

22.0915/06/2017
C66(Part 1)**PUBLIC OPEN SPACE CONTRIBUTIONS**

This policy applies to applications for the subdivision of residential, commercial and industrial land. The purpose of the policy is to identify how Council will collect and use public open space contributions. It is to be applied in conjunction with clause 52.01 – public open space contribution and subdivision.

Policy Basis

The *Wangaratta Recreation Strategy and Open Space Strategy, 2012* has identified deficiencies in the distribution of open space, the quality of land upon which open space is established and the level and quality of recreational facilities. To ensure that community needs are met now and in the future the *Wangaratta Recreation Strategy and Open Space Strategy, 2012* includes actions and policies to improve the open space system throughout the municipality of Wangaratta, and to guide Council decision making and statutory planning outcomes.

Objectives

- To implement the Wangaratta Recreation Strategy and Open Space Strategy, 2012.
- To implement the recommendations of the *Glenrowan Township Development Plan, Revised November 2016, Oxley Township Development Plan, Revised December, 2016 and Milawa Township Development Plans, September 2015* relating to provision of future public open space and proposed open space links.
- To obtain appropriate and sustainable contributions towards open space and recreation infrastructure at the time of subdivision.
- To identify when and where land contributions, financial contributions or a mixture of land and financial contributions are to be sought.
- To identify where suitable open space and recreation infrastructure is to be provided in order to satisfy the public open space contribution requirement.
- To provide funding towards improving the existing open space network to ensure it is safe, fit for purpose and accommodates various levels of activity in the community.
- To direct the future provision of open space and open space links to areas identified in the Access Movement and Open Space plans (Figures 1-3) for Glenrowan, Oxley and Milawa Townships.

Policy

It is policy that:

- New residential, commercial and industrial subdivision is levied at the rate specified in the Schedule to Clause 52.01 Public Open Space Contribution and Subdivision.
- Public open space contributions in the form of land and financial contributions will be requested and/or accepted at Council's discretion, in accordance with the *Wangaratta Recreation Strategy and Open Space Strategy, 2012*.
- Three or more lot subdivisions of residential, commercial and industrial zoned land are to make a 5% open space contribution.

- In the Townships of Glenrowan, Oxley and Milawa, collect open space contributions for land in the Township Zone and Commercial Zone.
- In the Townships of Glenrowan, Oxley and Milawa where land is in a zone other than the Township or Commercial Zone, open space is to be provided in accordance with the Access, Movement and Open Space Plans (Figures 1 - 3).
- Where land is to be accepted the land is to be shown on the Plan of Subdivision. Land will be requested in new subdivisions and locations where there is an identified undersupply of public open space. The provision of open space and recreational infrastructure should consider any relevant strategic plans for the land and surrounds. The open space is to be fit for purpose and of a suitable size, location and usefulness. Open spaces are to integrate with the existing and planned network of open spaces.
- Where financial contributions are to be accepted the requirements is to be a condition on the Planning Permit. Financial contribution will be collected where there is sufficient land for public open space, but insufficient recreational infrastructure. Collected funds will be for improvements to the existing open space network and recreational infrastructure in accordance with any relevant Council management plan or master plan for open space/recreation.
- In the Glenrowan, Oxley and Milawa Townships only unencumbered land and land identified as new links and open space, or adjacent to existing links or open space, shown on Glenrowan, Oxley and Milawa Access Movement and Open Space Plans (Figures 1 - 3) will be accepted as a land contribution, otherwise a cash contribution will be preferred in these Townships.
- Open space that is provided as part of subdivisions should be developed fully and established under an agreed maintenance regime prior to being handed over to Council.
- Only unencumbered land will be counted towards a public open space contribution. Encumbered land is generally defined as land that cannot be normally considered developable for residential purposes. This includes:
 - Land subject to a 1 in 100 year floodway
 - Land that would be excluded from development due to the need to conserve flora and fauna values
 - Land that may be contaminated
 - Land that is steeply sloping (i.e. greater than one in three slope) or subject to landslip, or
 - Land that is affected by a servicing easement (e.g. including but not limited to high voltage power lines, water pipe and sewer easements).
- Any encumbered land that is offered to Council is at Council's discretion to accept. Any such land is to be adjoining other unencumbered open space to maximise the corridor and habitat value.

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Policy References

Wangaratta Recreation Strategy and Open Space Strategy, 2012

Glenrowan Township Development Plan, Revised November, 2016

Oxley Township Development Plan, Revised December, 2016

Milawa Township Development Plan, September 2015

Figure 1 – Glenrowan Access, Movement and Open Space Plan



Figure 2 – Oxley Access, Movement and Open Space Plan

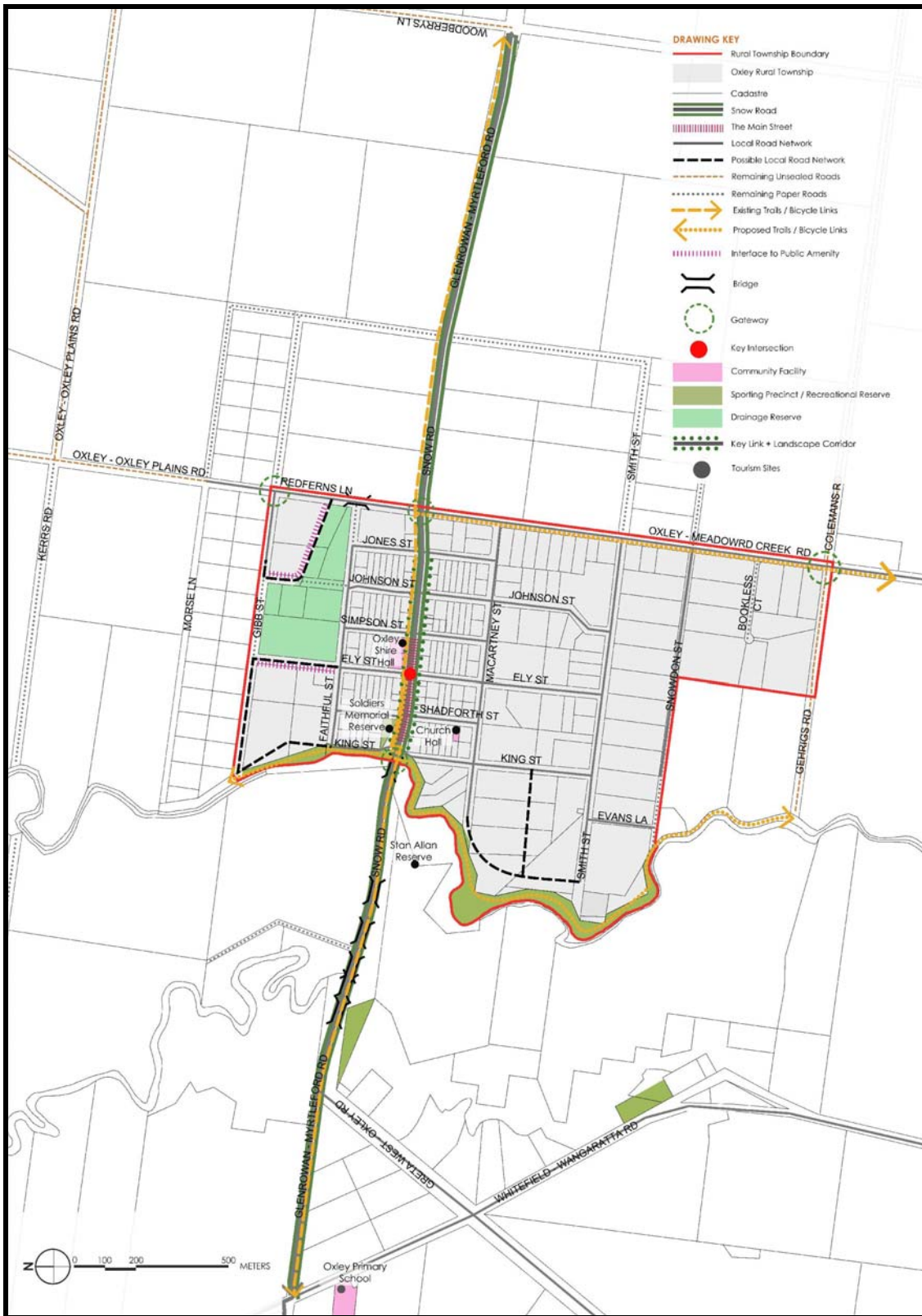


Figure 3 – Milawa Access, Movement and Open Space Plan

