

	Function: DEVELOPMENT SERVICES	Adopted: 6 TH AUGUST 2014
	Policy Number: DEV008	Resolution No.: C157:14
	Version Number: 1	Last Review: 5 TH APRIL 2017
	Frequency of Review: As required	Resolution No.: C73:0417
Next Review: As required		
OPEN SPACE POLICY		

Policy Statement

When land is subdivided the Development Act 1993 requires that a minimum percentage of the total land area that is the subject of the development be allocated towards open space or, alternatively, a cash contribution be made in lieu of the actual provision of land. A policy is required to ensure consistency in the allocation of the land for this purpose.

1. Introduction

Purpose of Policy

The purpose of the Open Space Policy is to provide applicants (for development requiring the provision or inclusion of open space areas) with an understanding of Council's requirements in relation to the type and quality of public open space to be provided.

Objectives of Policy

The objectives of the Open Space Policy are:

- a) To ensure a variety of open space areas are provided for active and passive use depending on the needs of a particular area. This includes local and district parks and linear parks.
- b) To comply with legislative requirement to provide 12.5% of the total land area that is the subject of a development, with the option of making an in lieu cash contribution at Council's discretion.
- c) To ensure land intended for parkland is useable for its intended purpose and complements other open space areas and will be reasonably accessible to local residents and other users, i.e. be suitable for the activities likely to be undertaken and capable of future development consistent with its proposed use.
- d) To encourage the retention of natural vegetation and landscape features, such as natural watercourses to be incorporated into parkland design wherever possible.
- e) To ensure the shape of the open space maximises its usability (e.g. a square or circular shape generally has the greatest use potential for a sports field, whereas a linear shape is suitable for a linkage).
- f) To ensure only land actually used as park is classified as Community Land in accordance with *Section 193* of the *Local Government Act 1999*.

Lifestyle location of choice

2. Applicable Legislation

Development Act 1993
Development Regulations 2008
Local Government Act 1999

3. Integration with Corporate Objectives

Environmental Objective Sustainability

- a) To responsibly manage the natural and built environment to ensure its sustainability and diversity to the community

4. Definitions

Local Reserve are defined as a “walk to” area of open space generally of 1000m² - 1500m² in area and serving the people of one residential neighbourhood (usually within a radius of 300m of another Local Reserve but not within 500m from a Local Park). It provides informal recreational opportunities close to home for the local community. Typical facilities may include native grass, trees and seating. It has a fortnightly mowing schedule (meaning it is a low maintenance area).

Local Parks are defined as a “walk to, ride to, drive to” park generally of 4000m² in area and serving the people of one or more residential neighbourhoods (usually within a radius of 750m). It provides informal recreational opportunities close to home for the local community. Typical facilities may include playground equipment, picnic tables, shelters, BBQ facilities, native grass areas, irrigated lawn and seating. It has a weekly mowing schedule (meaning it is a high maintenance area).

Linear Parks serve a number of important purposes including:

- (a) to preserve unique natural features;
- (b) to provide wildlife habitat and corridors;
- (c) to provide opportunities for walking, bicycle or riding trails;
- (d) to provide linkages to other open space areas so as to establish an integrated open space network.
- (e) to provide street to street access;
- (f) linking open space areas;
- (g) the provision of cycle ways and pathways;
- (h) providing access to parks, schools, shops etc; and
- (i) esplanade and waterfront parks.

It has a fortnightly mowing schedule (meaning it is a low maintenance area).

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District Recreation Areas are generally large parks (1.0 - 3.0ha in size), that provides a venue primarily from organised recreational activities at a town, region or state level. Potential users would live within the Copper Coast, neighbouring Councils and for annual events across the State of South Australia. These parks should be suitable for a wider variety of formal recreational use and suitable for the establishment of facilities such as, sports playing fields, public amenities, community centres, clubroom etc. It is common for these areas to also cater for informal recreation and include facilities such as playgrounds, picnic and barbecue areas.

5. Application

The application of this Policy is dealt with under the following topics:

- 5.1 *Provision of land or in lieu cash contribution*
- 5.2 *Land not suitable to be credited towards provision of open space*
- 5.3 *Design criteria for parks*
- 5.4 *Minimum development requirements for parks*
- 5.5 *Community land*

5.1 **Provision of land or in lieu cash contribution**

In terms of this Policy the following shall apply:

- a) Provision of land is preferred to a cash contribution, where no other Local Park exists within 750 metres. Cash in lieu contributions may be considered at the discretion of the Chief Executive Officer or the Director Development Services where the provision of land is not practical.
- b) Land can be contributed towards the creation of a Local Reserve or (in part or full) provision of a Local Park or as a Linear Park.
- c) A combination of the provision of land and an in lieu cash contribution may be considered where appropriate at the discretion of the Chief Executive Officer or the Director Development Services. Where a park is developed to a greater extent than the minimum requirement stipulated in Section 5.4 of this Policy it may be considered as having made a cash contribution to the value of the excess improvements. Any such improvements have to be agreed to be Council to be credited towards a cash contribution.

5.2 **Land not suitable to be credited towards provision of open space**

- (a) As a guide, Council may refuse to accept land credited towards the provision of open space where such land:
 - (i) does not safely and effectively contribute to the network of parks and open space areas;
 - (ii) is subject to Q5 flood inundation;
 - (iii) is less than 15m wide unless a linkage function can be shown. (Lesser widths are considered to pose a security risk and are generally not acceptable as parkland. Council may require that an easement be provided instead of a reserve for a drainage route);

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- (iv) has an area of land less than 1000m² or more than 1500m² for a Local Reserve, or 4000m² for a Local Park;
 - (v) is contaminated land or otherwise in a potentially hazardous area;
 - (vi) is excessively steep (i.e. more than 1 in 5); or
 - (vii) contains easements, detention basins or overland stormwater flowpaths.
 - (viii) is required for landscaping, wastewater disposal or interface as part of any relevant consent
- (b) Flood plains, wetlands, creek corridors and drainage management facilities and devices are part of water cycle management and may not be considered as part of contributions for Open Space. However it is often appropriate to use the water cycle management network to facilitate linkages between Open Space areas, to provide connectivity for pedestrian paths and cycle ways and to allow for widening of corridors to accommodate public parks at suitable intervals. This may be preferable in some cases to the establishment of isolated small parks.

5.3 Design criteria for parks

a) *Local Reserve*

Figure 1 below is a guide to the design criteria for Local Reserves in terms of visibility from roads, accessibility, positioning of play equipment, etc.



Figure 1

Lifestyle location of choice

b) Local Parks

Figure 2 below is a guide to the design criteria for a Local Park in terms of visibility from roads, accessibility, positioning of play equipment, etc.

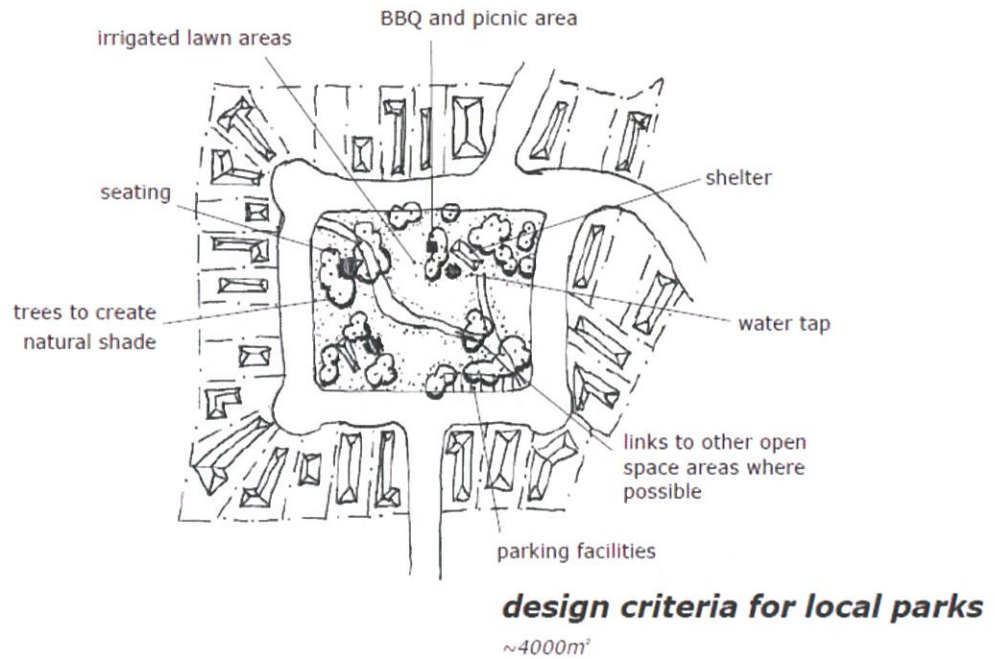


Figure 2

c) Linear parks

The design of a linear park will depend on the purpose the park intends to serve.

d) District Recreation Areas

Figure 3 below is a guide to the design criteria for District Recreation Areas in terms of visibility from roads, accessibility, positioning of play equipment, multiuse areas, etc.

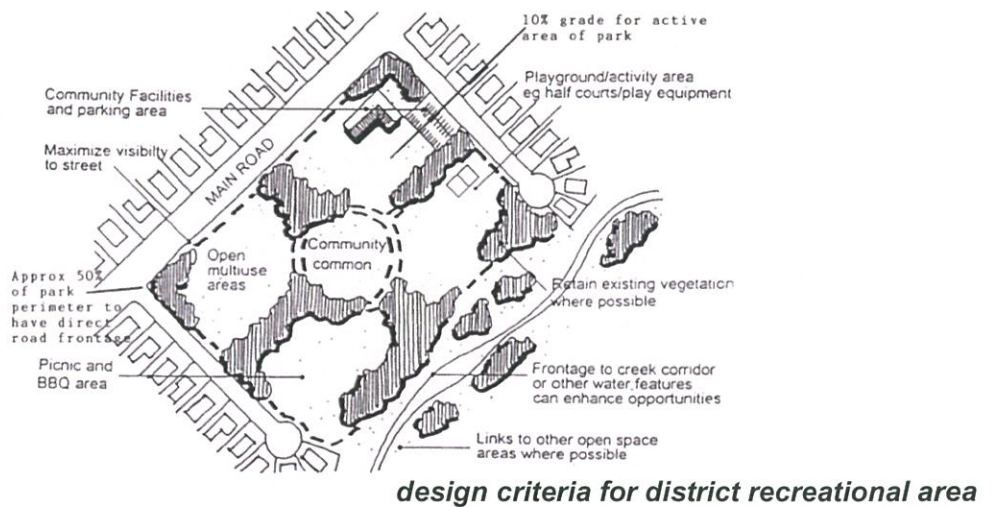


Figure 3

Lifestyle location of choice

5.4 Minimum development requirements for parks

a) *Local Reserve*

Any Local Reserve provided as part of a development will require the following minimum development:

- (i) The park should be grassed with a grass species stipulated by Council.
- (ii) Trees to create shaded areas (trees to be shown on a landscape plan).
- (iii) Seating.
- (iv) At least one water connection point with tap should be provided.
- (v) Further development of the park may be negotiated with Council as indicated in Section 5.1 of this Policy.

b) *Local Park*

Any Local Park provided as part of a development will require the following minimum development:

- (i) The park should be grassed with a grass species stipulated by Council.
- (ii) Irrigated lawn areas.
- (iii) Trees to create shaded areas (trees to be shown on a landscape plan).
- (iv) Shelters, picnic tables and seating.
- (v) BBQ facilities
- (vi) At least one water connection point with tap should be provided.
- (vii) Bitumen sealed line marked car parks should be provided. The number of car parks must be in accordance with the function of the park and shall be negotiated with Council.
- (viii) Further development of the park is encouraged and may be negotiated with Council as indicated in Section 5.1 of this Policy.

c) *Linear parks*

Will depend on the function of the park. The minimum development requirements may include provision of water points, walkways, etc., depending on the purpose and function of the park.

d) *District Recreational Area*

The detailed planning and development of these areas need to be in consultation with Council based on community needs. It is important that a District Recreational Area be one joined piece of land instead of scattered parcels.

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5.5 Community land

Only land that is developed to serve the purpose of active or passive open space and accredited as such shall be registered as *Community land*. Land provided as open space to serve a function other than as a Local Reserve, Local Park, Linear Park or District Recreational Area (e.g. such as stormwater management) shall be shown as such on the plan of land division and shall not be included in Council's *Register of Community Land*.

6. Delegation

Any negotiation of the provision of land towards open space, cash in lieu contributions or the acceptable level of development of the open space shall be at the discretion of the Chief Executive Officer or the Director Development Services.

7. Adoption and Review

This Policy will be reviewed as required, with the review being undertaken by the Development Services Department and a report provided to Council for consideration and adoption.

8. Availability of Policy

This Policy will be available for inspection without charge at the Council's Principal Office and on Council's website.

A copy of this Policy may be obtained on payment of a nominated fee from Councils' principal office or may be down loaded from Councils' website.

Signed

Mayor

Date 18th April 2017

Signed

Chief Executive Officer

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