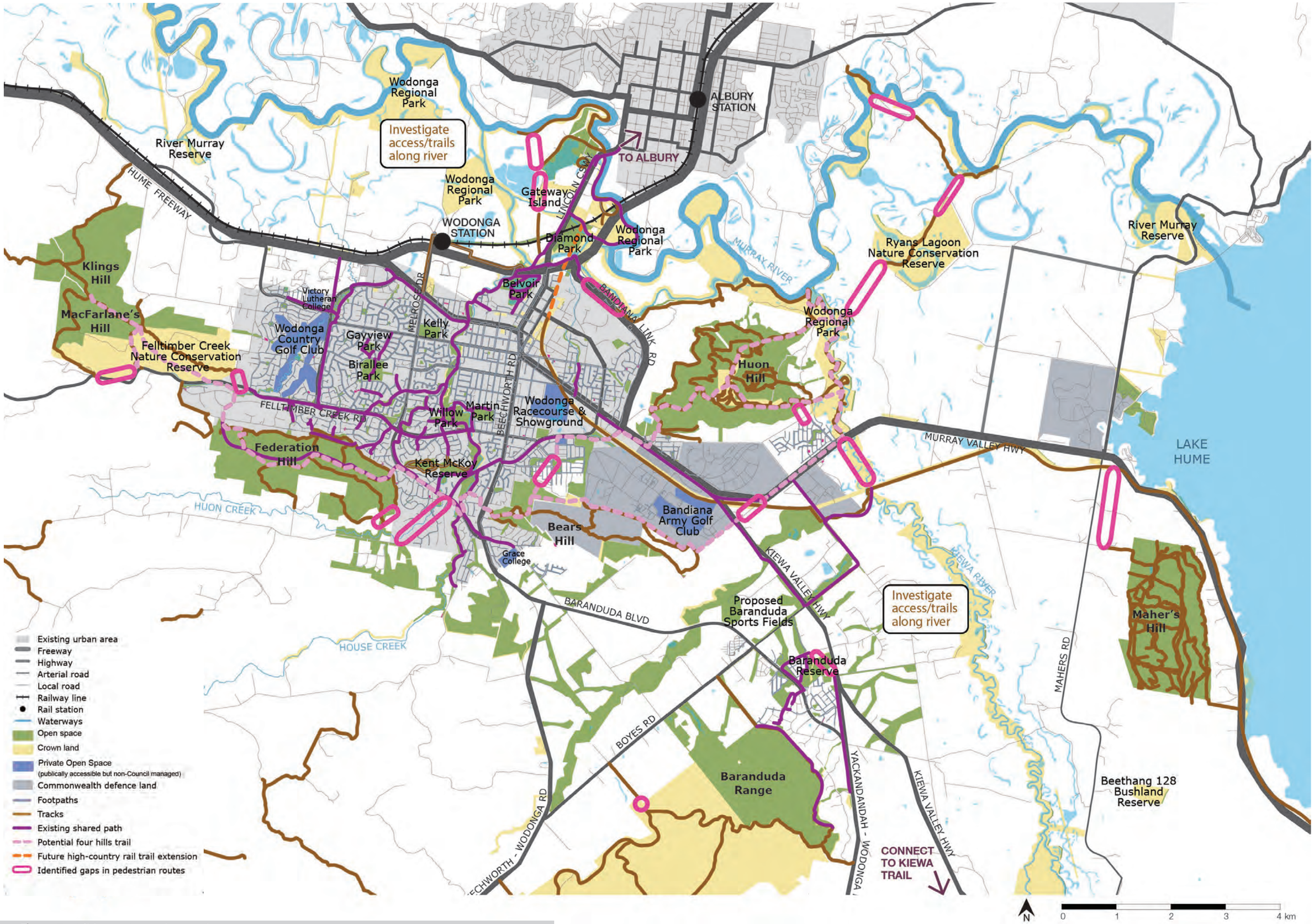
Open Space Gap Analysis Recommendations

- Extent of analysis
- W1 Provide additional open space
- Wa Provide access or amenity improvements

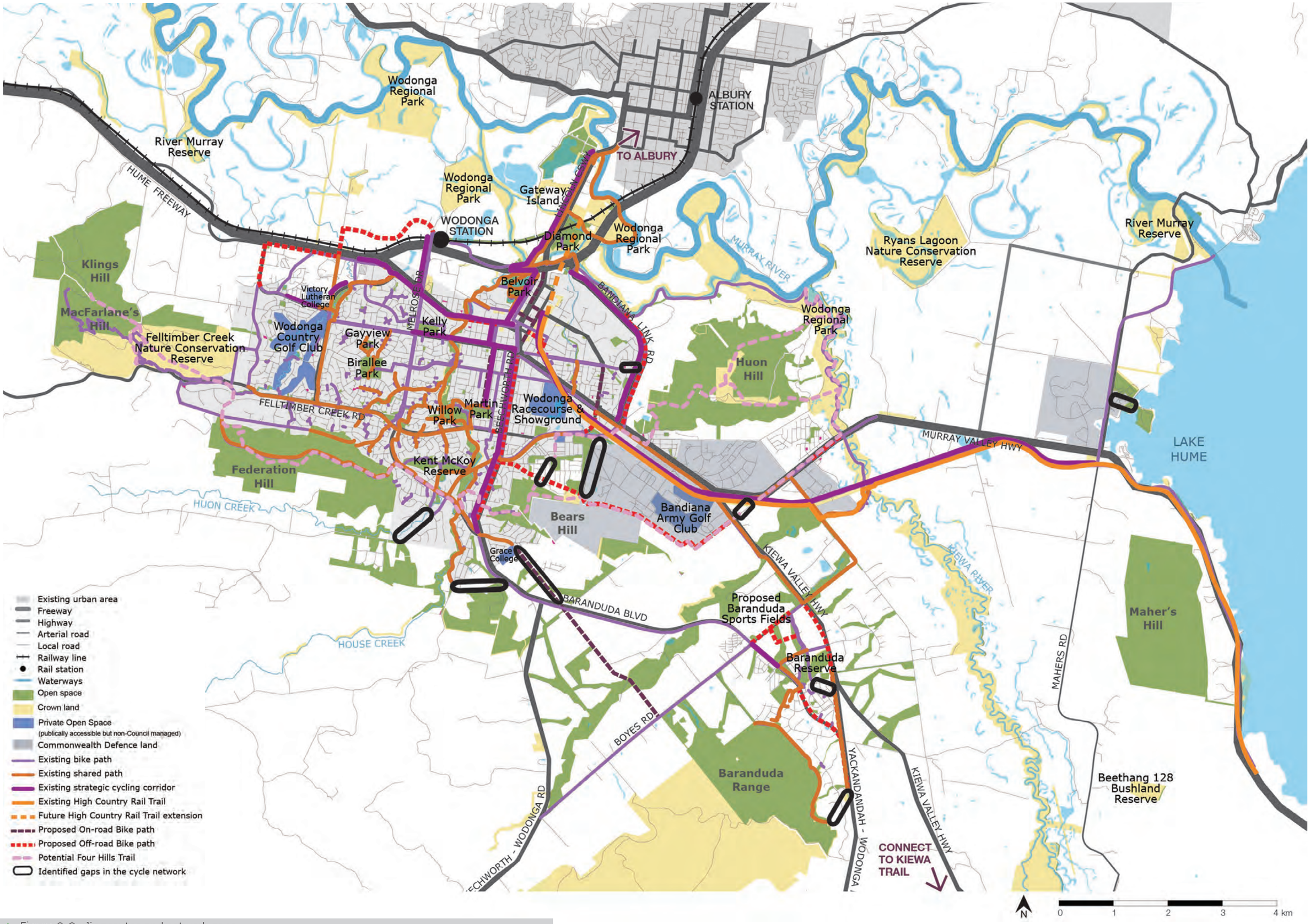
▲ Figure 5: Precinct map - Baranduda



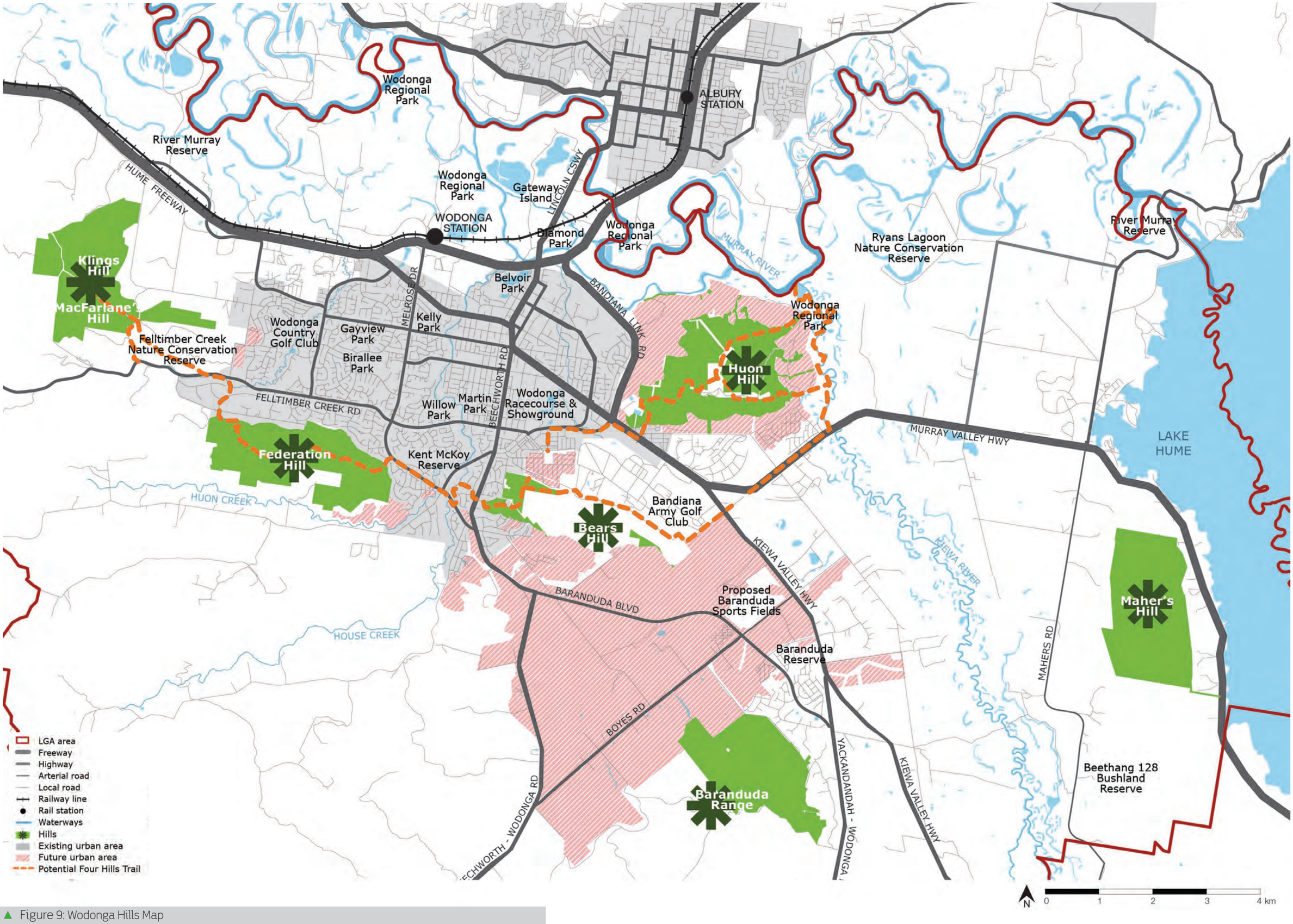
▲ Figure 6: Leneva-Baranduda PSP 2017



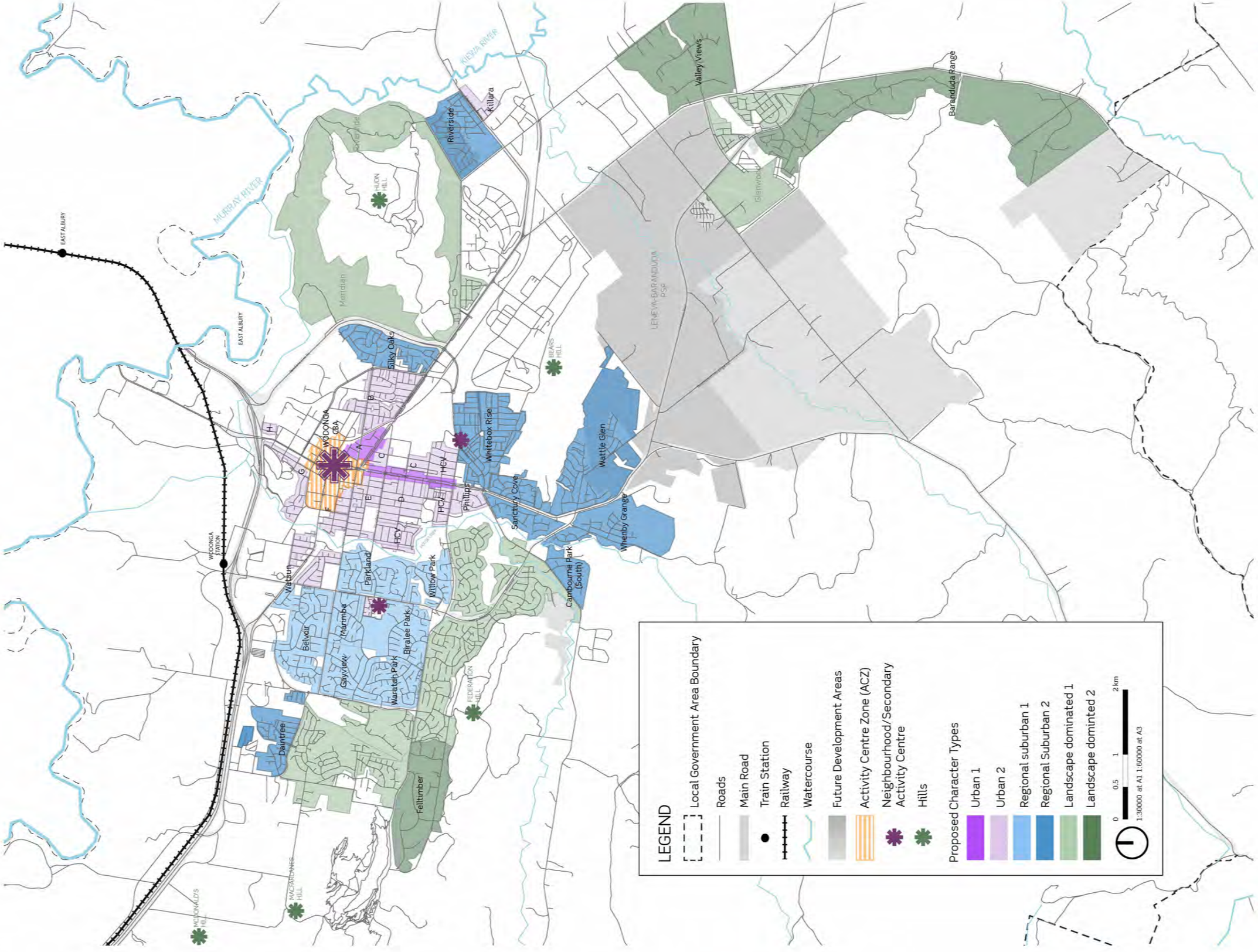
▲ Figure 7: Walking routes and network gaps



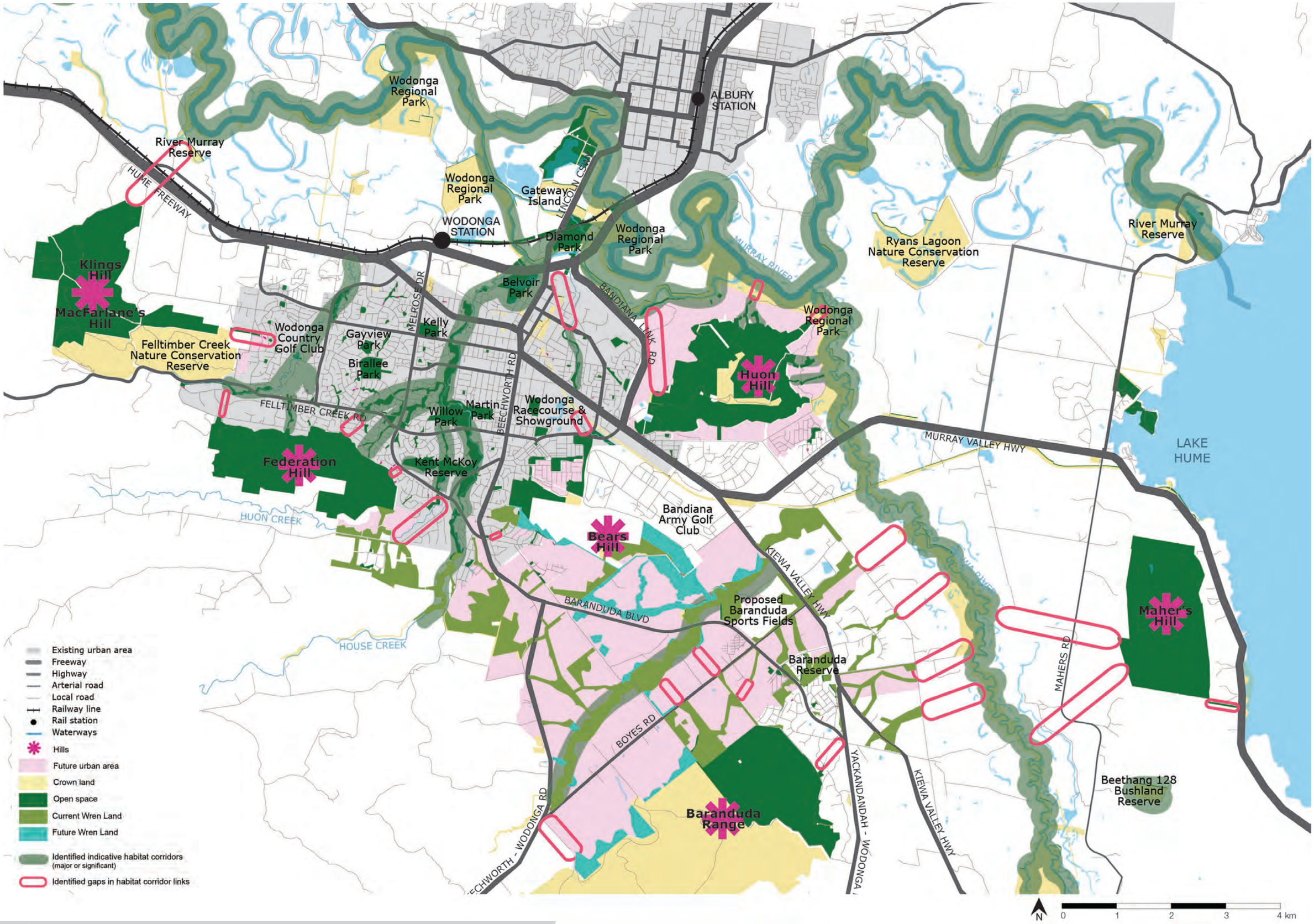
▲ Figure 8: Cycling routes and network gaps



▲ Figure 9: Wodonga Hills Map



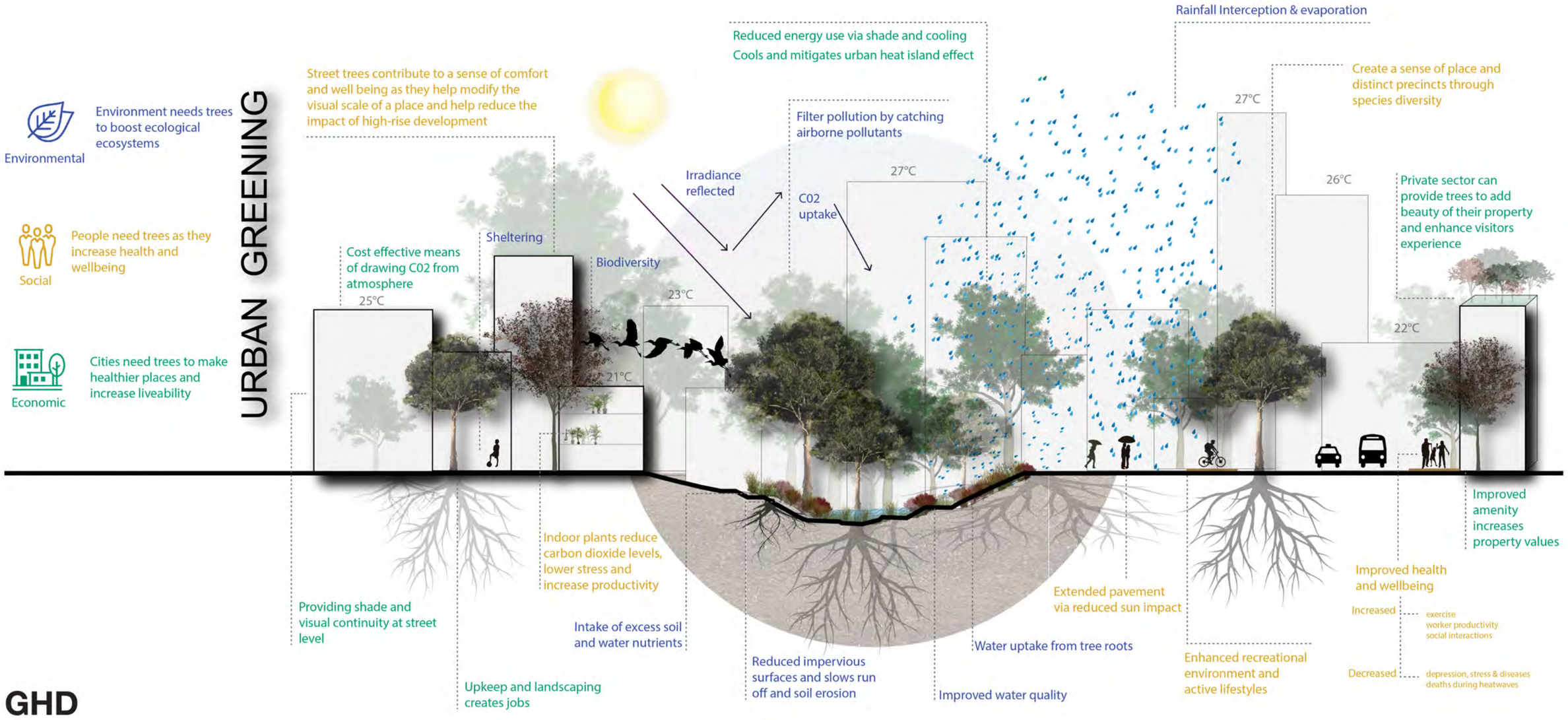
▲ Figure 10: Neighbourhood characters, Wodonga Housing Strategy 2018



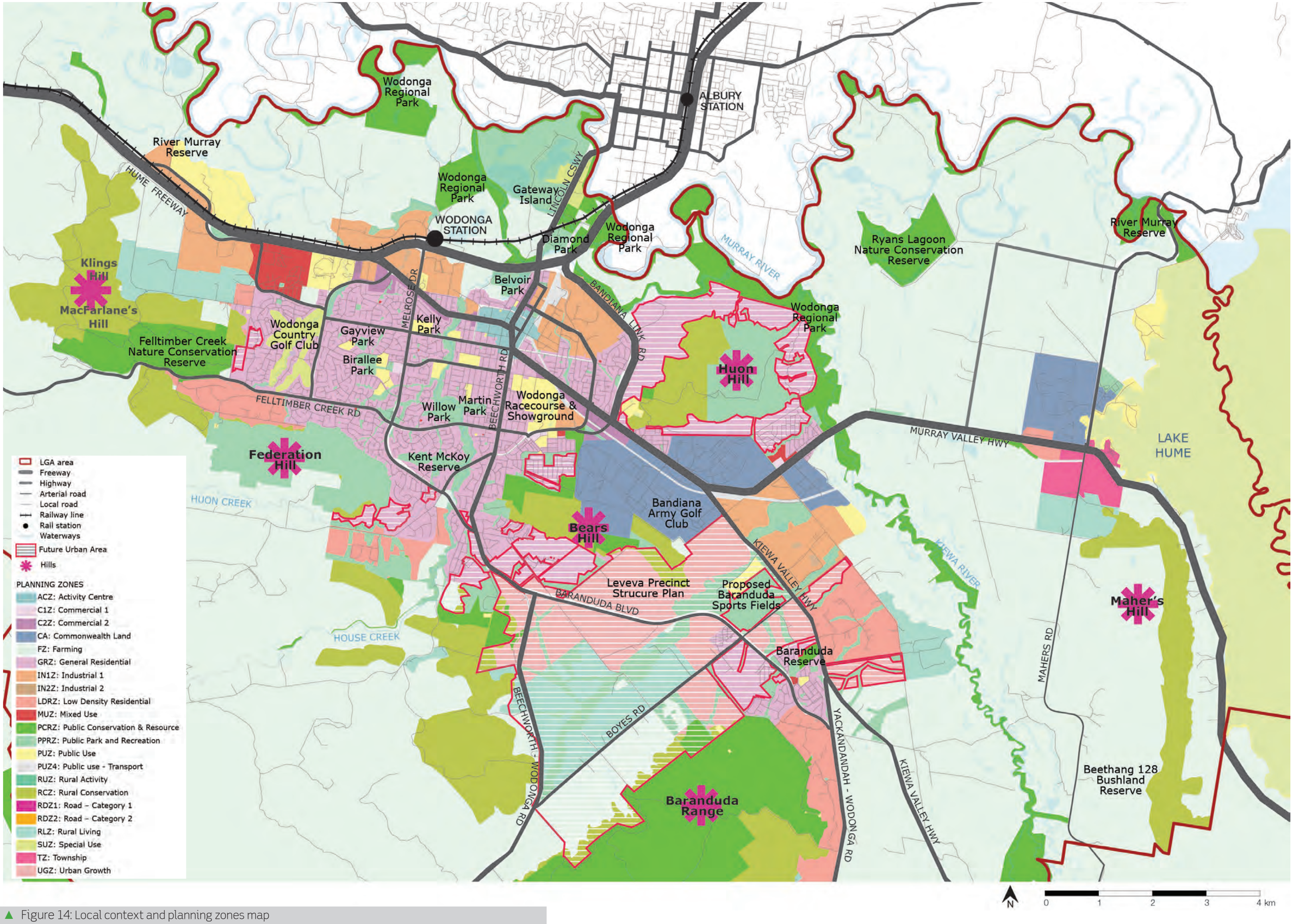
▲ Figure 11: Priority habitat links and gaps



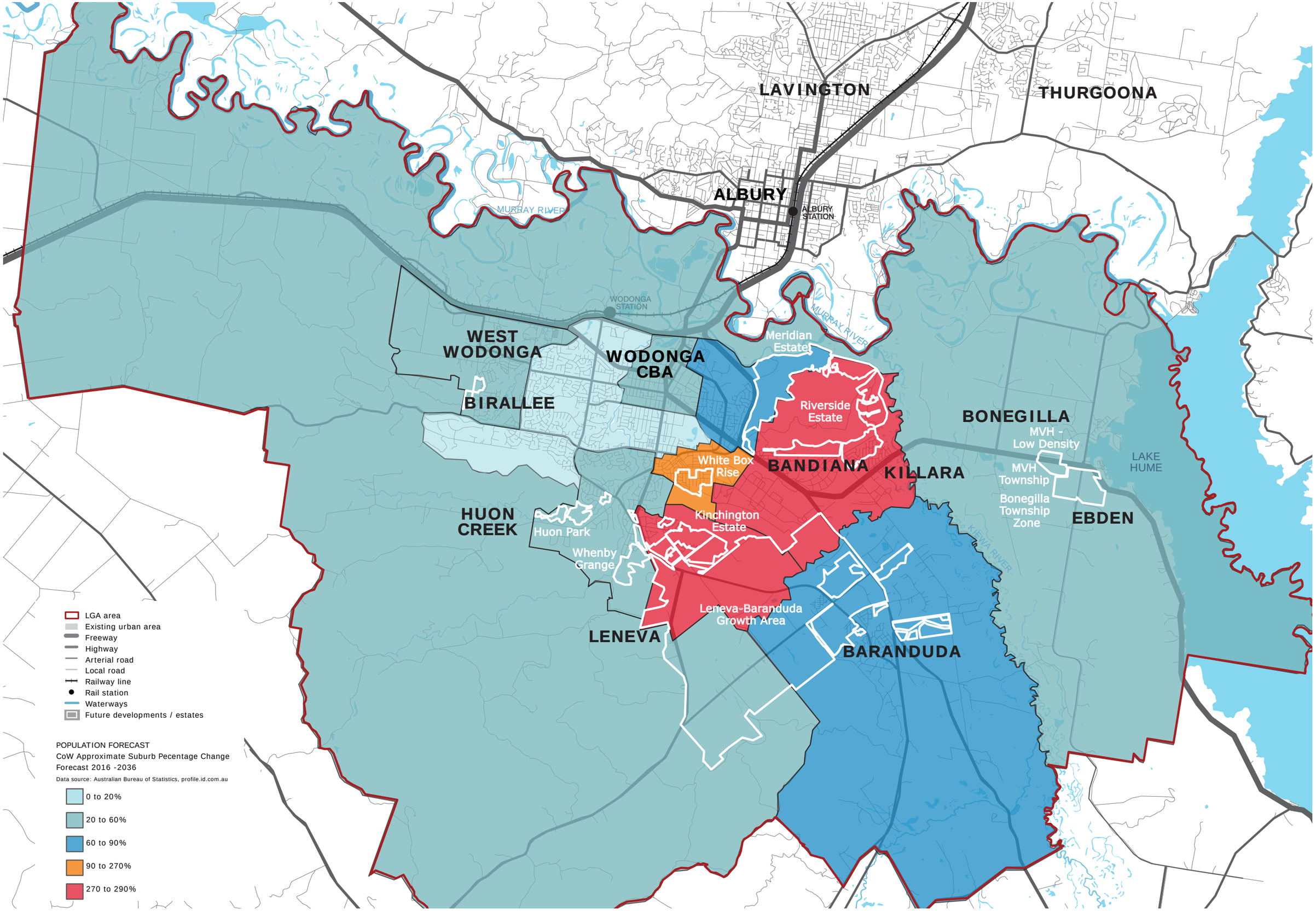
▲ Figure 12: Urban open space tree canopy cover. Source: City of Wodonga, 2019



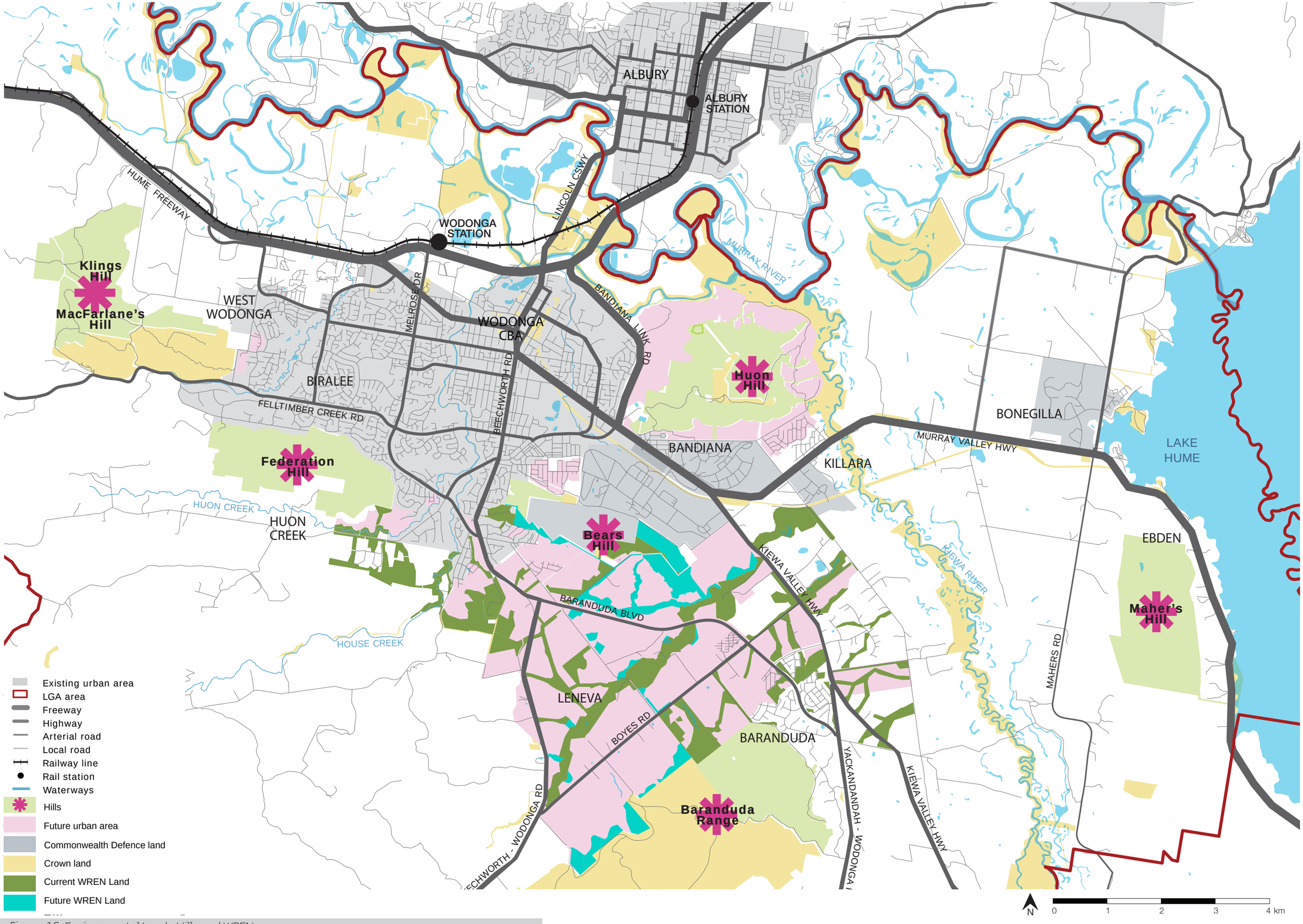
▲ Figure 13: Benefits of urban forestry



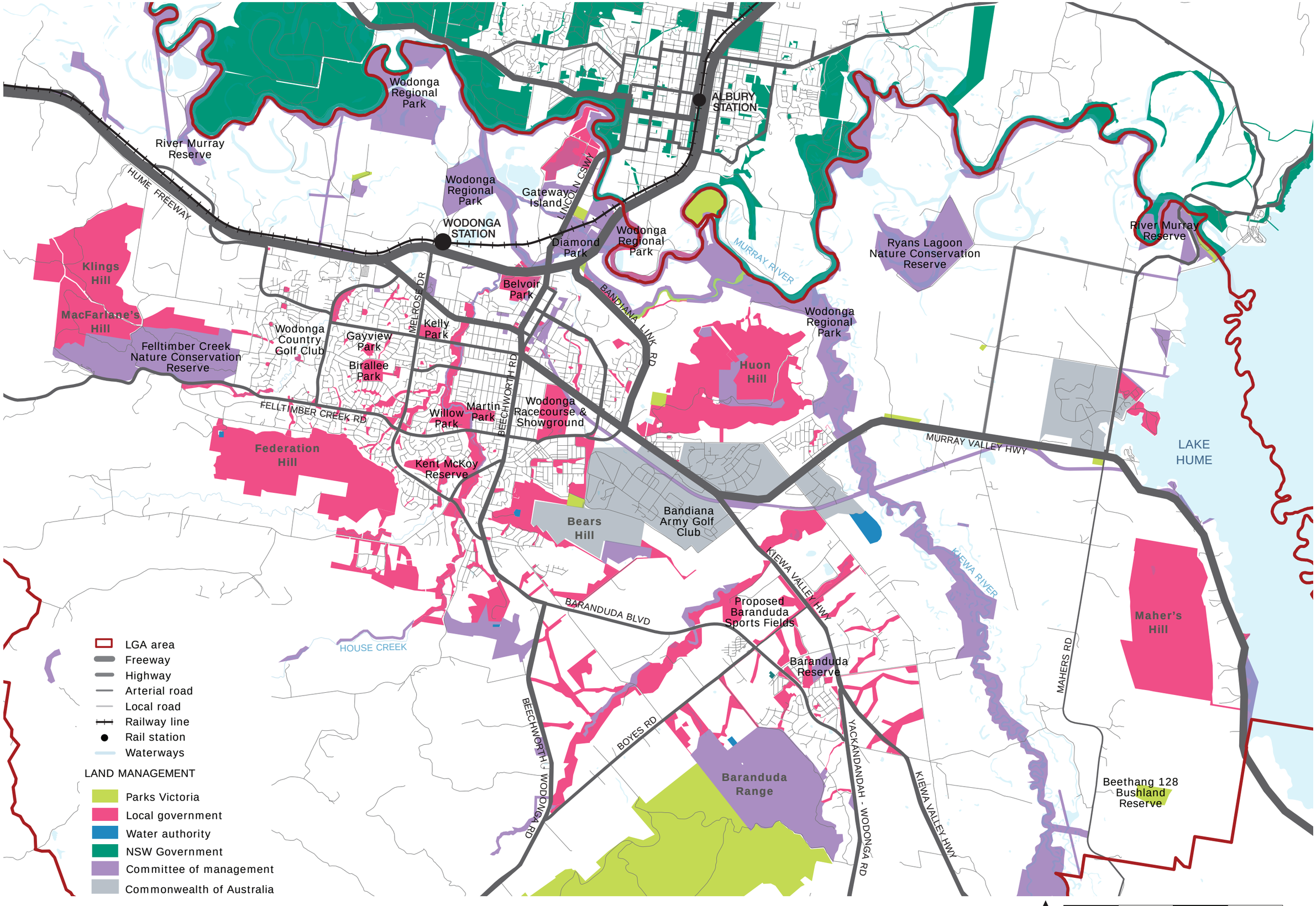
▲ Figure 14: Local context and planning zones map



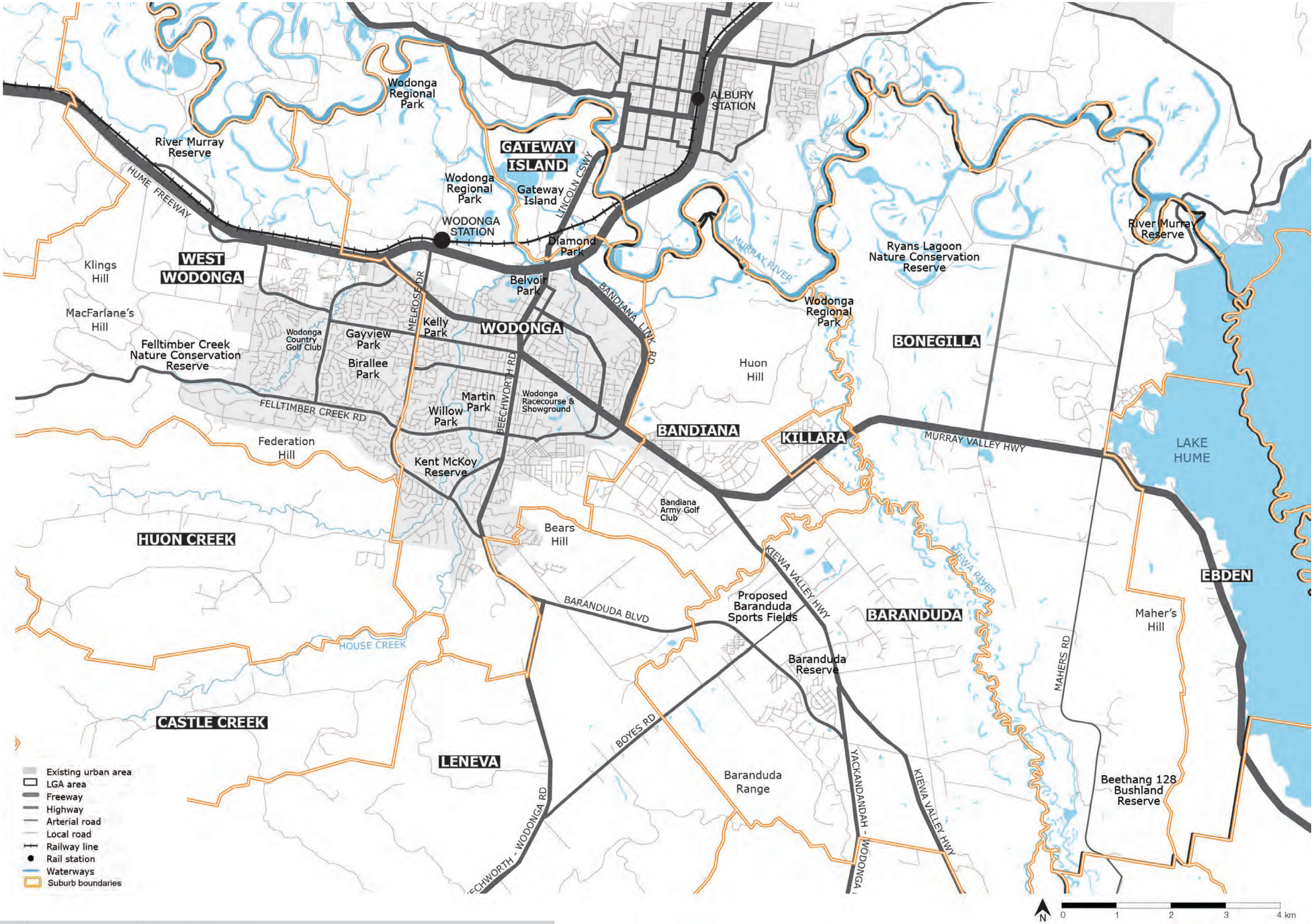
▲ Figure 15: Forecast population and developments map



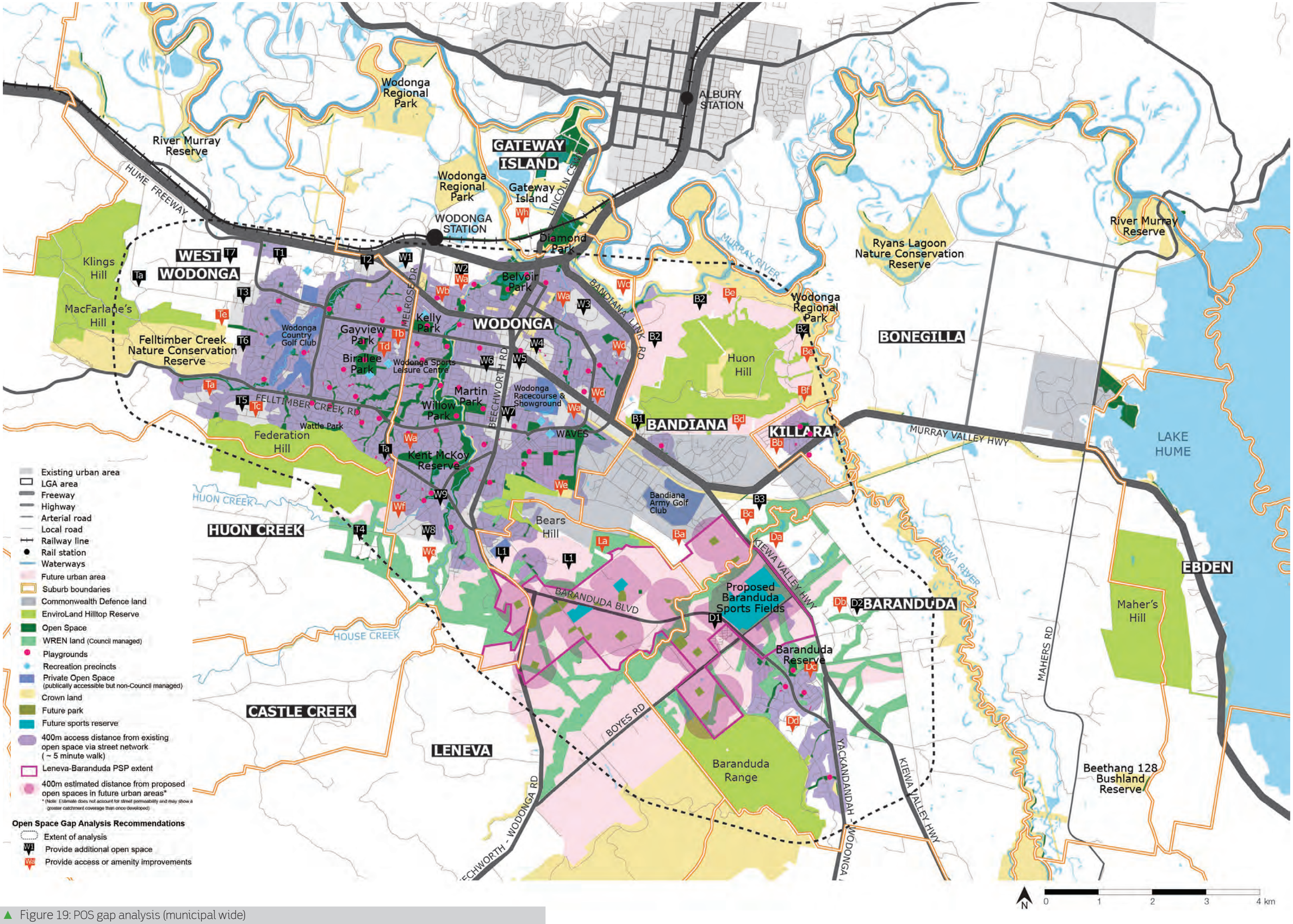
▲ Figure 16: Environmental Land - Hills and WREN



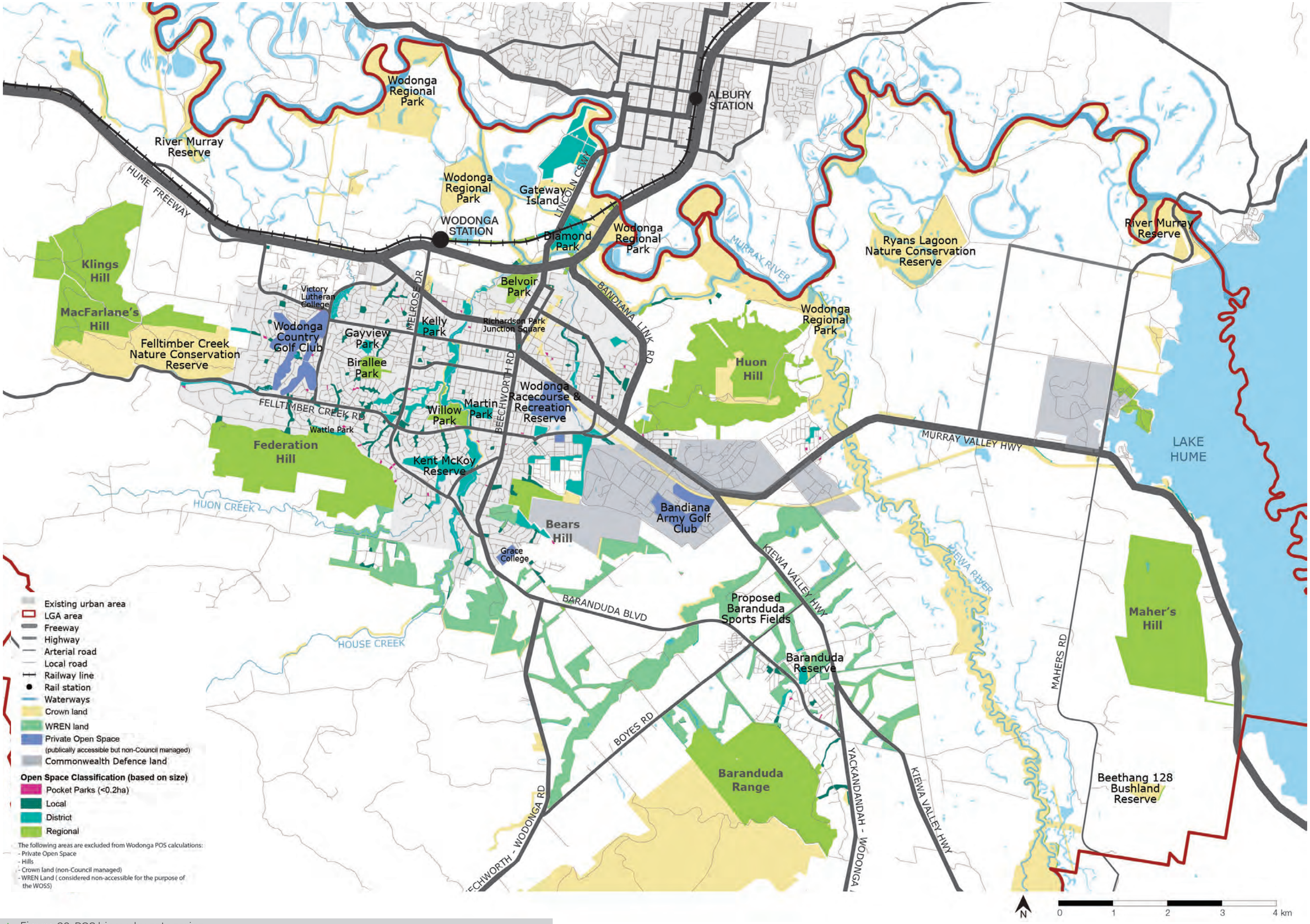
▲ Figure 17: Land management map



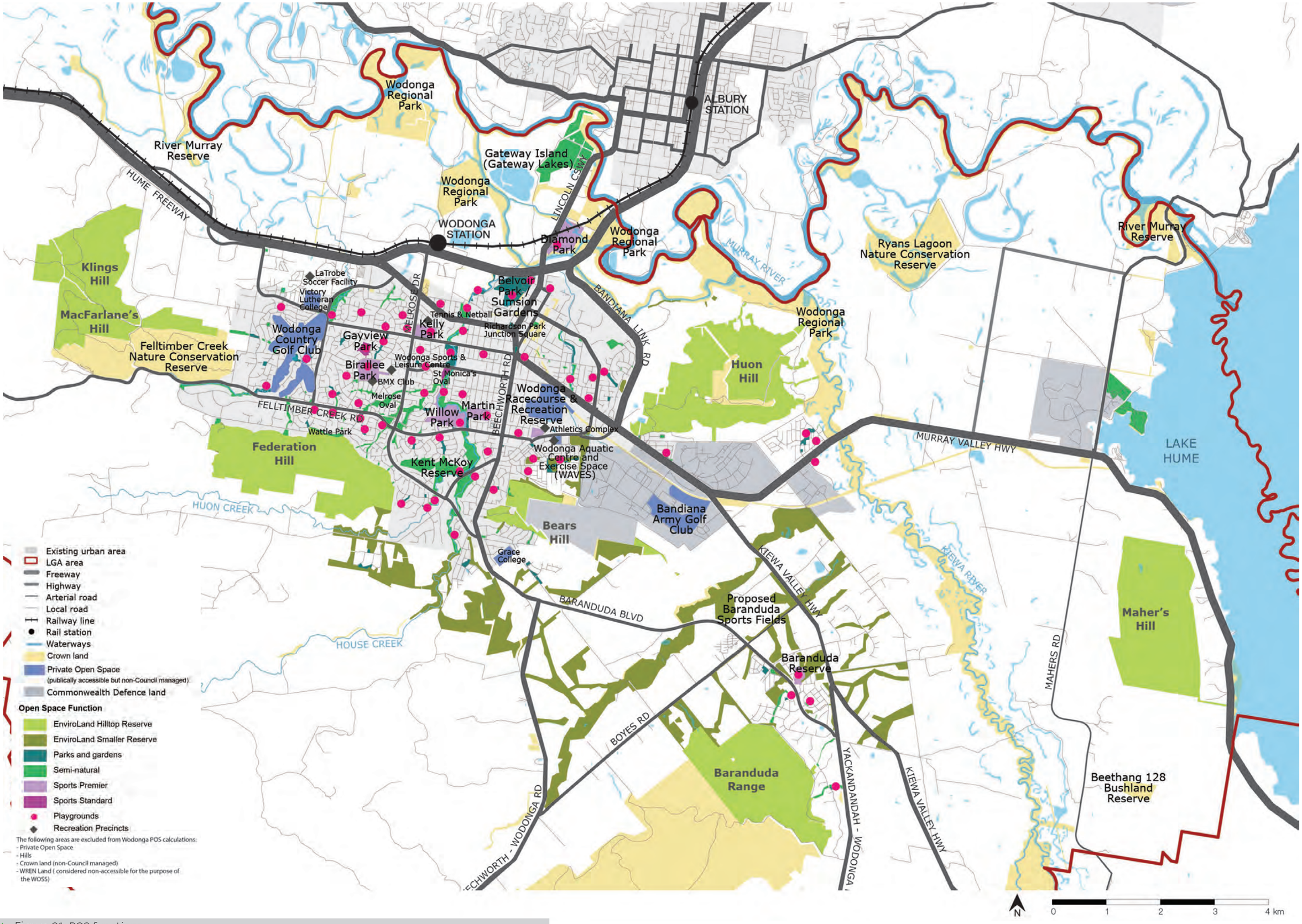
▲ Figure 18: POS gap analysis – suburb boundaries



▲ Figure 19: POS gap analysis (municipal wide)



▲ Figure 20: POS hierarchy categories



▲ Figure 21: POS functions

APPENDIX G

Memo

From: Urban Forest Consulting

To: GHD and City of Wodonga

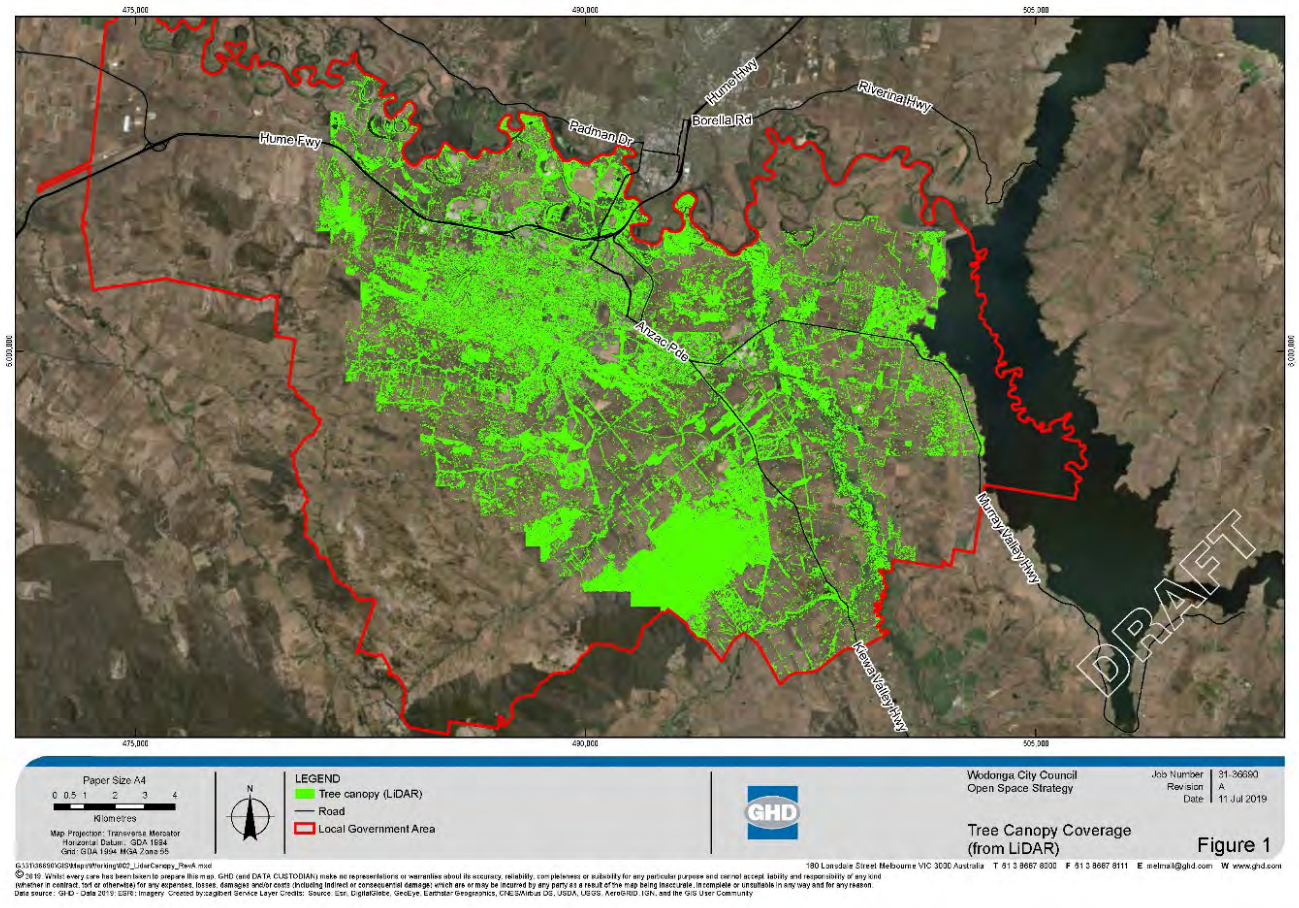
Re: Tree Canopy Analysis



Note: this document is not intended for use by anyone other than GHD and City of Wodonga for inclusion into the City of Wodonga Open Space Strategy

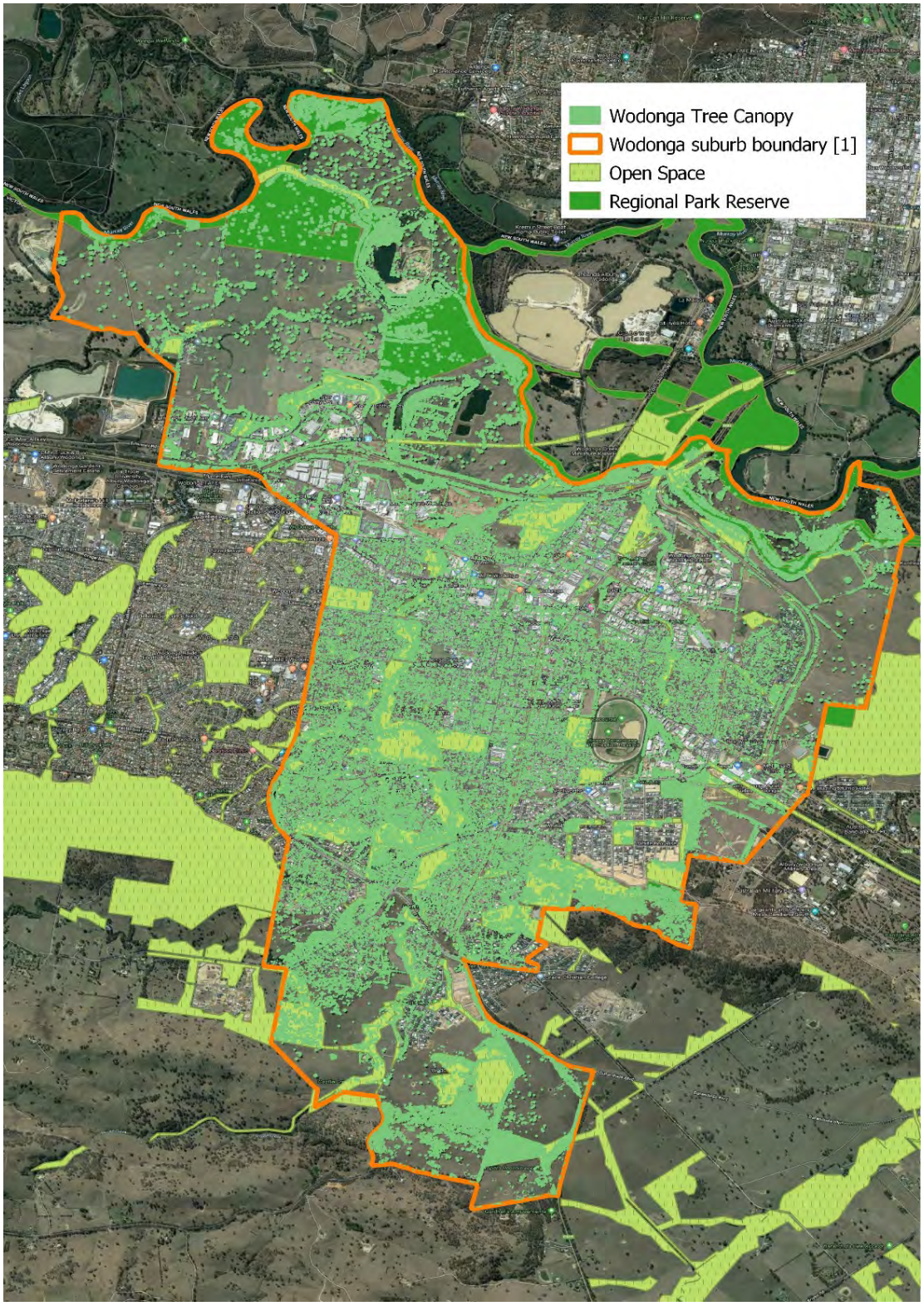
Existing tree canopy cover, baseline mapping & case studies

GHD have created a tree canopy cover layer using LiDAR for parts of the municipality. The baseline map is as follows:



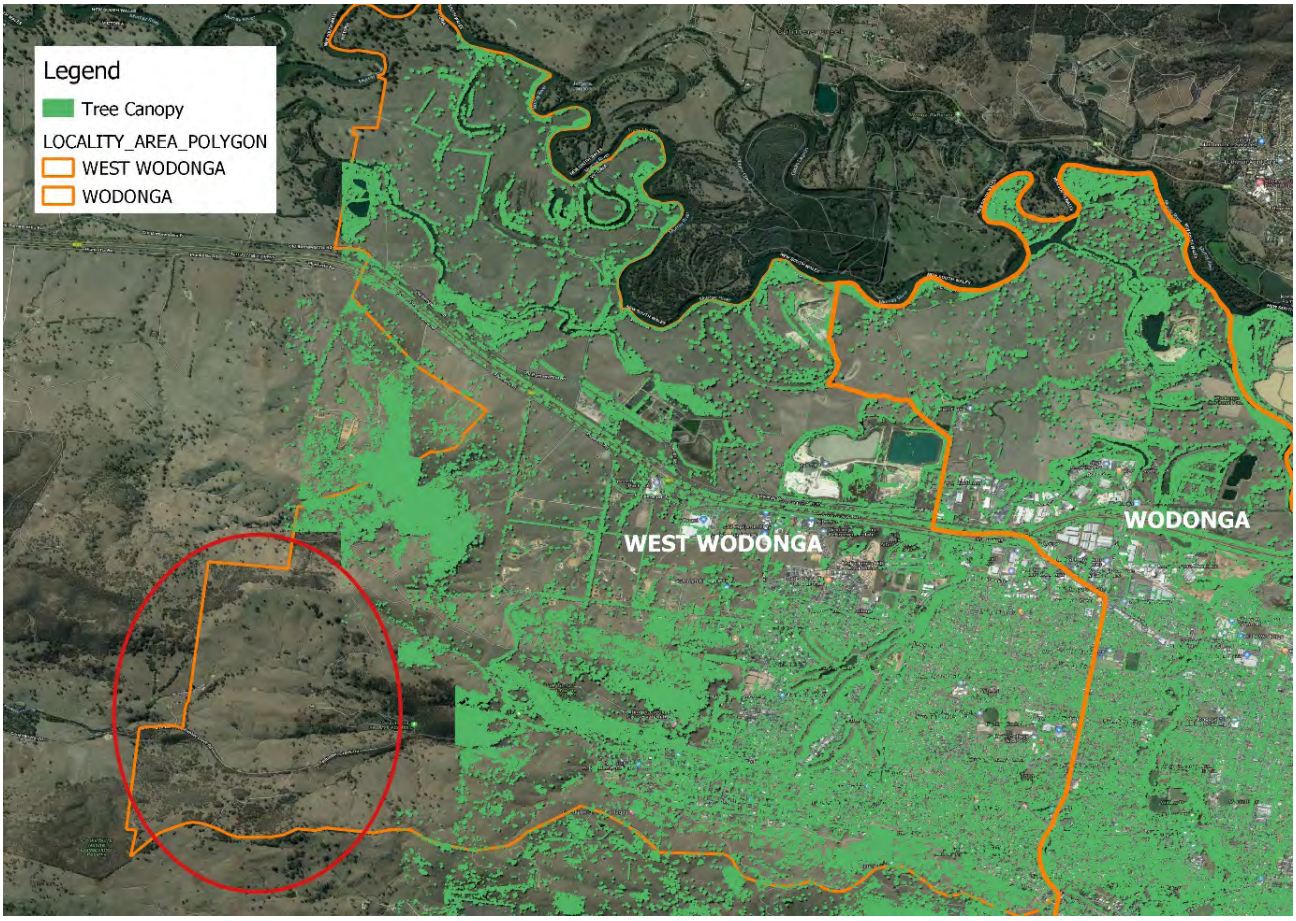
▲ Image 1: Tree canopy cover measured using LiDAR for City of Wodonga

Canopy cover over the suburb of Wodonga (which includes central Wodonga and surrounding bushland and farmland) is measured at 14.55%.



▲ Image 2. Tree canopy cover over Wodonga is 14.55%

The area boundary for West Wodonga wasn't fully covered by the LiDAR data so cannot be calculated without redrawing boundary lines, which would need Council approval.



▲ Image 3. Tree canopy cover couldn't be calculated for West Wodonga due to the LiDAR coverage.

SETTING A TREE CANOPY COVER TARGET FOR WODONGA

There are two ways to set canopy targets:

1. Setting aspirational targets that match other city's targets e.g. 40% from City of Melbourne. This method provides more of a communications tool rather than being based on any data local to the area.
2. Setting evidence-based targets using baseline canopy data, measuring the extent of opportunities for increasing canopy and measuring the "churn" of canopy cover i.e. how many trees does Council plant vs remove each year and taking into account factors such as existing land uses, intensity of development and effectiveness of protections of canopy cover on private land. This data can then inform the ability to achieve a certain benchmark.

Canopy targets can be set for a range of land use delineations:

- Whole municipality
- Suburb level
- Public land or Council land
- Open space
- Road reserve

A review of Council's capacity to plant trees and its appetite for setting certain types of targets will determine which category suits Council the best.

CANOPY TARGETS FOR OTHER COUNCILS

Shepparton

By 2037 Council will:

- Increase urban forest canopy cover in each town to 40%
- Reduce the number of vacant street tree sites to zero
- Improve urban forest diversity by age and useful life expectancy
- Increase the number of biodiversity links through each towns street and road network
- Include urban trees in all major Council infrastructure projects at planning, design and implementation phase
- Ensure best practice urban tree management is being delivered across all Council programs

Geelong

Council will aim for a 30% canopy cover in 30 years (starting 2015).

They will do this by:

- Greening the City
  Increase tree planting and associated vegetation in appropriate and prioritised locations
- Cooling the City
  Increase canopy cover, increase use of smart water sensitive urban design and an increase in landscape permeability
- Engaging the City's community and build regional partnerships
  Increase canopy cover, increase use of smart water sensitive urban design and an increase in landscape permeability
- Demonstrating best practice urban tree management
  Develop a complete set of technical guidelines for urban tree management and offer training and upskilling where needed

Ballarat

Targets:

3. Increase urban public tree canopy cover to 40% by 2040
4. No net loss of canopy cover overall
5. Establish a minimum of 40% canopy cover over all parking areas

They will achieve this by:

- Delivering a best practice Urban Forest Management Program: Data, resources, maintenance, reporting, technical guidelines
- Increasing Canopy Cover: Prioritise increasing public canopy in areas of need and integrate planning with infrastructure
- Enhancing Biodiversity: Prioritise the planting and restoration of urban habitat and living corridors
- Strengthening Ballarat's Urban Character: Enhance landscape, neighbourhood and heritage characters through provision of street and park trees
- Acknowledge Shared Responsibility: Public and Private: Educate, engage and involve the Ballarat community in acting as stewards for the Urban Forest Work with other landholders to embed Urban Forest objectives into their planning

Bendigo

In draft as at March 2019, though they are looking to focus on canopy cover targets over road reserves and shared user paths. They are identifying shade gaps for people to encourage active transport and to prioritise health and wellbeing

CANOPY TARGET RECOMMENDATIONS

There's a general rule of thumb, though not necessarily based on strong evidence that cities should aim for between 30-40% canopy in locations where it is needed i.e. streets and open space. Obviously, this should not be in direct conflict with required function of certain parcels of open space e.g. active recreation parcels where trees may diminish the usability of a site for organised sport.

Council could also consider setting targets similar to Bendigo i.e. over road reserves and shared user paths. The target figure would need to account for Councils capacity to fund and resource additional tree planting, undertake required establishment periods (recommended 3 years north of the ranges) and undertake ongoing risk reduction and management programs.

In terms of open space, a broad target of 30% could be set for all open space.

GUIDELINES FOR TREE SPECIES SELECTION

Tree Species vulnerability in Wodonga Open Space

Heat and changed water conditions are likely to be the most prominent risks facing Wodonga's trees.

1. Increased average temperatures, coupled with increases in occurrences of extreme heat periods will need to drive the selection of species in building resilience of Wodonga's open space.
2. Changed water conditions will essentially depend on the integrated water management approach that both Council and North East Water take. Average rainfall is modelled to reduce, however increased inundation events may also occur. Despite these changes, open space across Victoria does and will continue to have its own water regime based on water sensitive urban design and efficient irrigation schedules. Water sources are also changing. As an industry we recognise that using potable water for the irrigation of our open spaces is unsustainable in a low water future. Water quality is not likely to be an issue as technologies now allow for even recycled water to be of a Class A drinking quality. Essentially this means, that species selection in some locations should not be dominated by drought tolerance, rather provision of benefits such as shade.

Functionality of species and landscape character:

Wodonga's open space will need to perform a range of functions and meet the needs of categorised landscape characters. These functions and characters will determine the types of species to be planted based on their benefits provisions. Two critical benefits that support functions and landscape character for Wodonga's open space are:

3. The provision of cool green spaces coupling high performing vegetation with adequate soil moisture
4. Biodiversity conservation and connectivity

As a result, preferred species for planting in open space will need to include a range of species that meet the various needs of each individual parcel of open space. A species list should be adaptive so that as new cultivars come on the market they can be tested or Council can look to other towns or cities facing similar future climate conditions and monitor successful species planted. Particular traits of species that will be important for Wodonga in selecting species:

- Broad, shade canopy trees
- Deciduous trees that allow winter sunlight into high pedestrian areas e.g. playgrounds
- Larger acceptable temperature ranges. Most urban species on the commercial market fulfil this anyway to make them viable in many parts of the country
- Resilient root systems
- Strong branch connections
- Ability to withstand periods of low rainfall
- Not susceptible to pest and disease attack therefore not requiring intensive insecticide or pesticide treatments
- Indigenous provenance to support localised biodiversity outcomes
- Ability to be able to procure the number of tree stock from local nurseries needed for planting. Rare species may not be able to be produced.

Based on this knowledge, and the need to ensure species diversity across the broad open space network, the current species list provided is too limited for the needs of Wodonga's open space. Recommendations:

- Undertake an inventory of species performing well in each of the open space function types and landscape characters. Include all of these species in the list.
- Given the list is all inclusive, the same should be done for streetscapes and even front gardens of private properties. Include all species performing well.
- Understand the capacity of local nurseries to grow the list of species and seek advice on local knowledge of species viability

- The list should then detail certain attributes of each species to help determine its match with suitable locations:
    - Name (scientific, common and cultivar)
    - Height potential
    - Canopy width potential
    - Tolerance levels: drought, wind, heat
    - Soil type suitability
    - Growth rate (slow, moderate, fast)
    - Photo
    - Notes

It is recommended that a qualified consulting arborist (preferably one with local knowledge) review this list before adoption.

TREE PROTECTION IN OPEN SPACE

AS 4970-2009 Protection of Trees on Development Sites should be required, enforced and consequently audited for all types of development activities that can potentially encroach on a Council owned tree and its root zone.

To do this properly and so it is enforceable, Council should adopt a formal policy either for tree protection on its own but more relevant would be a tree management policy encompassing all aspects of tree management. See City of Greater Bendigo for a good example: https://www.bendigo.vic.gov.au/sites/default/files/2018-08/City-of-Greater-Bendigo-Urban-Tree-Management-Policy.pdf

Second to this, Council should review the applicability and success of Local Law no 3 in protecting Council trees from various impacts as listed in the Law. It may be that providing better resources into enforcement of this Local Law is a good investment for tree protection.

The planning scheme and particularly the conditions placed on permits should be reviewed by a planning expert to determine whether there are appropriate check points and referrals given to a qualified arborist to check that footings and proposed excavations for a development do not encroach on tree root zones of neighbouring open space trees. This is a regular problem in inner cities but may not be in Wodonga.

Building plans and landscape plans should identify neighbouring trees and their root zones to determine potential impacts and if one is registered, further investigation should be sought before approval is granted.

Any technical details developed for design features within any open space of Wodonga should also account for impacts with trees in the planning stages.

Finally, if Council does not already have one, it should develop a suite of technical tree management guidelines that offers the technical details of every aspect of tree management. Of relevance for open space would be managing tree roots that impact footpaths or other infrastructure. Council should have a documented process for this to ensure contractors do not simply cut the tree root and instead develop viable solutions to protect the tree.

CITY OF WODONGA VIC

APPENDIX H



Wodonga Open Space Strategy
Rates Contributions Paper

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Appendices

Appendix A – Gaps in POS Distribution - WOSS Analysis Summary

Appendix B – Comparative review of provisions in schedule to Clause 53.01

Appendix C – Treatment of encumbered land in local government open space strategy planning

1. Purpose

The purpose of this paper is to assist Wodonga City Council review Public Open Space (POS) Contributions that apply to all future subdivisions, including residential, commercial (including activity centres) and industrial land. This paper is to be read in conjunction with the Wodonga Open Space Strategy (WOSS), which provides the strategic direction for the future planning, provision, design and management of public open space in Wodonga over the next 15 years.

The WOSS and its supporting Guidelines and Standards provide clarity on the strategic delivery of open space across the local government area of Wodonga. The WOSS requires reinforcement through amendments to the planning scheme, particularly the Municipal Strategic Statement and inclusion of specific provisions through a local planning policy to support the procurement of appropriate POS contributions.

This paper includes options for Council to consider moving forward and incorporate into the implementation plan for the WOSS.

This evaluation considers the following aspects:

- A review of the key drivers for a change in the POS contributions
- Analysis of the existing and planned POS as per the WOSS Gap Analysis (Appendix A).
- An overview of the current planning policy context
- An overview of POS contributions types – including specifications for POS contributions to improve quality outcomes and reduce ongoing risks and management burden to Council (as per the WOSS POS Standards)
- A review of POS Contribution Rates and Variation of the Rate - including examination of establishing precinct-based POS targets (considering factors such as projected population, existing POS provision, and projected land use)
- A comparative review of the open space provisions in other planning schemes across the state (refer Appendix B)

1.1 Purpose of POS contribution mechanisms

The purpose of POS contributions is to provide local government with the mechanisms and means to deliver new open space or enhance existing open space to meet the needs and demands of its growing community. Contributions are provided as land or as cash in lieu of land, or a combination of the two. Typically, contributions are spent in the acquisition of land or capital improvements to existing open space (i.e. park upgrades).

POS contribution tools are designed to help councils provide new open space or improve existing open space in response to needs created by new residents or employees.

In Victoria, there are multiple mechanisms local government may use to obtain contributions, which may include:

- *Subdivision Act 1988* (Sections 18-20)
- Schedule to Clause 53.01 of the Victoria Planning Provisions
- Development Contributions Plan (DCP) Overlay
- Negotiated legal agreements via Section 173 of the *Planning and Environment Act 1987*

2. Limitations

This report: has been prepared by GHD for the City of Wodonga and may only be used and relied on by City of Wodonga for the purpose agreed between GHD and the City of Wodonga as set out in section 1 of this report. GHD otherwise disclaims responsibility to any person other than City of Wodonga arising in connection with this report. GHD also excludes implied warranties and conditions, to the extent legally permissible.

The services undertaken by GHD in connection with preparing this report were limited to those specifically detailed in the report and are subject to the scope limitations set out in the report. The opinions, conclusions and any recommendations in this report are based on conditions encountered and information reviewed at the date of preparation of the report. GHD has no responsibility or obligation to update this report to account for events or changes occurring subsequent to the date that the report was prepared.

The opinions, conclusions and any recommendations in this report are based on assumptions made by GHD described in this report. GHD disclaims liability arising from any of the assumptions being incorrect.

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3. Wodonga context

The following section outlines key drivers for change, and opportunities to improve outcomes for Wodonga's POS network.

3.1 Key drivers for POS contributions review

A key requirement of the WOSS is to manage the POS needs of Wodonga's growing and changing population, including providing opportunities for people of all ages and abilities to have access to nature and outdoor recreation for improved community health and wellbeing. This will also mean increased demand and impact on existing open spaces for both structured and unstructured recreation, and therefore requires provision of quality, quantity and diversity of open space types.

Key drivers for a review of the current POS contributions include:

- Lack of strategic overview and framework for implementing the types of POS required in specific areas of the municipality, typically delivered via an endorsed Open Space Strategy.
- Inconsistency in the design and quality of open spaces and infrastructure creates inefficiencies and financial liability for Council in their ongoing management and maintenance
- The lack of a shared vision and locally specific strategy for the planning and provision of POS resulting in an inconsistent standard of open space, lengthier approvals processes and complex maintenance and management arrangements
- In some areas of the municipality, POS land contributions are considered insufficient (i.e.. too small to be functional) or include encumbered land limiting the value of the POS contribution provided through land use constraints
- Ad hoc nature of POS land contributions by developers, resulting in inappropriate quality and functionality of open space
- No formal process for the administration or expenditure of POS financial contributions

3.2 WOSS POS Gap Analysis summary

The WOSS POS Gap Analysis (refer Appendix A) has revealed the following regarding areas of POS improvements required:

- In terms of open space sizes and hierarchy, the majority of open space within Wodonga is categorised as Regional (81%). The smallest provision is for Local open spaces (3%) with the remaining open spaces classified as District (16%).
- In terms of Function, there is sufficient supply of open spaces categorised as 'Conservation' or 'Environmental' lands (70%); however, a future management regime is required for these spaces
- There is increasing demand for informal and formal recreation, with only a small proportion of existing open spaces functioning as 'Sporting and Organised Recreation' (2%) or 'Parks and Gardens' (1%)

In summary, there is generally a sufficient amount of Regional scale and Environmental Land types of POS (i.e. the Hills); however, there is a lack of smaller Local open spaces that offer sporting, recreation, play or typical 'parks and gardens' open space functions.

4. Policy context

The following section provides a summary of the existing planning context for Wodonga's POS and the key relevant policies and planning controls.

4.1 Planning Policy Framework (PPF)

The Planning Policy Framework (PPF) provides statewide and regional policies that guide decision-making and facilitate appropriate outcomes for planning and development across the State of Victoria. There are several policies that inform the character, location and provision of open space in Wodonga and will help define the appropriate format to obtain contributions.

Clause 15.01-3S Subdivision design

The objective of this policy is to ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods. A key strategy of the policy relates to creating landscaped streets and a network of open spaces to meet a variety of needs with links to regional parks where possible.

Clause 15.01-4S Healthy neighbourhoods

The objective of this policy is to foster healthy and active living and community wellbeing. Key strategies include:

- Connected, safe, pleasant and attractive walking and cycling networks that enable and promote walking and cycling as a part of daily life
- Conveniently located public spaces for active recreation and leisure
- Amenities and protection to support physical activity in all weather conditions

Clause 19.02-6S Open space

This is the key policy guiding provision of open space in the State, with the objective of establishing, managing and improving a diverse and integrated network of public open space that meets the needs of the community. Strategies relate to the form, location, accessibility and quality of open space. The WOSS has been prepared to align with the policy objective and supporting strategies.

Clause 19.03-1S Development and infrastructure contributions plans

This policy focuses on the provision of planned infrastructure to communities through preparation and implementation of development and infrastructure contribution plans.

Relevant strategies include the preparation of contribution plans under the *Planning and Environment Act 1987*, collection of contributions on the basis of approved contributions plans and annual reporting and monitoring of collection and expenditure of levies under the contributions plans. The policy is supported by a series of documents including the *Development Contributions Guidelines* (DSE 2003) and *Ministerial Direction on the Preparation and Content of Development Contribution Plans and Reporting Requirements for Development Contribution Plans.*

4.2 Local Planning Policy Framework (LPPF)

A key objective of the LPPF is to ensure a growing Wodonga is supported by and has access to a range of high quality, diverse and interconnected open spaces which meet the needs of the community. This vision guides the development of Wodonga's open space network, which is defined through Clause 21.03-4 Public Open Space.

Clause 21.03-4 Public open space

The local planning policy identifies Wodonga's open space network as a defining characteristic of the city, while recognising that recent development lacks high quality and well connected system of open space. In particular, the policy identifies the ad hoc nature and limited usability of new open space provision. The policy acknowledges the need for an Open Space Strategy that includes recommendations regarding appropriate open space contributions. Key issues identified in the policy include:

- Some areas of the City public open space contributions are insufficient or include encumbered land
- Some areas of public open space are not large enough to be functional or are affected by constraints such as slope or flooding
- Some residential development backs onto open space which has led to pressure to access open space for personal use
- Strategies to resolve these issues may include avoiding contribution of land for passive POS where that land is not suitable for an open space function. This may be because of poor usability or potentially higher maintenance costs.

4.3 Statutory planning controls

Clause 53.01 – Public open space contribution and subdivision

Clause 53.01 states that:

'A person who proposes to subdivide land must make a contribution to the Council for public open space in an amount specified in the schedule to this clause (being a percentage of the land intended to be used for residential, industrial or commercial purposes, or a percentage of the site value of such land, or a combination of both).'

In Wodonga, the current manner in which POS contributions are collected is via a schedule to Clause 53.01 Public Open Space Contribution and Subdivision. This Schedule sets out the contributions within the municipality, by:

- Requiring a five percent contribution for all residential zones (this 5% is generally land area but can be substituted with payments equivalent to land value); and
- Specifying a 3.96 percent contribution for land shown as Urban Growth Zone within the *Leneva – Baranduda Precinct Structure Plan* area to be contributed as land and/or cash, in accordance with Section 3.7.4 of the structure plan
- Note: the 5% POS contribution requirement does not cover Industrial zoned land

Notably, the Wodonga Planning Scheme does not define 'public open space', which can lead to varying interpretations of what should be considered under this definition (e.g. whether encumbered land, which can be unsuitable for use as public open space, is considered to contribute to this 5%).

Other Councils have rectified this issue through a number of methods, such as:

- Including provision in their respective Local Planning Policy Frameworks for minimum public open space requirements. For example, Moonee Valley City Council have included a 'Public open space contribution' clause at Clause 22.02 of the Moonee Valley Planning Scheme. This clause outlines the policy basis for seeking public open space contributions at Clause 53.01, as well as setting out minimum dimensions and characteristics of land to be contributed, including that this land should not be *'unduly restricted by services or easements.'*
- Including their Open Space Strategy or Development Contributions Plan as an Incorporated Document at the schedule to Clause 72.04, or as a reference document within the Local Planning Policy Framework, and specifying the land that may be considered public open space within these documents.

5. Comparative review of other Councils

A comparative review of other local governments and the provisions in their Schedule to Clause 53.01 (refer to Appendix B) found that:

- 49 councils use the Schedule to their contribution rates.
- The majority of councils utilising the Schedule to adopt the five percent contribution rate as stipulated under the Subdivision Act, with some councils vary the rate to up 10 percent
- 29 out of 50 (60 percent) regional councils do not use the Schedule
- 3 out of 32 (less than 10 percent) metropolitan councils do not use the Schedule
- Contribution rates for Commercial land – 28 councils use the Schedule to specify POS contribution rates for commercial land, with 24 councils require a 5% or higher rate
- Contribution rates for Industrial land – 27 councils use the Schedule to specify POS contribution rates for industrial land, with 22 councils require a 5% or higher rate
- Eight councils vary the contribution rate based on the number of lots per subdivision
- One council (Knox) varies the contribution rate based on the size of lots proposed
- Three metropolitan councils (Stonnington, Moreland and Melbourne) vary the rate based on the suburb or specific location as identified in the schedule
- One council (Latrobe) identifies the preferred form (land or financial) and percentage of contribution based on infill or greenfield sites
- 28 councils apply specific requirements to growth areas or strategic redevelopment sites
- None of the regional councils have a Public Open Space Contribution Policy in their scheme. However, eight metropolitan councils do have this in their LPPF.

6. Wodonga's existing POS contributions

The Council currently collects a POS contribution of five percent (5%) for all residential development via Schedule to Clause 53.01, which is held in a reserve fund. This aligns with the provisions of the *Subdivision Act*, which provides for five percent of the development area to be set aside for new open space or a cash-in-lieu amount.

6.1 Land contributions

Land contributions provide the physical areas for open space. It is intended that the WOSS and Supporting Guidelines and Standards as well as local planning policy would guide the form, timing, handover and management of land contributions.

The provisions for land contributions (as outlined in the WOSS POS Standards) would be specified via introduction of a Public Open Space Contribution Policy into the Wodonga LPPF. Set out below are the proposed provisions relating to minimum POS land contributions.

6.1.1 Minimum POS land contribution size

The WOSS standards specify that new POS provided as a land contribution shall be a minimum area of 0.5 hectares (5000m2) and minimum dimension of 20 metres in width.

Where a proposed development is less than 10ha and cannot meet the minimum 0.5ha size for the 5% land contribution, the following aspects shall be negotiated and approved by Council:

- The selection criteria for public open space.
- The open space type and required land size.
- The existing characteristics of the site including features to be retained.
- The intensity of the proposed development and surrounding development.
- The extent of the additional population and the anticipated demographics based on the development design.
- Recommendations for the site and surrounding area contained in the WOSS.
- Any other relevant strategic planning documents.

Alternatively, based on POS future demand for the area (as per WOSS gap analysis) if land contribution is not required (i.e. exiting POS is sufficient for the precinct), a cash contribution may be levied equivalent to 5% of the site value.

6.1.2 Encumbered land

Not all land is appropriate for the provision of POS. As outlined in the WOSS POS Standards document, it is recommended that the following encumbered lands do not form part of a POS contribution:

- Drainage reserves or water bodies up to the 100-year flood line
- Road reserves
- Land required for utilities or services (e.g. easements, landfill areas, flight paths, sewer/gas pipelines, pylons, substations, mobile towers, underground services, and overhead power/transmission lines)
- Land with water management functions (e.g. drainage, stormwater, flood protection and mitigation, wetland protection, retarding basins)

- Land with an Environment Significance overlay and/or having any conservation or environmental significance delineation (i.e. significant vegetation/trees)
- Land with cultural heritage conservation, protection or restricted uses, and
- Land steeper than 1 in 20 (5%) gradient and erosion prone or degraded slopes.

The proposed approach is consistent with a common practice across local governments in Victoria (refer Appendix C), where:

- Land with the primary function for drainage, telecommunications, pipelines etc infrastructure easements, is not considered open space.
- Encumbered open space land that contains natural and cultural heritage values or fall within floodplains or areas of high fire risk is not considered as part of the formal planning scheme requirements for open space.

This is to ensure that all additions to the Council-managed public open space network are unencumbered and enhance the open space network, by providing land suitable for the required open space functions (e.g. recreation, sport fields, parks).

The proposed approach is also consistent with the definition and treatment of the Encumbered Land used in the Council's Leneva Baranduda Precinct Structure Plan 2017 (p.4).

"Encumbered land – land that is constrained for development purposes, including easements for power/ transmission lines, sewer, gas, waterways/drainage; retarding basins/ wetlands; landfill; conservation, protected vegetation and heritage areas. This land may be used for a range of activities (e.g. walking trails, sports fields) and ***is not credited****. However, regard is taken to the availability of encumbered land when determining the open space requirement".*

While acknowledging the existing supply of the nature conservation areas (WREN areas) within Wodonga, the WOSS gap analysis (refer Appendix A for summary findings) identified that there is a need for more usable recreational space across the Council area. This necessitates a requirement for land with specific parameters and characteristics to ensure suitability for the required open space function (i.e. unencumbered land).

6.1.3 Commercial and Industrial areas

The Council has no specific provisions currently for the collection of POS contributions for commercial or industrial developments apart from the provisions in Section 18 of the Subdivision Act. However, the WOSS gap analysis demonstrates that there are gaps in POS provision in certain commercial and industrial precincts (refer Appendix A of the Strategy), and through implementation of the WOSS, Council aim to ensure that POS and sport and recreation services are distributed equally throughout the municipality. This supports Council's aspiration for improved community and environmental benefits for Wodonga's community. Specifically, the Wodonga Council Plan 2021-2025 identifies the following priorities for action, relevant to the equitable provision of POS across Wodonga's built-in areas:

- *p.26*
    - Sustainable and forward-looking planning for growth, demonstrating stewardship through protecting, *enhancing, and managing our unique natural and built environments*
    - *Healthy, safe and resilient community to improve health and social outcomes* for all people in Wodonga
- *p.31*

- *What we want to see: Our people have access to green spaces and recreation opportunities*
- *What we will do: Develop approaches for a sustainable future with a key focus on climate change mitigation and adaptation*

- *p.33*
  - *What we want to see: Our people are healthy and well*
  - *What we will do: Lead, plan and promote environments that support mental health and build community resilience.*

Further, Council's Industrial Land Strategy 2018 directly links the Wodonga competitive advantage to ensuring high levels of amenity in Wodonga industrial areas:

- p.3 – Wodonga's competitive advantages – The amenity of the city, including attractions such as the sense of community, relatively low cost of housing and the natural surrounds; These competitive advantages will enable Wodonga to position itself as a key location for a broad range of manufacturing firms, including advanced manufacturing, and food manufacturing, enabling firms to take advantage of natural resources, amenity, transport and infrastructure, access to markets, access to labour, and access to land in a range of sizes and configurations.
- p. 21-22 - Wodonga's competitive advantages - Despite the forecast of manufacturing employment decline, Wodonga has attributes which make it an attractive location for advanced and high tech manufacturing industries. These attributes include: The amenity of the city… Together, these competitive advantages will enable Wodonga to position itself as a key location for a broad range of manufacturing firms, including advanced manufacturing, and food manufacturing, enabling firms to take advantage of natural resources, amenity, transport and infrastructure, access to markets, access to labour, and access to land in a range of sizes and configurations.
- p.30 – Manufacturing – Advanced Manufacturing consultation undertaken during the preparation of the Strategy identified that there was an unmet demand for smaller-scale industrial parcels with potential for modern development in locations which are well served by ICT infrastructure, high levels of amenity…

The WOSS recognises that there is a need for POS for workers within industrial and employment areas for health and well-being benefits. Workers in new industrial areas are not provided with the same opportunities to access POS as in established areas, as they are typically isolated from established POS and/or new POS is not provided for as part of industrial subdivisions. Research of workplaces and employee wellbeing has shown that 'both use of the open space and views of some vegetation… were positively and independently associated with self-reported wellbeing levels.'[1]

The Subdivisions Act 1988 allows Councils to collect contribution of up to 5% of the developable land from residential, commercial, and industrial subdivisions for the open space purposes. As noted in Section 5 above and Appendix B, based on a review of clause 53.01 of local government planning schemes across Victoria, 27 councils use the Schedule to specify POS contribution rates for industrial land, with 22 councils require a 5% or higher rate (refer Appendix B).

[1] Workplace settings and wellbeing: Greenspace use and views contribute to employee wellbeing at peri-urban business sites. Kathryn Gilchrist, Caroline Brown, Alicia Montarzino, https://doi.org/10.1016/j.landurbplan.2015.02.004)

To address the identified shortfall of the open space land in Wodonga employment areas specifically (WOSS) and, consistent with the accepted practice across Victoria, it is recommended for Wodonga to:

- Update Clause 53.01 of the planning scheme to extend a 5% contribution requirement to commercial (including Activity Centre Zone) and industrial subdivisions to address the identified shortfall of open space in the Wodonga employment areas;
- Ensure that funds collected in lieu of 5% contribution from the commercial and industrial subdivisions are directly expended towards the enhancement of the open space infrastructure in these employment areas (e.g. via Precinct-based planning and capital expenditure allocation).

In the absence of precinct structure planning, a standard 5% contribution amount for industrial subdivisions is recommended given that it is:

- Within a mid-range for contributions amounts across Victoria (1.5%-10%) (refer Appendix B)
- Applied to industrial land subdivisions in those local governments in Victoria that specify contributions by type of subdivision (refer Appendix B)
- Consistent with the current requirement in Schedule to Clause 53.01 of Wodonga local government area for residential subdivision.

6.2 Financial contributions

Cash contributions are typically made where there will be an increased use of existing POS and when the existing POS needs of the community are already adequately serviced.

As with similar Councils, POS cash contributions are typically used for:

- Embellishment of existing public open spaces
- Strategic land purchases
- Development of regional open space facilities

Provision of contributions through the *Subdivision Act* requires a clear demonstration of the nexus between the money collected and its expenditure and can be appealed at the Victorian Civil and Administrative Tribunal (VCAT). VCAT decisions provide precedent for establishing varied POS contributions where strategic work undertaken by the local government demonstrates the need for POS and justification that the contribution rates are fair and reasonable.

Existing Wodonga POS financial contributions

The Wodonga Planning Scheme and LPPF currently does not provide any additional guidance on the characteristics of appropriate land contributions, nor on decision-making for requiring land or cash-in-lieu of land contributions.

There is little opportunity to amend the location and area of POS once land contributions have been established through subdivision or in an approved development plan. This is a key issue for several recent developments within Wodonga, where POS contributions have been identified as severely encumbered or inadequate in the WOSS. Redevelopment presents an opportunity to improve the quality of open spaces in existing developments and ensure they provide the correct hierarchical function and level of service to the community. This is contingent on the planning mechanisms being in place to guide the appropriate collection, management and expenditure of contributions.

The following is noted with regards to the current procurement, management and expenditure of POS contributions within the City of Wodonga:

- Council has collected $390,017.77 in the OS Reserve Fund since December 2006, $57,855 of which is classed as Restricted and must be spent in the area specified and in the manner as set out in the original agreement with the developer
- There are no significant trends in terms of the amount received over the years.
- Historically, the amount spent on open space projects is significantly higher than the amount collected through open space contributions. However, there has been no reliance on the OS Reserve Fund to fund these projects, as there has been no expenditure from the fund to date (Table 1).

Table 1 Wodonga POS fund contributions and expenditure.

Financial Year	OS Reserve Fund		Capital Program Expenditure ($)
	Received	**Expended**	
07/08	$10,750.00	-	$38,664
08/09	$33,660.50	-	$258,292
09/10	$63,114.46	-	$1,149,961
10/11	$41,980.40	-	$34,873
11/12	$29,790.00	-	$270,162
12/13	$6,500.00	-	$307,869
13/14	$11,508.30	-	$265,398
14/15	$49,814.11	-	$468,226
15/16	$44,250.00	-	$244,660
16/17	$6,000.00	-	$504,484
17/18	$91,750.00	-	$719,845
18/19	-	-	$247,911
Average	**$35,374.34**	**-**	**$377,362**

Having a clear, justifiable framework for the expenditure of POS contributions provides clarity to developers and the community, improving transparency and accountability for funds that are collected and the manner in which they are used.

It is recommended that a detailed audit be undertaken to determine projected costs for POS capital projects for the life of the strategy, based on the POS gap analysis of the WOSS. The calculated contribution percentages can then be integrated into the Schedule to Clause 53.01 to provide more certainty to developers and the community when redevelopment opportunities arise in specific precincts. Potential precincts where this may apply are outlined in Section 6 of the WOSS, which has been included as **Appendix A** to this paper.

It is further recommended that the process for collection, management and expenditure of funds be clearly articulated in the WOSS implementation plan to support the effective and strategic delivery of POS within the municipality.

7. Recommendations

Given the above analysis, this paper makes the following recommendations to improve Wodonga's POS contributions requirements:

- Endorse the WOSS (and supporting Implementation Plan, Guidelines and Standards) and prepare a planning scheme amendment to implement the WOSS as reference documents in the LPPF.
- Introduce a Public Open Space Contribution Policy into the Wodonga LPPF, to outline the policy basis for seeking POS contributions at Clause 53.01, as well as setting out minimum dimensions and characteristics of land to be contributed and/or financial contributions criteria and the appropriate collection and management of POS funds. This would also define 'public open space' to specify types of land that do not form part of POS contributions (as per the WOSS) to mitigate the impacts associated with contribution of encumbered or inappropriate land.
- Retain Council's current five percent (5%) contribution rate requirement for residential areas, consistent with Clause 53.01 of the Wodonga Planning Scheme and the *Subdivision Act*, until further strategic work is undertaken to determine if specific precinct rate requirements are needed (as noted above).
- Amend the Schedule to Clause 53.01 for POS contributions to reflect the outcomes of the review, including an update to include a 5% contribution for commercial and industrial zones.
- Ensure that funds collected in lieu of 5% contribution from the commercial and industrial subdivisions are directly expended towards the enhancement of the open space infrastructure in these employment areas (e.g. via Precinct-based planning and capital expenditure allocation).
- For identified Growth Areas, it is recommended that liaison with the Victorian Planning Authority (VPA) be undertaken early to negotiate contribution rates through the Precinct Structure Planning process and that these are included in the Schedule to Clause 53.01.
- Establish standard permit conditions to minimise the need for Section 173 Agreements and provide more consistent delivery of POS outcomes.
- Undertake a detailed audit to determine projected costs for POS capital projects for the life of the strategy. This includes a specialist review of the historical POS contribution rates, recent VCAT decisions, and future need based on findings of the WOSS POS Gap Analysis to provide adequate strategic justification for any proposed changes to the default five percent (5%) rate requirement. The calculated contribution percentages can then be integrated into the Schedule to Clause 53.01 to provide more certainty to developers and the community when redevelopment opportunities arise in specific precincts.
- Undertake a review of the collection, administration and expenditure of the POS Reserve Fund contributions and provide guidance within the WOSS implementation plan for internal Council processes to better manage funds for POS improvements in a transparent and effective manner.

APPENDICES

Appendix A – Gaps in POS Distribution - WOSS Analysis Summary

Key Findings – Municipal Wide Recommendations (refer WOSS 6.2.1)

As outlined in WOSS Section 6.0, key findings regarding gaps in POS provision, distribution, and/or access are as follows:

- In terms of POS Hierarchy (size and catchment), the majority of POS within Wodonga is categorised as District (59%) and Regional (25% - which excludes the Hills). The smallest provision is for POS categorised as Local (16%). Refer to Appendix B - POS Classification Framework.
- In terms of POS Function, a large proportion of the municipal POS is categorised as 'Semi-natural' (46%) and 'Environmental Land – Smaller' (27%). The next largest category of POS is 'Sport and Organised Recreation' (19%) and only a small amount is categorised as 'Parks and Gardens' (8%). Refer to Appendix B - POS Classification Framework.
- There is also a significant amount of other environmental land (including the Hills, WREN land and Crown Land managed by others). Although these are excluded for the purposes of the WOSS, it is important to ensure sufficient resource allocation for management of this substantial environmental land estate.
- Although WREN lands and Vegetation Offset sites were excluded from the gap analysis, they may provide trails and key network connections to adjoining POS. It is also important to achieve improved outcomes at interfaces with these lands and to apply the principles outlined in the WOSS Interface Guidelines (Appendix E).
- Several identified gaps are located within residential developments that are either in-progress or planned for implementation in the near future. These estates generally have approved development plans and POS provision requirements. However, opportunities are identified where accessibility and quality of these public open spaces can be enhanced, as outlined in the WOSS POS Standards (Appendix D).
- East Wodonga (e.g. Bandiana and Killara) has no formal sporting facilities and future residential growth planned for this precinct will increase demand and access requirements
- South Wodonga (e.g. Leneva and Baranduda) has limited sporting facilities and increased demand may occur in existing development at Whenby Grange Estate and Kinchington Road estates as the Leneva-Baranduda growth area develops
- Leneva-Baranduda growth area has identified gaps in future provision of POS and additional local level public open spaces are required. Note: the catchment distances were estimated using a generic catchment circle (based on the proposed local parks and local sports reserves as identified in the Leneva-Baranduda PSP 2017 and not WREN land, which may indicated that gaps in POS provision are minor; however, the realised street network will likely reduce the 'reach' of a POS catchment.
- The Baranduda Fields major sport and recreation precinct will mainly function as a regional sporting facility. Additional local level facilities are required, as identified in the Leneva-Baranduda Precinct Structure Plan, to service the future new developments in the precinct.

Key Findings - Specific Precinct Recommendations (refer WOSS 6.2.2)

A summary of recommendations regarding specific precincts across the municipality is as follows:

- **The Wodonga precinct** – Generally has a good mix of POS Functions (reserves, parks, sports); however, requires new POS directly south and east of the CBA to address a gap in provision, including additional playground and sporting facilities to accommodate increasing demand in this higher residential growth region

- **The Gateway Island precinct** - Given the area is largely unpopulated, provision of open space in this region is sufficient. However, overall improvements are required for these open spaces for visitor use, access, environmental benefits, community events and recreation offers.

- **West Wodonga precinct** - Requires additional public open space in the undeveloped area south of the Hume Freeway, to serve the workers in this industrial precinct. Whilst the environmental hill reserves of Federation Hill and the Hunchback Hill Complex are located within this precinct, there is greater need for informal recreation and nature based District or Local open spaces.

- **Huon Creek precinct** - Whilst this residential pocket is surrounded by WREN land, it is lacking in useable open space and as such additional POS (Local with Standard Sport and recreation offers) is recommended

- **Bandiana precinct** - Additional POS are required to meet anticipated demand and high future residential growth, including for the Meridian and Riverside Estates. There is sufficient Regional scale Environmental Reserve functions with Huon Hill situated in the centre of the precinct; however all other POS Functions are required in the region.

- **Killara precinct** - POS in this precinct is generally comprised of Regional level Environmental Reserve Functions. Additional POS, play spaces and formal sporting facilities are required to meet anticipated open space demands and future residential growth, including within the southern Riverside Estate.

- **Leneva precinct -** The northern area of Leneva precinct constitutes the western portion of the significant Leneva-Baranduda growth area. Additional POS, play spaces and local-level sporting facilities are required to meet anticipated POS demands, particularly for Kinchington Road estates, until the Leneva-Baranduda growth area is developed and the proposed major sport and recreation precinct, Baranduda Fields, is implemented.

- **Baranduda precinct** - A majority of the precinct is agricultural land in the east, with the west comprised of the eastern side of the Leneva-Baranduda growth area. Implement proposed POS areas as per the Leneva-Baranduda PSP (which includes a mix of POS Functions) including the proposed major sports and recreation precinct, Baranduda Fields

Appendix B – Comparative review of provisions in schedule to Clause 53.01

The following tables compare various Victorian Councils and their rates contributions.
Note: merged cells mean the percentage applies to all columns.

Table 2 Comparative review of provisions in schedule to Clause 53.01 – All Victorian planning schemes

Council	Residential	Commercial	Industrial	Other zones	Specific areas	LPPF (POS Policy)
Regional						
Ballarat	5%	5%	5%	UGZ – 10% All other land – 5%	2 specific areas	
Bass Coast	5% (3+ lots)	5% (3+ lots)	5% (3+ lots)	MUZ – 5% (3+ lots)		
Baw Baw					2 specific areas	
Campaspe	5%			LDRZ – 2.5%		
Colac Otway	5% (3+ lots)	5% (3+ lots)	5% (3+ lots)	All other areas excluding FZ, RAZ, RCZ – 5% (3+ lots)	4 specific areas	
Greater Geelong	0-10% (based on no. lots)				3 specific areas	
Greater Shepparton	5%	5%	5%	ACZ – 5% RLZ, LDRZ, TZ – 3%		
Hepburn	5%	5%	5%			
Latrobe	5% (infill, cash preferred) – 8% (greenfield, land preferred)	2%	2%	MUZ – 5%	2 specific areas	
Macedon Ranges	5%	5%	5%	5%		
Mitchell					3 specific areas	

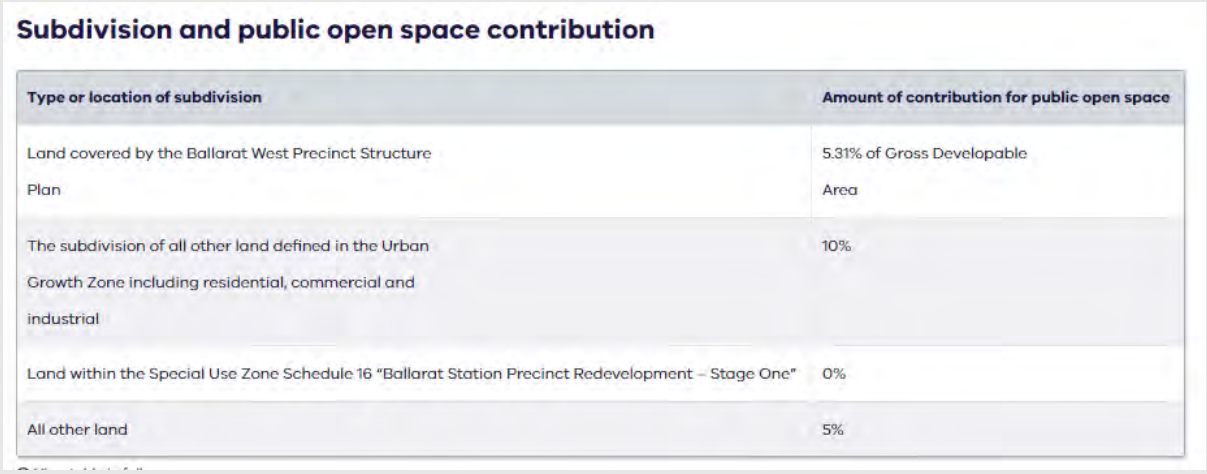
Council	Residential	Commercial	Industrial	Other zones	Specific areas	LPPF (POS Policy)
Moira	5%					
Moyne	5%			Rural residential – 1%		
Queenscliffe					1 specific area	
Southern Grampians					3 specific areas	
South Gippsland	5% minimum					
Surf Coast	0-5% (based on no. lots)	0-5% (based on no. lots)	0-5% (based on no. lots)	0-5% (based on no. lots)	2 specific areas	
Wangaratta	5%	5%	5%			
Warrnambool					2 specific areas	
Wellington				GRZ1, LDRZ, TZ, MUZ, RLZ – 5%		
Metropolitan						
Banyule	0-5% (based on no. lots)	0-5% (based on no. lots)	0-5% (based on no. lots)	0-5% (based on no. lots)		
Bayside	5%				5%+ on strategic development sites	Y
Brimbank	5%	5%	2.5%			
Cardinia	8%				Urban Growth PSP areas	
Casey	Varied across land areas based on a needs analysis plan					
Darebin	0-5% based on no. lots					
Glen Eira	5.7%	5.7%	5.7%	5.7%	1 location exempt	Y
Greater Dandenong	5%	2%		C2Z – 2%	5 specific areas (specific exemptions also apply)	

Council	Residential	Commercial	Industrial	Other zones	Specific areas	LPPF (POS Policy)
Hobsons Bay					2 specific areas	
Hume					Urban Growth PSP areas	
Kingston	5%				5 specific areas, 8%+ strategic development sites	Y
Knox	5-8.5%+ based on lot size					
Manningham					5 specific areas	
Maribyrnong	5.7% (can be increased for 10+ lot subdivision where land contributions provided)					Y
Maroondah	5%				1 specific area	
Melbourne	5-8% based on location					Y
Melton					Urban Growth PSP areas	
Monash	2-5% based on no. lots	5%				
Moonee Valley	5% (can be increased for 10+ lot subdivision where land contributions provided)					Y
Moreland	2.5-6.8% based on suburb					
Mornington Peninsula	5%	5%	5%		4 specific areas	
Nillumbik					3 specific areas	
Port Phillip	5%				1 specific area	
Stonington	5-8% based on suburb				1 specific area	
Whitehorse	4%				4%+ strategic development sites	Y
Whittlesea					3 specific areas and Urban Growth PSP areas	
Wyndham					Urban Growth PSP areas	
Yarra	4.5%					Y

Council	Residential	Commercial	Industrial	Other zones	Specific areas	LPPF (POS Policy)
Yarra Ranges					1 specific area	

Table 3 Comparative review of provisions specific to contributions from industrial subdivisions – small sample

Local Government	Schedule to Clause 53.01 provisions for industrial subdivisions	Industrial land contributions (Appendix B)
Ballarat	**Summary:** - Ballarat Local Government utilizes Clause 53.1 to collect contributions **from all subdivisions equally**, regardless of the type of subdivisions. - The contribution amount in Urban Growth Zone is 10%, in all other areas is 5%. - The Ballarat Open Space Strategy provides the basis for the open space contribution rationale and amount. - Open space contributions apply to **all geographical areas regardless the status of the open space provision locally**, as contributions address local, neighborhood and regional level requirements. **Open Space Strategy 2008 Ballarat Open Space Strategy** - Open Space Contributions are precinct-based and apply to all types of subdivisions – residential, commercial, industrial. The contribution amount ranges between 5-10%. - It is noted that the precincts that attract 5% contribution are at a lower level because they are generally rural, have minimum residential growth and allotment sizes are larger. - Where urbanised residential sub-division extends from a precinct requesting 10% to one of these more rural precincts, the open space contribution for these applications should be 10%. - Open space contributions can be made by either allocating appropriate land for establishment of open space within a sub-division or development or requesting a cash-in-lieu contribution. - Open space cash contributions apply to all geographic areas regardless of the status of open space provision in the vicinity of the subdivision or development. There does not need to be a direct relationship between a cash-in-lieu contribution and provision of local open space. This is based on the position that open space is provided on local, neighbourhood, district and regional levels. If neighbourhood open space	Subdivision within Urban Growth Area (incl industrial and commercial) – 10% All other land - 5%

	is well provided in an identified area, resources for open space improvements will be allocated to district or regional open space (e.g. sporting precinct, regional linkage). -  **Subdivision and public open space contribution** **Type or location of subdivision** / **Amount of contribution for public open space** Land covered by the Ballarat West Precinct Structure Plan — 5.31% of Gross Developable Area The subdivision of all other land defined in the Urban Growth Zone including residential, commercial and industrial — 10% Land within the Special Use Zone Schedule 16 "Ballarat Station Precinct Redevelopment – Stage One" — 0% All other land — 5%	
Glen Eira	**Summary:** - Glen Eira Local Government currently (2022) propose to amend the Glen Eira Planning Scheme in relation to Schedule to Clause 53.01 to increase the **flat public open space contribution requirement from 5.7% to 8.3% for all subdivisions** with the exception of the areas known as Caulfield Village and East Village. - The change in the scope of the open space projects committed to by the City of Glen Eira with adoption of the Strategy Refresh 2020 and **the value of the overall program required a re-setting of the contribution rate**. The new contribution rate will assist the Council to fund and implement the revised program of open space projects to meet the open space needs. - *City of Eira Open Space Strategy Refresh 2020 Update of the Public Open Space Contributions Program Final 2 November 2020* report provides background information and explains the method used to establish the recommended public open space contribution rate for inclusion in the schedule to clause 53.01 of the Glen Eira Planning Scheme. - The method is based on the following:	All subdivisions – 5.7%

	- The current public open space contribution rate of 5.7 per cent is linked to the 2014 Strategy. An update to the 2014 Strategy with preparation of the Strategy Refresh 2020 led to the identification of **additional land acquisition and park establishment projects that will be implemented over a 15-year period along with other additional open space improvements**. - The Council considers that the schedule to clause 53.01 continues to be the appropriate statutory mechanism for public open space contributions for the following reasons: - The public open space **contribution amount is fixed subject to a site valuation and cannot be appealed** to VCAT. **This gives the Council more certainty about its contribution income and its ability to implement the open space program.** - The public open space contribution rate to be levied is transparent and can be calculated by a developer ahead of subdivision. - The public open space contribution rate represents a fair apportionment of the costs of the open space program. It takes account of the open space needs and benefits for the future population. - The respective benefits in the form of total project value are each allocated to the existing population and the forecast, new population. With reference to the new population, **all subdivisions** (other than those expressly exempt by law) will need to contribute to open space acquisition and improvements as they will contribute in some part to the cumulative population change. **The current public open space contribution rate of 5.7 per cent is an averaged municipal rate.** The advantages of retaining a municipal open space contribution rate were considered as part of the re-calculation of the contribution rate. The Council adopts this approach for the following reasons: - **The rate is uniform across the municipality and does not advantage one developer over another**, and therefore it is neutral in terms of the Council's planning and development policy. - There is flexibility to negotiate a higher contribution rate for redevelopment sites and precincts that will experience high density development, e.g. East Village, potentially Caulfield Station. - The rate captures emerging areas of more intensive development that are not necessarily appearing in the current population and dwelling forecasts.	

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- A revised rate will not be required if redevelopment trends change and the property market focus shifts to new locations within the municipality, unless overall there is substantially more change than forecast

Subdivision and public open space contribution

Type or location of subdivision	Amount of contribution for public open space
All subdivision with the exception of: ▪ the area known as the Caulfield Village as delineated in the Caulfield Mixed Use Area Incorporated Plan February 2014; and ▪ the area generally south of Griffith Avenue and south of the existing electricity substation being part of the land known as East Village as shown on Plan 1 of the East Village Comprehensive Development Plan, May 2020 and shown as Main Catchment Area 1 in the East Village Development Contributions Plan, May 2020 .	5.7%

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<td>Wangaratta</td>
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Summary:

- Wangaratta Planning Scheme applies a flat rate of 5 % equally across all subdivision types in accordance with Wangaratta Recreation Strategy and Open Space Strategy 2012
- A Development Contributions Plans have been prepared for the Wangaratta North West and South which detail open space contributions. The Development Contributions Plan are incorporated documents of the Wangaratta Planning Schedule and implemented through the Development Contributions Overlay. Open space contributions are provided in accordance with the Development Contributions Plan, with contributions implemented through the Schedule to Clause 53.01.

Subdivision and public open space contribution

Type or location of subdivision	Amount of contribution for public open space
Residential zoned land	5% of Land or Land Value
Commercial zoned land	5% of Land or Land Value
Industrial zoned land	5% of Land or Land Value

View table in full screen
</td>
<td>All land in a Residential, Commercial, Industrial or Activity Cetnre Zone – 5%</td>
</tr>
</table>

<table>
<tr>
<td>Greater Shepperton</td>
<td>
Summary:

Greater Shepperton applies a flat rate of 5% equally across all subdivision types. The rates for residential, commercial and industrial land have been in the scheme since the new format planning scheme in 1999.
Greater Shepperton does not have a specific Open Space Strategy.

Subdivision and public open space contribution
<table>
<tr><th>Type or Location of Subdivision</th><th>Amount of Contribution For Public Open Space</th></tr>
<tr><td>Land in a Residential, Commercial, Industrial or Activity Centre Zone</td><td>5% of site value</td></tr>
<tr><td>Land in a Rural Living or Low Density Residential Zone</td><td>3% of site value</td></tr>
<tr><td>Land in Township Zone</td><td>3% of site value</td></tr>
</table>
</td>
<td>All land in a Residential, Commercial, Industrial or Activity Cetnre Zone – 5%</td>
</tr>
<tr>
<td>Greater Geelong</td>
<td>
Summary:

Greater Geelong does not have a specific Open Space Strategy, but uses Development Precinct Structure Planning process to establish open space requirements and development contributions for specific areas within Greater Geelong.
3.1% is specified contribution for subvidivison in an industrial precinct.

Subdivision and public open space contribution
<table>
<tr><th>Type or location of subdivision</th><th>Amount of contribution for public open space</th></tr>
<tr><td>See Waurn Ponds Creek Environs Subdivision Map 1</td><td>10%</td></tr>
<tr><td>See Armstrong Creek Urban Growth Area Map 2</td><td>10% (unencumbered)</td></tr>
<tr><td>The subdivision of land zoned for residential purposes</td><td>1 additional lot – none
2 to 9 additional lots – 1 per cent per additional lot, up to a maximum of 5 per cent
10 or more lots on land zoned for residential purposes prior to August 31st 2007 – 5 per cent
10 or more lots on land zoned for residential purposes after August 31st 2007 – 10 per cent</td></tr>
<tr><td>See Armstrong Creek Urban Growth Area – North East Industrial Precinct Map 3</td><td>3.1% (unencumbered)</td></tr>
</table>
</td>
<td>3.1% (unencumbered) in the industrial precinct.

A higher rate in urban growth areas and for residential subdivisions</td>
</tr>
</table>

Mornington peninsular	**Summary:** - Mornington peninsular applies a flat rate of 5% equally across all subdivision types outside of the Urban Growth Area, where the flat rate is 10%.	Subdivision within Urban Growth Area (incl industrial and commercial) – 10% Within all other areas (residential, industrial, commercial) - 5%

Subdivision and public open space contribution

Type or location of subdivision	Amount of contribution for public open space
Land bounded by Mornington-Tyabb Road, the boundary of the Residential 1 Zone between Mornington-Tyabb Road and Craigie Road; Craigie Road and Nepean Highway, Mornington as shown on Map 1 to this Schedule.	Land contribution Nine percent (9%) of the land to be subdivided, or Cash-in-lieu contribution Twelve percent (12%) of the site value of the land to be subdivided, or Combination contribution A land contribution equal to nine percent (9%) of a portion of the land to be subdivided plus a cash-in-lieu contribution equal to twelve percent (12%) of the site value of the remaining portion of the land to be subdivided.
Land affected by schedule 11 to Clause 43.02, being Design and Development Overlay Schedule 11 - *Mt Eliza (North Of Tower Road) Development Design* (DDO11).	Five percent (5%) of the site area or five percent (5%) of the site value of the land to be subdivided; and a further five percent (5%) of the site area or five percent (5%) of the site value of the land to be subdivided; with any cash in lieu contribution to be applied towards environmental improvement (including conservation land acquisition) in the Mt Eliza area generally The calculation of this further five percent (5%) may be discounted by the area or site value of any lot that contains a dwelling that existed at 19 May 2005; provided that the total public open space contribution is equivalent to no less than $10,000, indexed in accordance with the CPI, for every new lot created.
1440 Frankston-Flinders Road Tyabb (Lot 2, LP 91280, Vol 8877 Fol 905).	Land contribution Seven and a half percent (7.5%)
Other Residential subdivision.	Five percent (5%)
Commercial.	Five percent (5%)
Industrial.	Five percent (5%)

The following councils did not use the schedule to Clause 53.01:

Table 4 Summary list of Councils with no provisions in the schedule to Clause 53.01

Regional	**Metropolitan**
Alpine	Boroondara (specified in POS Contributions Policy)
Alpine Resorts	Frankston
Ararat	Port of Melbourne
Benalla	
Buloke	
Central Goldfields	
Corangamite	
East Gippsland	
French Island and Sandstone	
Gannawarra	
Glenelg	
Golden Plains	
Greater Bendigo	
Hindmarsh	
Horsham	
Indigo	
Loddon	
Mansfield	
Mildura	
Moorabool	
Mount Alexander	
Murrindindi	
Northern Grampians	
Pyrenees	
Strathbogie	
Swan Hill	
Towong	
West Wimmera	
Yarriambiack	

Appendix C – Treatment of encumbered land in local government open space strategy planning

Local government	Open space strategy	Council position on Encumbered land	Desired Standard of Service for POS Encumbered land definitions
Surf Coast Shire, Victoria	Open Space Strategy 2016-2025 https://www.surfcoast.vic.gov.au/files/assets/public/01-about-us/council/council-meetings-and-minutes/council-agendas-amp-minutes/2016/28-january/item-4.1-appendix-1-open-space-strategy-2016-2025.pdf	The Open Space Strategy contains Guiding principles that outline the over-arching intentions for the provision and management of open space for the Surf Coast Shire (p. 19) This includes approach to encumbered land: Protection and preservation - The current standard of the Council-managed open space network will at least be maintained, and where possible, improved. Council will ensure that there is no net loss of existing open space. Council will ensure that all additions to the network to meet planning scheme requirements are unencumbered and enhance the open space network. As custodians of the environment, Council values the range of goods and services that ecosystems provide to the community and recognised the important role that healthy and resilient ecosystems play in the lives of present and future generations. New infrastructure easements where the primary function is for drainage, telecommunications, pipelines etc are not considered open space. Encumbered open space that contains, for example, natural and cultural heritage values or fall within floodplains or areas of high fire risk, is not	Council has established Desired Standards of Service, which identify Land characteristics requirements for type of POS. Typical requirements include: Gradient - Sport recreation - Minimum 1:80 for all playing surfaces; Parklands - Average grade of 1:20 for main use areas, 1:50 for kick-about area, variable topography for remainder; Flood immunity - 100 year ARI for play node infrastructure and main use areas; 20 year ARI for kick-about; 5 year ARI for remainder

Local government	Open space strategy	Council position on Encumbered land	Desired Standard of Service for POS Encumbered land definitions
		considered as part of the formal planning scheme requirements for open space. Both infrastructure easements and encumbered open space are to be designed in a manner that enhances the open space network and meets the open space principles in this Strategy,	
Bayside City Council, Victoria	Bayside Open Space Strategy 2012 Open Space Strategy Cover Page.indd (bayside.vic.gov.au)	**Policy 3.2 Public Open Space Contributions** Council will seek contributions of five per cent or more, subject to the negotiation of a development plan, on strategic sites as defined by the Bayside Open Space Strategy, Council or the State Government. - For all other land, Council will seek contributions of five per cent of land area (as either cash or land), pursuant to Clause 52.01 of the Planning Scheme. - This contribution is required to assist in the implementation of Council"s capital works program for open space development. The capital works program is based on a suburb based analysis of local needs and participation trends. - **Whether cash or land is accepted for the public open space contribution will depend on the recommendations contained within the Bayside Open Space Strategy**: Suburb Analysis and Action Plan for that suburb.	**Encumbered land should not be included in the provision of open space.** Encumbered land is generally defined as land that cannot be normally considered developable for residential purposes. This includes: • land subject to one in 100 year flooding • land that would be excluded from development due to conservation of flora and fauna values • land that is steeply sloping (i.e. greater than one in three slope) or subject to landslip • land that is affected by a servicing easement (eg. high voltage power lines, water pipe and sewer easements).

Local government	Open space strategy	Council position on Encumbered land	Desired Standard of Service for POS Encumbered land definitions
		- If the contribution is land, **the amount of land which will count towards the five per cent public open space contribution must be unencumbered land,** - Council may also accept additional contributions of encumbered land, through negotiations with the developer.	**The five per cent contribution** therefore **should be provided on land that is not encumbered** in this manner
Sunshine Coast Council, Queensland	Open Space Network Plan 2017 https://d1j8a4bqwzee3.cloudfront.net/~/media/ELS/Resource%20Hub/ELS%20Part%20C%20Extracted%20Pages/Open%20Space%20%20Network%20Plan.pdf	Open Space Network Guiding Principles p. 46 Land suitability Land for open space must be suitable for its intended role and function. **Suitable land** includes land that: • is outside of the erosion prone area as defined by the *Coastal Management and Protection Act 2005* • lies above the 5% AEP (1 in 20) flood level • is developable under environment related restrictions such as the *Vegetation Management Act 1999* • is free of health and safety hazards and encumbrances, ie easements and other utilities such as drainage, sewerage pump stations, electrical transformers and high voltage power lines • is relatively level with a natural slope less than 25% • is not required for: - a buffer, esplanade or utility easement - drainage purposes - utility infrastructure or services - storm water treatment or detention - underground infrastructure and services - future transport infrastructure or services • is outside land designated for road reserve and at least 50m from easements with conflicting purposes • is uncontaminated • is unconstricted by existing infrastructure or utilities.	Desired Standard of Service by Function The typical minimum requirements include: Topography and gradient • Activity areas (plazas, playgrounds, kick and throw spaces) have a gradient of no more than 3%. Flood immunity • Land above 5% AEP (1 in 20). • Key infrastructure and activity areas (ie playgrounds/ exercise equipment, picnic/kick and throw spaces, bins, pathways, fencing, access and car parking etc.) above 2% AEP (1 in 50). • Buildings/structures above 1% AEP (1 in 100). • Stormwater flows do not compromise function or safety in the park.

Local government	Open space strategy	Council position on Encumbered land	Desired Standard of Service for POS Encumbered land definitions
		Exemptions may occur where a proposal can demonstrate the constraints are required or advantageous to the role and function of the open space area (ie amenity reserves and landscape corridors may protect vegetated areas, recreation trails are often located in areas that are otherwise constrained, slope may facilitate a recreational activity). Where topography requires additional land to achieve the required role and function, land area should be increased from the minimum size. Redevelopment of existing open space areas should also consider the above requirements and seek to avoid or mitigate development in areas where land may be unsuitable.	
Douglas Shire Council, Queensland	Desired Standards Of Service Planning Scheme Policy https://douglas.qld.gov.au/download/council_meetings/meeting_agendas/3.1.1%20Desired%20Standard%20of%20Service.pdf	Desired Standards of Service for Public Open Space Land Land provided for parks, recreation, and sport is not constrained by physical, environmental, or other hazards.	

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