

**22.02 PUBLIC OPEN SPACE CONTRIBUTION**28/06/2012  
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This policy applies to all subdivision of three lots or more.

**22.02-1 Policy Basis**28/06/2012  
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The Moonee Valley Planning Scheme sets out broad directions for open space planning in its MSS.

Public open space is highly valued within the City of Moonee Valley and fulfils a wide range of functions. Overall, the City has a wide network of open space reserves ranging from waterway corridors, historical gardens, large sporting reserves and a network of smaller open spaces. However, open space is not equally distributed and gaps have been identified across the municipality where residents have to walk further to access open space.

The Moonee Valley Open Space Strategy identifies where there is adequate open space to meet existing resident needs and where there are deficiencies. It has also determined areas where increases in population and development will drive demand for new open space or upgrades of existing reserves.

Public open space contributions from developers are one of a number of potential resources for the acquisition of land for public open space and the improvement of existing facilities on behalf of new populations. The contribution can be either land or cash at Council's discretion and is levied at the time land or buildings are subdivided.

Because public open space contributions can only be imposed at the subdivision stage, it is important for developers to ascertain at the site analysis stage of the development design process whether any part of the site might be required for public open space purposes where the site:

- is an area where a land contribution may be sought on Map 1; and
- fits the selection criteria for public open space in Clause 22.02-3

**22.02-2 Objectives**28/06/2012  
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- To implement the Moonee Valley Open Space Strategy.
- To identify when and where land contributions for public open space are preferred over cash contributions.
- To ensure that where appropriate, land suitable for public open space is set aside as part of the design of a development so that it can be transferred to or vested in Council, to satisfy the public open space contribution requirement.

**22.02-3 Policy**28/06/2012  
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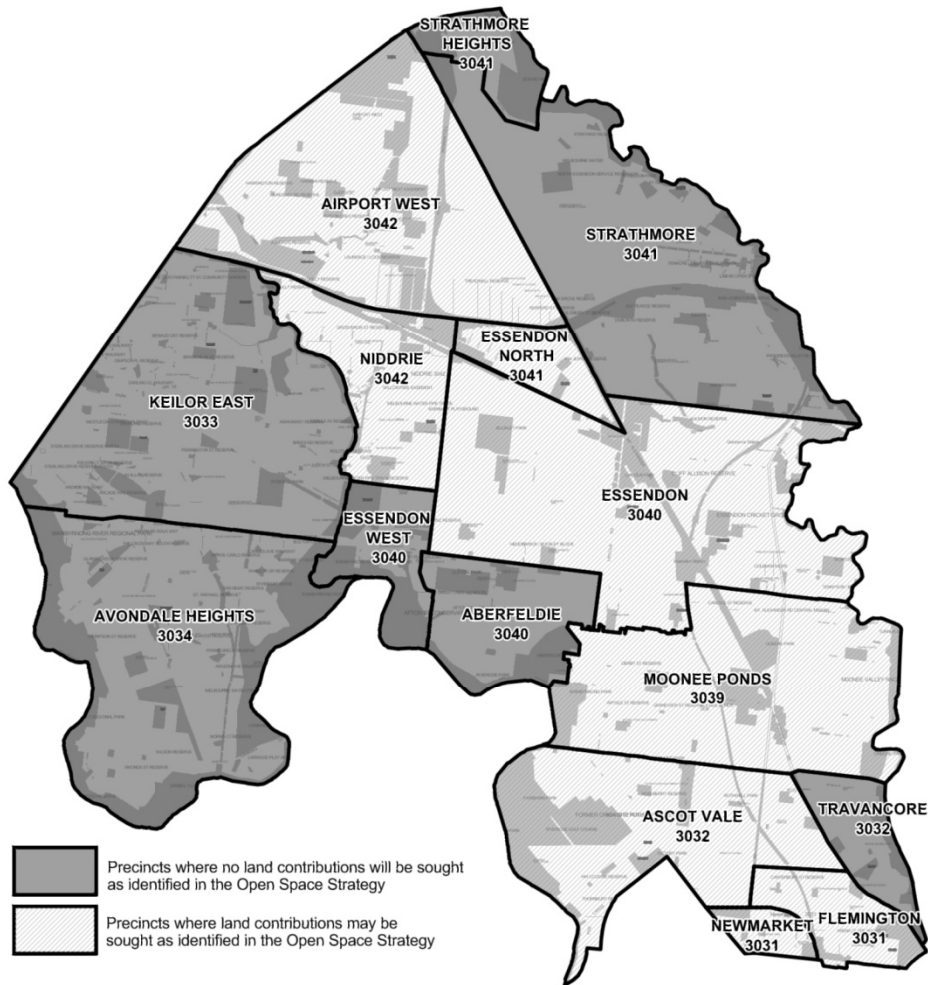
It is policy that:

**Location**

Land contributions for public open space will generally be preferred over cash contributions for the purposes of Clause 52.01 of the scheme within the areas identified in Map 1. Land will be requested and accepted at Council's discretion, in accordance with the open space land requirements identified in the Moonee Valley Open Space Strategy.

In all other areas of the municipality, a cash contribution equal to the amount specified in Clause 52.01 is preferred, at Council's discretion.

**Map 1 – Moonee Valley Open Space Strategy, Sub-precincts**  
**Selection criteria for public open space**



In locations where a land contribution may be sought over a cash contribution, it is policy that the following criteria to be used to determine whether any part of the land in a development proposal is appropriate to be contributed as public open space at the time of the subdivision of the land or building. Land to be contributed:

- Should meet the minimum size for the site to meet its intended purpose, on its own or in combination with adjoining land. The minimum size parcels for each type of open space are as follows:
  - Regional open space, unlimited
  - Municipal open space, minimum 3 hectares
  - Neighbourhood open space, minimum 1 hectare
  - Local open space, minimum 0.25 hectares (up to 0.99 hectares)
  - Small local open space, 0.03 hectares (up to 0.25 hectares) minimum width of 10 metres wide in at least one direction
  - Small local link space, minimum 5 metres wide
- Should be accessible or have potential to be accessible

- Should not be affected by adjoining land use in a way that diminishes the ecological, social or cultural value of the open space
- Should enhance the liveability of neighbourhoods by providing visual relief and adequate levels of sunlight
- Should be in good physical condition (e.g. free of contamination and weed infestation)
- Should contribute to habitat corridors and the protection and enhancement of biodiversity
- Should enhance any indigenous and non-indigenous heritage values
- Should contribute to the character and attractiveness of the neighbourhood
- Should take into consideration contribution to wider open space network including forming open space corridor links
- Should not be unduly restricted by services or easements
- Should be visually prominent and generally accessible by at least two access points or local roads
- Should have potential to accommodate a range of formal and informal recreational uses
- Should be close to a range of transport options such as public transport, linear shared trails and major roads

Land that does not meet all of the above criteria may still be appropriate as open space for the purposes of Clause 52.01.

### **Design**

In locations where this policy has identified a preference for a land contribution rather than a cash contribution, an applicant should consult the responsible authority very early in the site analysis phase of a proposal to ascertain whether any part of the land might be suitable and required for public open space purposes.

The design of a building on land where public open space will be required should accommodate the provision of public open space in a manner that meets the selection criteria for public open space.

If a contribution under Clause 52.01 is likely to be imposed as a land contribution, and the responsible authority is satisfied that an additional part of the land which generally meets the selection criteria for public open space in Clause 22.02-3 should be acquired, the responsible authority should consult with the applicant to determine whether the development application could be modified to enable provision of the additional land to Council at Council's cost.

### **Land Contributions greater than 5%**

#### **Land contributions greater than 5% may be required for the subdivision of land into more than ten lots when located within the precincts where land contributions may be sought,**

- Land contributions greater than 5% should have regard to:
  - 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 Moonee Valley Open Space Strategy
  - Any other relevant strategic planning documents

**22.02-4 Reference Documents**

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*Moonee Valley Open Space Strategy 2009*

*Moonee Valley Open Space Strategy: Open Space Contributions Program, Environment & Land Management Pty Ltd in association with Thompson Berrill Landscape Design Pty Ltd, March 2010*