



Local Planning Policy 32 – Public Open Space (LPP32)

Management Procedure

Relevant Delegation



Contents

1. Purpose	4
1.1 Introduction:	4
1.2 Application of the Policy:.....	4
1.4 Statutory Requirements:.....	4
1.4.1 Relationship to POS Strategy/ Policy/ Local Planning Scheme No.3:	4
1.4.2 Relationship to other State Planning/ Development Control Policies:.....	5
1.5 Policy Objectives:	5
2 Policy Statement:.....	6
2.1 POS Requirements at Subdivision.....	6
2.1.1 Unrestricted POS.....	7
2.1.2 Restricted POS	7
2.1.3 Cash-in-lieu	7
2.1.4 Expenditure of Cash in Lieu Funds	8
2.2 Information Required.....	11
2.3 Allocation and Distribution of POS	12
2.3.1 Exceptions	12
2.3.2 Sport POS	13
2.3.3 Nature POS.....	13
2.3.4 Recreation POS	14
2.3.5 Community Purpose Sites	14
2.4 Urban Water Management.....	15
2.4.1 Drainage Management Area	15
2.4.2 Unacceptable Drainage Outcomes	15
2.5 Location and Design of POS.....	15
2.5.1 Location.....	15
2.5.2 Co-location of POS with School Sites.....	16
2.5.3 Design of POS	16
2.5.4 Sport POS Design	17
2.6 Development of POS.....	18
2.7 Development, Maintenance and Handover of POS.....	18

- 2.8 Consultation19
- 3 Matters to be considered20
 - 3.1 Application of this policy.....20
- 4 Definitions20

- Schedule 1 – POS Categories.....22
- Schedule 2 – Public Open Space Hierarchy25
- Schedule 3 – Model Templates29
 - Local Open Space29
 - Neighbourhood Open Space.....30
 - Neighbourhood Open Space (Sports)31
 - District Open Space.....33
- Schedule 4 – Responsibilities.....37

1. Purpose

The purpose of this Policy is to ensure that there is adequate and well distributed Public Open Space (POS) throughout the City of Kalamunda (the City) that is fit for purpose and sustainably developed and maintained.

1.1 Introduction:

The City recognises that there are significant social, health, environmental and economic benefits in providing appropriately located, functional and attractive POS to the community. These spaces are pivotal in influencing suburbs to become communities by implementing positive lifestyle and recreation opportunities, venues, events and programs and active sporting pursuits. The City has developed this Public Open Space Policy (the Policy) to ensure the future protection, provision and management of valuable POS sites to meet the ongoing needs of the community.

There are significant future urban areas identified State Government planning frameworks which will result in the delivery of significant areas of POS. This Policy will be a critical guiding document to shape an appropriate land area, function and design standard of POS.

The Policy has been developed in response to the Strategies and Actions of the POS Strategy which was adopted by Council in May 2018 (POS Strategy).

1.2 Application of the Policy:

The Policy is to be applied by applicants, the City and Council in the design, assessment, and determination of various planning proposals including but not limited to:

- a) Scheme amendments;
- b) Structure plans;
- c) Activity Centre Plans;
- d) Precinct Plans;
- e) Local Development Plans;
- f) Subdivision applications;
- g) Development applications;
- h) Cash-In-Lieu Requests;
- i) Reserve Master Plans;
- j) Community Facilities Plan;
- k) Public Open Space Plans;
- l) Public Open Space Strategy;
- m) Water Management Plans; and
- n) Other Relevant Strategies and Plans.

1.4 Statutory Requirements:

This Policy has been prepared in accordance with Schedule 2 of the *Planning and Development (Local Planning Scheme) Regulations 2015* (the Regulations).

1.4.1 Relationship to POS Strategy/ Policy/ Local Planning Scheme No.3:

This Policy is a local planning policy prepared and adopted pursuant to Part 2 of Local Planning Scheme No.3 (Scheme) The Policy augments and is to be read in conjunction with the provisions of the the City's POS Strategy (City of Kalamunda, May 2018) and Scheme provisions relating to reserves.

If there is a conflict between this Policy, the POS Strategy and the Scheme, then the Scheme shall prevail.

Where figures such as POS provision, sports space provision and other data sources are required as part of the application of this Policy, the main source of information should be the City's POS Strategy.

For Regional Parks and Recreation, Foreshore Reserves, Bush Forever or other types of POS for which the statutory responsibility lies with the Western Australian Planning Commission (WAPC) or other State Government body, the City will seek guidance from this Policy where it has been referred to for comment.

1.4.2 Relationship to other State Planning/ Development Control Policies:

This Policy has due regard to and should be read in conjunction with:

- a) *Planning and Development Act 2005* (WAPC, November 2018);
- b) *Strata Titles Act* (May 1985);
- c) *Liveable Neighbourhoods* (WAPC, January 2009);
- d) *WAPC Position Statement - Cash-in-Lieu of Public Open Space* (WAPC, 2020);
- e) *Development Control Policy 2.3 Public Open Space in Residential Areas* (WAPC, May 2002); and
- f) *Public Open Space Classification Framework* (Department of Sport and Recreation, 2012).

1.5 Policy Objectives:

The primary objectives of this Policy are to:

- a) Guide Council, the City and applicants in considering the planning of POS in new and existing urban areas;
- b) Establish clear lines of responsibility for the provision and ongoing maintenance of POS;
- c) To ensure planning processes deliver a balance of recreational, nature and sports space throughout the City;
- d) To ensure planning and design of existing and future developments and POS provide for high levels of amenity;
- e) To ensure POS design demonstrates environmental sustainability;
- f) To incorporate water sensitive urban design principles; and,
- g) To ensure an adequate provision of POS for the community is provided.

2 Policy Statement:



2.1 POS Requirements at Subdivision

Subdivision applications (Survey-Strata, Built Strata or Freehold) subject to a Structure Plan or Local Development Plan (LDP) should include provisions for the ceding of POS and funding of the applicable development contribution plans in accordance with the identified POS in the applicable Structure Plan, LDP and Development Contribution Plan.

In consideration of a subdivision proposal (Survey-Strata, Built Strata or Freehold) that is not within a Structure Plan, LDP or Development Contribution Plan that identifies POS allocation, the City will recommend a POS contribution for subdivisions which create an additional 3 lots or more in accordance with the allowance provided in Section 153 of the *Planning and Development Act 2005*.

The City will not seek a POS contribution for subdivisions of an additional one (1) or two (2) lots, boundary realignments where no additional lots are created or the amalgamations of lots.

The amount of POS sought from the subdivision will be a minimum of 10% of the gross subdivisible area.

The Policy applies only to residential subdivision and development.

2.1.1 Unrestricted POS

Unrestricted POS refers to spaces free from constraints or encumbrances and available at all times for recreational purposes by the general public (refer Part 4 – Definitions). Nature POS may be considered as unrestricted POS if designed to be publicly accessible eg; including fenced areas with controlled access.

Unrestricted POS shall constitute a minimum of 8% of the gross sub-divisible area as per Liveable Neighbourhoods.

2.1.2 Restricted POS

Restricted POS refers to spaces constrained in a way that restricts the use for recreational purposes by the general public e.g. wetlands, certain drainage swales, power easements, cultural heritage sites, significant topographical features.

Restricted POS may constitute a maximum credit of 2% of the gross sub-divisible area as per Liveable Neighbourhoods. Restricted POS in excess of 2% of the gross sub-divisible area shall not be credited towards the overall POS calculation and shall be considered as a deduction from the gross subdivisible area.

2.1.3 Cash-in-lieu

The City will accept or recommend cash-in-lieu of POS where it is considered that the provision of 10% of the gross subdivisible area for POS will not result in spaces of sufficient size or quality to be of benefit to the community, or where sufficient space already exists in the locality.

Cash-in-lieu may be applied to Survey-Strata, Built Strata or Freehold subdivision applications.

Where cash-in-lieu is considered acceptable, the applicant shall contribute up to the total POS requirement, the market value of the land (as defined under Section 155 of the *Planning and Development Act 2005*) (Act) required as cash-in-lieu to be kept in a Reserve account for the future provision and/or development of POS and related community facilities in that locality.

The City will request the value of the land through the Office of the Valuer General. The landowner may engage an independent land valuer where it does not agree with the value provided by the Office of the Valuer General. If after 28 days the dispute is not settled or an agreement not reached, in accordance with s156 of the Act, the dispute may be referred by either party for determination by arbitration under the *Commercial Arbitration Act 2012*.

The provision of cash-in-lieu of POS is subject to the agreement of the WAPC under s153 of the Act.

The City will utilise the following guidelines when accepting or recommending a cash-in-lieu of land contribution in one or more of the following circumstances:

- a) The City will generally request a POS land contribution when 10% of the gross subdivisible area exceeds >1ha, unless;
 - i. The suburb already has 10% POS, cash-in-lieu may be requested; or
 - ii. The subdivision falls within the criteria of 2.1.3e), cash-in-lieu will be requested.
- b) The City will generally request a cash-in-lieu contribution when 10% of the gross subdivisible area equals less than <4000m² (0.4 ha).
- c) There is a general presumption against a POS land contribution when 10% of the site falls between 4,000m² to 1ha. However, the City may apply its discretion on whether to accept POS land or cash-in-lieu with the following factors to be considered:
 - i. Where access to the site via vehicular traffic and pedestrian traffic is restricted, cash-in-lieu may be requested;
 - ii. Where the site is within 200m of existing POS, cash-in-lieu will generally be requested;
 - iii. Where the site is within a suburb that has less than 10% POS provision, it will be at the discretion of the City as to whether there would be greater benefits to the community to provide a new POS reserve or whether to have funds set aside for the improvement of existing POS in the locality; and
 - iv. Where the site abuts land that is either POS, Bush Forever or Parks and Recreation, and there is an opportunity to expand upon the reserve, land contribution will may be requested.
- d) Where an area of POS is required for urban water management purposes within the subdivision, land will be requested as long as the urban water management within the POS is in accordance with Clause 2.4.
- e) The City will generally request a cash-in-lieu contribution:
 - i. where a subdivision occurs in a structure plan area that identifies specific locations and land areas of POS;
 - ii. the proposed subdivision will not result in land being ceded in accordance with that structure plan; and
 - iii. there is not a development contribution plan or other infrastructure cost sharing arrangement to fund the acquisition and improvement of POS.

For more information refer to Figure 1: Flowchart Guide to POS Requirements.

2.1.4 Expenditure of Cash-in-Lieu Funds

When considering the expenditure of cash-in-lieu funds, the following hierarchical criteria will be taken into consideration when determining which reserves should be prioritised for improvements:

- a) The need and nexus between the source of the cash-in-lieu funds and the targeted location for proposed improvements.
- b) A cash-in-lieu request endorsed by the Council.
- c) Reserves identified in a Council endorsed project (including: Reserve Master Plans, strategies, infrastructure plans and Asset Management Plans).
- d) Hierarchy of Reserves (Local, Neighbourhood, District and Regional open space reserves). Larger, multi-purpose reserves are to be prioritised over smaller, less-functional reserves.

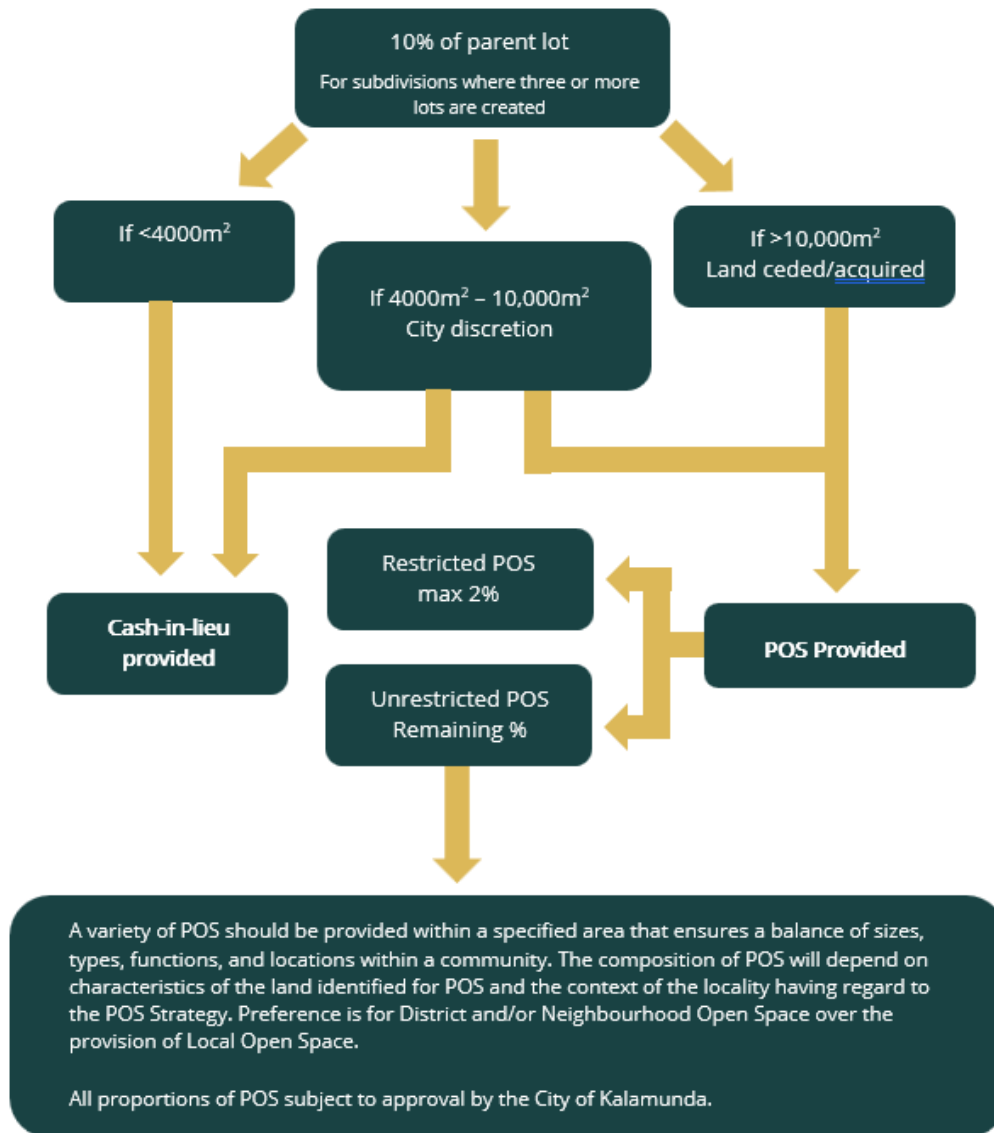
- e) Reserves identified for improvement in the City's POS Strategy 2018, Community Facilities Plan and other relevant plans.
- f) Reserves adjacent to an existing or proposed activity centre and/or community facility.
- g) To support grant funding opportunities.
- h) To ensure Standards of Provision are delivered at a reserve.
- i) To provide POS in areas deficient of the required 10% or in areas of growth where additional or improved POS is required.

Expenditure of cash-in-lieu is at the discretion of the City and is to be in accordance with DC2.3, Liveable Neighbourhoods and WAPC Position Statement - Cash-in-Lieu of POS, and subject to the approval of the Minister for Planning.

Table 1: Summary Guide to POS provision

POS provision	<4,000m ²	4,000m ² – 10,000m ²	>10,000m ²
Recommendation	Cash-in-lieu	General presumption against POS land ceded – City to exercise discretion	Land ceded/acquired

Figure 1. Flowchart Guide to POS Requirements



2.2 Information Required

In a subdivision proposal that proposes to cede land for POS, the City may request a supporting Public Open Space Plan ('POS Plan') either prior to the City finalising its recommendation to the WAPC, or as a condition of subdivision approval. The POS Plan should address the following information, as relevant and at the discretion of the City:

- a) All proposed POS in the developable area;
- b) Size (in square metres), type, category and function of each POS (Sport or Nature or Recreation / Restricted or Unrestricted);
- c) Proposed facilities to be accommodated in each POS (including any proposed variations to the Standard Development Requirement contained in Schedule 2);
- d) Community Infrastructure Plan is required if requested by the City for a large subdivisions to identify community facility requirements;
- e) High level play space strategy for each POS containing play items (including proposed play area location, age group/s to be accommodated, type/s of play items (e.g. natural elements, off-the-shelf, fitness equipment);
- f) High level sports space designs depicting playing field configurations, site layout (irrigation / sub-soil drainage design), car parking, supporting amenities designs (clubrooms, supporting sport infrastructure) based on community need if requested by the City for a large subdivision.
- g) High level accessible design features to support inclusive participation for people of all abilities.
- h) Location of significant trees to be retained in POS (refer Part 4 - Definitions). Significant trees should be protected and designed around wherever possible. Should significant trees be removed, they should be replaced with three times the number of significant trees removed, where practical. The trees are to be planted on the reserve from which they were removed or on a reserve in the locality where practical. The City may consider a cash payment for the value of trees removed to be spent on tree planting on the reserve or in the broader locality.
- i) Retained natural bushland will be required to be appropriately fenced or include other separation treatments to the specifications of the City and/or State Government, to enable conservation of environmental values. If appropriate, high level designs and specifications are to be provided.
- j) Indicative area (in square metres) of permanent irrigation of turf and garden beds for each POS;
- k) Indicative area (in square metres) of temporary irrigation for tree and garden establishment for each POS;
- l) Proposed small, minor and major rainfall event drainage management areas to be contained in POS;
- m) Information required to fulfill conditions imposed by State and Federal agencies; and
- n) If the subdivision proposal corresponds to a POS Plan that has been approved by the City, an updated POS Plan will be required to be approved by the City where changes are proposed to any of the points listed in Clause 2.1.3 above.

Should the City determine that a POS Plan is not required prior to making its recommendation to the WAPC however should form a condition of approval, the below conditions will be recommended:

WAPC Standard Condition R3 – *‘An area(s) of land at least [INSERT VALUE] in area, in a position to be agreed with the Western Australian Planning Commission, being shown on the diagram or plan of survey (deposited plan) as a reserve for [INSERT VALUE] and vested in the Crown under Section 152 of the Planning and Development Act 2005, such land to be ceded free of cost and without any payment of compensation by the Crown. (Local Government)’*

Condition: *‘The landowner/applicant to provide a Public Open Space Plan in accordance with the City of Kalamunda’s Local Planning Policy 30- Public Open Space to the satisfaction of the City of Kalamunda.(Local Government)’*

The recommended condition above can be altered where deemed necessary by the City and may be supported by an applicable advice note.

2.3 Allocation and Distribution of POS

A variety of POS should be provided to ensure a balance of sizes, types, functions and locations for each suburb. The City’s preference is for District and/or Neighbourhood Open Space over the provision of Local Open Space. The standard of POS should be in accordance with Schedule 2.

Unless otherwise provided for, POS should generally be located within the nominated walkable distances from dwellings prescribed by Schedule 2 or where no distances are provided, in accordance with other location criteria as specified, be of a minimum size for the relevant type of POS as per Schedule 2 and be fit for its intended purpose in terms of: location, size, shape and topographical nature.

2.3.1 Exceptions

- a) The provision of District Open Space should negate the need for a Neighbourhood and Local Open Space within a walkable catchment of the District Open Space location; and
- b) The location of a Neighbourhood Open Space should negate the need for a Local Open Space within the walkable catchment of the Neighbourhood Open Space; and POS exhibiting “unacceptable criteria” as per Schedule 2 should not be accepted.

Refer to Schedule 2 for POS Hierarchy.

2.3.2 Sport POS

In considering the provision of sport POS the City will consider the following criteria:

- a) The provision of existing sport POS within the locality (refer to POS Strategy);
- b) in the case of a subdivision, sport POS is identified elsewhere in an endorsed District Structure Plan or Local Structure Plan that the subdivision is located within;

- c) Whether the provision of sport POS would result in a usable space for active recreation, having regard to the following preferences:
 - i. Preference for a district sized sports space (minimum 8ha total site).
 - ii. Where a district sized sports space can not be achieved, the City may accept a neighbourhood sized sports space (minimum 4ha total site) in accordance with identified needs under the POS Strategy.
- d) Whether the land is constrained by environmental/natural/physical/cultural factors; and/or
- e) the provision of sport POS would have an adverse effect on walkability / connectivity of POS in the locality.

Sports Space zoned or identified to be zoned as Parks and Recreation under the MRS will not be accepted as part of the overall POS allocation and will instead be considered a deduction to the gross subdivisible area. Sports POS zoned as Parks and Recreation may reduce the required area of Sport POS where the City is satisfied there is sufficient sport POS in the locality to meet current and future demand (refer to POS Strategy).

Where sport space is not required due to the criteria outlined in Clause 2.3.2, the POS allocation may be distributed between Nature POS and Recreation POS, or a cash-in-lieu contribution accepted in accordance with Clause 2.1.3.

2.3.3 Nature POS

In considering the provision of conservation and recreation (nature POS) the City will consider the existence of:

- a) Threatened and Priority Ecological Communities;
- b) Declared Rare and Priority Flora Species;
- c) Specially Protected and Priority Fauna Species;
- d) Matters of National Environmental Significance (as per the *Environment Protection and Biodiversity Conservation Act 1999*);
- e) Wetlands (in accordance with Schedule 1);
- f) Karstic features e.g. caves and pinnacles;
- g) Vegetation complexes with less than 30% of their original extent remaining;
- h) Significant Trees (refer Part 4 - Definitions); and
- i) Sites identified in the City's Urban Forest Strategy and Local Biodiversity Strategy.

The City will accept the inclusion of Nature POS as unrestricted POS provided it is accessible by the public eg; including delineated areas with controlled access and educational signage describing the value of the natural asset (as per Schedule 2). POS provided for this purpose should be ecologically viable, to be determined by the City's Parks and Environment Team.

Where no apparent environmental values exist the City may still require an appropriately percentage of gross sub-divisible area to be Nature POS and located to maximise existing vegetation retention and revegetation across the site, having regard to the recommendations of the City's Urban Forrest Strategy and Biodiversity Strategy.

Where a subdivision contains Regionally Significant Vegetation as defined by State Planning Policy 2.8, the City may recommend the nature POS be reserved as Parks and Recreation under the Metropolitan Region Scheme (MRS). Areas zoned or identified to

be zoned as Parks and Recreation under the MRS will not be accepted as part of the POS allocation and will instead be considered a deduction to the gross subdivisible area.

Consultation with the City is required to determine the appropriate vesting order for Nature POS.

No clearing of vegetation or other works are to occur within an area of public open space or road reserve until the City has granted approval for the subdivisional working drawings and associated landscaping plans.

2.3.4 Recreation POS

Recreation POS shall make up the balance of POS allocation once Sport and Nature POS allocations have been accounted for.

Recreation POS zoned or identified to be zoned as Parks and Recreation under the MRS will not be accepted as part of the overall POS allocation and will instead be considered a deduction to the gross sub-divisible area.

2.3.5 Community Purpose Sites

Unless otherwise provided for below, the City, when providing feedback to the WAPC on the matter, will advise that it does not support the inclusion of community purpose sites as part of the POS allocation and that their provision should be subject to discussion and negotiation with the City, unless otherwise determined.

The inclusion of community purpose sites as part of the POS contribution may be acceptable subject to:

- a) The community purpose site being located adjacent to another parcel of POS and a function of the community purpose site relating to that POS (e.g. a community centre, with facilities to support the sporting use of the POS or a shared use POS with a school);
- b) A need being identified by a community infrastructure plan or other community needs study;
- c) The allocation being subject to the provision requirements of restricted open space.

Where community facilities are located on POS (e.g. a sporting pavilion), the space required to accommodate the facility should be considered as part of the POS planning process and included as part of the POS allocation. A specific community purpose site is not required in these instances.

2.4 Urban Water Management

The inclusion of drainage areas within the POS may be supported if designed in accordance with the design principles of Element 5 of Liveable Neighbourhoods, a Local Water Management Strategy, Urban Water Management Plan, stormwater management plan and Stormwater Management Manual for Western Australia and subject to clauses 2.4.1-2.4.2 below.

2.4.1 Drainage Management Area

Drainage Management Areas may be supported within POS where the City is satisfied with the following outcomes:

- a. Stormwater flows are managed to prevent adverse impact on the built and natural environment within the POS;
- b. The drainage management area is landscaped and integrated into overall POS design; and
- c. The risk to public health and safety is managed to an acceptable level.

2.4.2 Unacceptable Drainage Outcomes

The following drainage outcomes are generally not supported in POS:

- a. Stormwater drainage management infrastructure within Nature or Sport POS;
- b. Constructed waterbodies (e.g. ornamental lakes) unless approved by the City as part of best practice water management; or
- c. Stormwater runoff from small rainfall events being directed into wetland buffers.

2.5 Location and Design of POS

2.5.1 Location

Individual POS sites should be designed to form part of an interconnected network of spaces for the purposes of encouraging pedestrian movement, ecological connectivity and improving public amenity.

POS should be located to maximise accessibility and surveillance in accordance with the City's Disability Access and Improvement Plan and Designing Out Crime Guidelines (WAPC, 2006).

2.5.2 Co-location of POS with School Sites

Co-location of POS with school sites is supported and encouraged in the interest of optimising joint use and management, rationalising water use and creating community hubs. Co-location should be investigated (but not assumed) at each site and is subject to:

- a) Creation of a larger site to accommodate multipurpose recreation and/or community facility as a result of the co-location;
- b) The final precinct being able to accommodate:
 - i. At a minimum a neighbourhood level senior size playing field (recommended 205m x 165m = approx. 3.3ha including 5m safety buffer). Where practical a district level of provision, should be explored;
 - ii. adequate buffers to roads or other infrastructure (in addition to the 4m safety buffer around the boundary line);

- iii. appropriate sports floodlighting, groundworks, carparking and/or future clubrooms of an appropriate size based on need including changeroom facilities. Note: Clubrooms must be located on City land; and
 - iv. space for unstructured recreational activities to occur at the same time as structured sport (ie; fitness trails, exercise equipment, playgrounds etc.).
- c) A formal agreement between the City, Department of Planning, Lands and Heritage and Department of Education.

2.5.3 Design of POS

In addition to the broad guidance provided by Liveable Neighbourhoods, the following localised requirements for POS Design should apply:

- a) Maximise environmental sustainability;
- b) Be of an acceptable size (refer Schedule 2 and Schedule 3) and shape to cater for its intended purpose;
- c) Retain natural ground levels where possible to suit the intended function of the POS;
- d) Be accessible via the walking and cycling network;
- e) Ensure universal access is provided to play areas, park furniture and park facilities;
- f) Reflect best practice in water conservation, harvesting, re-use and irrigation;
- g) Retained natural bushland should be appropriately fenced to enable conservation of environmental values, unless agreed to by the City's Parks and Environment Team;
- h) Include initiatives to minimise energy use (through design, product selection, alternative energy sources etc.);
- i) Implement the function/s (sport, nature, recreation) identified for the site as part of an approved POS plan or the POS Strategy;
- j) Where possible, use local building styles and plant species to preserve local heritage and landscape character;
- k) Make use of local resources and materials that are robust, recycled/recyclable, and environmentally sound;
- l) Incorporate sufficient safety, lighting and surveillance measures in accordance with the Designing Out Crime Guidelines; and
- m) Where possible, provide incidental play opportunities through incorporation of landscape elements, in addition to designated play areas.

Turf should be minimised in areas not reserved for sport space. The City may consider approval for limited areas of irrigated turf in POS where not associated with sports space, subject to the following:

- i. Has a valid licence to take water issued by the Department of Water or has applied for a licence to take water and confirmed that sufficient water is available from the groundwater resource, unless an alternative water source is proposed.
- ii. Serves a functional purpose. Priority will be given to sports playing fields, followed by recreational areas. i.e. kick-about or picnic areas, followed by lower priority POS functions. Limited irrigation is supported on non-sports space POS;
- iii. Has a maximum gradient of 1:6; and is of an approved species by the City.

The City will approve trials of unirrigated turf in POS where the developer enters into an agreement with the City to replace the turf at their own cost and maintain for a 2-year period should the trial fail prior to handover to the City after the 2-year maintenance period. Retention of natural bushland within POS should be maximised where appropriate. Where this is not possible, priority should be given to transplanting vegetation, landscaping with mature species, or use of local native species. Areas of natural bushland are to be fenced to enable conservation of environmental values.

2.5.4 Sport POS Design

To ensure maximum potential for Sport POS to accommodate a full variety of recreational activity, Sport POS should be designed generally in accordance with the District Open Space model at Schedule 3. Appropriate space should be provided for:

- a) A minimum a neighbourhood level senior size playing field (recommended 205m x 165m = approx. 3.3ha including 5m safety buffer). Where practical a district level of provision, should be explored, which would consist of multiple senior size playing fields;
- b) buffers to roads and other infrastructure;
- c) unstructured recreation areas; and
- d) club rooms, carparks and other sporting infrastructure (e.g. cricket nets, batting cages, sports floodlighting, baseball backnets, athletics – throwing circles, jump pits, etc. as determined based on community need).
- e) retention of native vegetation in 'good' or better condition, where possible; and
- f) retention of significant trees, where possible (refer Part 4 - Definitions).

These uses should be reflected in the POS landscape plans at the appropriate stage of planning. Applicants should refer to Sports Dimensions Guide For Playing Areas – Sport and Recreation Facilities (Department of Sport and Recreation, July 2008 and / or the relevant State Sporting Association Facility Guidelines) for relevant sporting design criteria.

The playing field component of Sport POS sites should:

- a) be of uniform shape, to allow for both oval and rectangular sports for (ie. One senior Australian Rules field or 2x senior Football (soccer) fields;
- b) Space is to allow for both junior and senior sporting competition dimensions. Junior sized playing fields are not considered to provide a space that is able to be best utilised and adaptable over time (transition of community from junior to senior sport).
- c) be graded (either naturally or through development) to allow for surface water runoff/drainage, with a slope of no greater than 1:200;
- d) have access to a water supply and water licence transferable to the City, suitable for the irrigation of an appropriate amount of turf and landscaping;
- e) be free of the following constraints (either naturally or through development):
 - i. Easements & buffers (pipe line, power line, incompatible land use);
 - ii. Wetland / water courses;
 - iii. Significant historical sites – either Indigenous or European, which will prevent the development of the site for the proposed function;

- iv. Any transport or other feature that intersects the site or detracts from its development potential; and
- v. Site contamination should this be a constraint to the function of the POS.

2.6 Development of POS

Where a subdivision application proposes the creation of POS, the City should respond to the WAPC, requesting that a condition be imposed requiring the applicant to provide the public open space to the Standard Requirements detailed in Schedule 2 of this Policy.

No clearing of vegetation or other works are to occur within an area of public open space or road reserve until the City has granted approval for the subdivisional working drawings and associated landscaping plans.

Any works associated with those defined in Schedule 2 should be considered to be subdivisional works and therefore exempt from requiring a separate planning approval under the scheme, unless it is considered by the City that the nature of the development:

- a) cannot reasonably be considered as 'subdivisional works';
- b) the works would, in the opinion of the City, generate a need to publicly advertise the proposal;
- c) has the potential to significantly impact on the amenity of nearby residents; or
- d) requires detailed assessment, consideration and the implementation of management conditions of a statutory nature.

The City may require landscaping works to be either completed or bonded prior to clearance of the relevant conditions.

2.7 Development, Maintenance and Handover of POS

The City will accept handover of POS after two years from practical completion, subject to the following:

- a) The City being satisfied that the maturity of vegetation, density of planting, species selection and standard of infrastructure are consistent with that specified in the landscaping plan approved by the City, as being acceptable for handover to the City;
- b) For at least 12 consecutive months prior to handover, the developer maintaining the POS to the same standard as it would otherwise be maintained by the City post-handover, including the tapering-off of vegetation from irrigation to ensure long-term survival;
- c) The developer providing the City with annual metered bore water usage data for any irrigated POS during the term of their maintenance period, to demonstrate compliance with the water licence allocation for that area;
- d) The developer providing the City with as-constructed drawings and asset management data for the POS and any facilities/infrastructure contained therein;
- e) Where there are outstanding conditions imposed under the *Environmental Protection and Biodiversity Conservation Act 1999* that require ongoing maintenance of any component of the POS, the developer is to enter into an agreement with the City for access to the site for maintenance purposes;

- f) Where, in the City's opinion, the playground or play area does not fall within the Australian Standards the developer shall engage an independent playground auditor to undertake a risk assessment audit of playgrounds or play areas, and undertake any remedial work required as a consequence,.
- g) Should the conditions of subdivision, development approval, bond or legal agreement not be met, the maintenance period will be reviewed and an additional period of developer maintenance may be required until such time as the conditions have been met to the satisfaction of the City.
- h) The City will not accept handover of POS during the summer months of November to March (inclusive). Where necessary, the developer maintenance term should be extended to avoid handover dates during this period. Should handover extend beyond the 2-year maintenance period, the developer should provide an indicative date of handover to the City prior to the end of the 2-year maintenance period.
- i) A shared use agreement with the City and Department of Education being in operation. Nothing in this Policy prevents, or interferes with, existing shared use arrangements for facilities and POS that were prepared before the adoption of this Policy. Where shared use arrangements include provision of development and/or maintenance of POS, these matters should be consistent with the requirements of this Policy.

2.8 Consultation

Applicants are to consult with the City regarding the planning and development of POS at all stages of the planning process to ensure that it aligns with the City's relevant strategic plans to meet the needs of the City and the community in the long term .

Applicants should show evidence of consultation with end-users (the community) in developing landscape plans for the development of POS. Outcomes of the consultation should be balanced against known design principles in the design process for the POS and the Policy. Designs should also incorporate any relevant emerging trends in POS design and provision.

3 Matters to be considered

3.1 Application of this Policy

The following matters will be given consideration in the application of this Policy:

- a) The provisions relating to public open space set out in Part 3 of the Scheme;
- b) The provisions relating to public open space set out in s153,154,155, and 156 of the Act.
- c) The provisions relating to development set out in the Scheme;
- d) Provisions set out in WAPC Policy Liveable Neighbourhoods;
- e) The provisions set out in Development Control Policy 2.3 - Public open space in residential areas; and
- f) The provisions of any adopted Structure Plan which relates to a POS and any amendments made to a relevant Structure Plan.

4 Definitions

Community Purpose Site – A site or building designed for a public purpose to the benefit of the community eg; a community hall, library, sports club, arts centre, cultural centre, Mens Shed etc.

Developable Area means all of the land within a subdivision, or a structure plan if the subdivision falls within one.

Gross Sub-divisible Area means the land available for subdivision excluding areas for non-residential uses determined by the WAPC such as schools, shopping centres, infrastructure, dedicated drainage sites (small rainfall event drainage management areas), community facilities or land set aside for arterial roads.

Major rainfall event means events greater than the minor rainfall event and up to and including the 1% annual exceedance probability (100 year critical ARI event).

Minor rainfall event means events greater than the small rainfall event and up to and including the 20% annual exceedance probability event (5 year critical ARI event) for residential areas and the 10% annual exceedance probability event (10 year critical ARI event) for commercial and industrial areas as well as arterial roads.

Nature Play means a space containing natural materials that encourages child-led play, moderated risk taking, decision making, creativity and collaborative play while providing opportunities to connect to nature in a way that is relevant to the site.

Nature open space means land for which the primary function is the retention and ongoing management of native flora and fauna.

Overprovision means the provision of assets within a local structure plan or subdivision area that is in excess of the standard requirement under Schedule 2.

Public Open Space (POS) means land used or intended for use for recreational purposes by the public and includes parks, public gardens, playgrounds and sports fields but does not include regional open space and foreshore reserves (Liveable Neighbourhoods 2007).

Recreation open space means land for which the primary function is unstructured recreational pursuits (picnics, children's play, dog walking) or low intensity active recreation (jogging, walking, casual kick-about).

Restricted public open space means those spaces that are constrained in a way that restricts the use of the space for recreational purposes by the general public (e.g. wetlands, certain drainage swales, power easements, cultural heritage sites, significant topographical features).

Significant Tree any single or multi-stemmed vegetation with a minimum trunk diameter of 300mm or greater measured at 1m above natural ground level, or multiple stems with a diameter of 150mm or greater; unless otherwise defined in an adopted Local Planning Policy. Does not include species on an applicable weed register.

Small rainfall event means events up to and including the 1 exceedance per year event which require runoff management for up to 15mm rainfall depth from constructed impervious areas, other than roofs which require management for up to 10mm rainfall depth in the City of Kalamunda.

Sport space means land for which the primary function is organised, high intensity sporting use.

Unrestricted public open space means those spaces that are free from constraints or encumbrances (e.g. wetlands, easements, cultural heritage sites, significant topographical features) and are available at all times for recreational purposes by the general public.

Schedule 1 – POS Categories

POS Proposal	POS Category	Credit	Conditions/ Comments
Regional Open Space (Open Space Zoned Parks and Recreation under the MRS)	Restricted	0%	<ul style="list-style-type: none"> Does not contribute to the POS allocation. Considered to be a deduction from the gross subdivisible area Sports Space zoned as Parks and Recreation may reduce the area required of the gross sub-divisible area to be Sport POS where the City is satisfied there is sufficient sport POS in the locality to meet current and future demand. Nature Space zoned Parks and Recreation may reduce the area required of the gross sub-divisible area to be Nature POS where the City is satisfied there is sufficient nature POS in the locality to protect the environmental assets in the locality and broader region.
Sport / Recreation POS			
Sport POS	Unrestricted	100%	<ul style="list-style-type: none"> Refer to Clause 2.3.2 and 2.5.4 For sports space classified as regional open space (zoned as Parks and Recreation under the MRS) refer to Regional Open Space above.
Unconstrained Local / Recreation POS	Unrestricted	100%	<ul style="list-style-type: none"> Does not include Regional Open Space (Open Space zoned Parks and Recreation under the MRS)
Nature POS			
Natural Assets	Unrestricted	100%	<ul style="list-style-type: none"> Refer to Clause 2.3.3 Does not include Regional Open Space (Open Space zoned Parks and Recreation under the MRS)
Inaccessible Natural Assets	N/A	0%	<ul style="list-style-type: none"> Refer to Schedule 2 – Conservation – Unacceptable criteria
Wetlands and Buffers			
Conservation category wetlands (Refer LPP 4.1: Wetlands for wetland definitions)	N/A	0%	<ul style="list-style-type: none"> Not accepted as POS. Considered to be a deduction from the gross subdivisible area.

Resource Enhancement category wetlands	N/A	0%	<ul style="list-style-type: none"> Not accepted as POS. Considered to be a deduction from the gross subdivisible area.
Multiple-use wetlands	Restricted	100% (up to 20% of POS allocation)	<ul style="list-style-type: none"> Must form part of a stormwater management strategy.
Natural wetland buffers	Restricted	100% (up to 20% of POS allocation)	<ul style="list-style-type: none"> Management plans must be developed to demonstrate management of the wetland and buffer for conservation purposes.
Compatible-use wetland buffers (i.e. buffers where vegetation is degraded or completely degraded, permitting low impact uses)	Restricted	100% (up to 20% of POS allocation)	<ul style="list-style-type: none"> Must demonstrate the protection of the ecological values of the wetland and wetland buffer; Development of a concept plan to demonstrate appropriate recreational use of the area; and City of Kalamunda approval.
Urban Water Management			
Stormwater management systems to manage small event runoff piped directly from lots and road reserves	N/A	0%	<ul style="list-style-type: none"> Not accepted as POS. Considered to be a deduction from the gross subdivisible area.
Minor rainfall event drainage management area	Unrestricted	100% (up to 20% POS allocation)	<ul style="list-style-type: none"> Unrestricted Refer to Clause 2.4
Major rainfall event drainage management area	Unrestricted	100%	<ul style="list-style-type: none"> Unrestricted Refer to Clause 2.4
Constructed permanent water performing a drainage function	N/A	0%	<ul style="list-style-type: none"> Not accepted as POS Refer to Clause 2.4
Artificial lined water body	N/A	0%	<ul style="list-style-type: none"> Not accepted as POS Refer Clause 2.4.2
Other			
Entry Statements (where not a component of a larger usable area)	N/A	0%	<ul style="list-style-type: none"> Not accepted as POS. Entry statements are not considered to be usable space by the community.

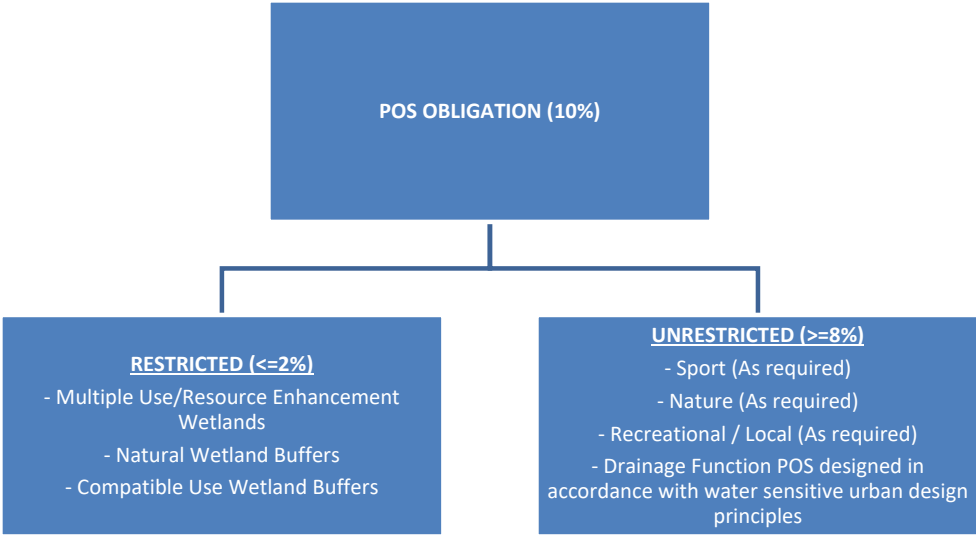


Figure 1: Flowchart showing Restricted and Unrestricted POS allocation



Schedule 2 – Public Open Space Hierarchy

Type	Description and Purpose	Size	Walkable Distance / Catchment	Other Criteria*	Unacceptable Criteria*	Basic Standard Requirement	Optional Requirement *
Local Open Space (LOS)	LOS is usually small parklands that service the recreation needs of the immediate residential population. LOS is primarily used for recreation and may include small areas of nature space. LOS is unlikely to be used for any formal or informal sport.	0.4ha to 1ha	Within 400 metres or 5 minute walk	<ul style="list-style-type: none"> Located on pedestrian network to maximise access. Located throughout neighbourhoods. Located adjacent to residences to maximise passive surveillance. May play a connectivity role as part of a linear POS network. 	<ul style="list-style-type: none"> Parks less than 0.4ha unless the proposed park forms part of a network of interconnected POS or network of significant environmental values and serves a high level of usability, quality and functionality. POS parcels where the principal purpose is an Entry Statement to a housing estate. 	<ul style="list-style-type: none"> Shade (natural) Tree/bush retention maximised Bollards are required. Earthworks and retaining as required Signage 	<ul style="list-style-type: none"> Benches/seating Small Scale play ground Basic Paths Minor hydrozoned areas irrigation w/ bore licence Minor landscaping areas (with native revegetation, waterwise planting and tree planting) Bin(s) Shade (built) Access required for maintenance and service vehicles
Neighbourhood Open Space (NOS) B Category	NOS serves as the recreational and social focus of a community. Residents are attracted by the variety of features and facilities and opportunities to socialise. NOS can assist to engender sense of place and protect specific conservation values through retention of nature spaces. . This is aimed at providing a basic level of amenity to a neighbourhood level.	1ha to 3ha	Within 800 metres or 10 minute walk	<ul style="list-style-type: none"> Located central to the catchment to maximise accessibility. Located adjacent to residences to maximise passive surveillance. May be collocated with primary school facilities to upgrade school playing fields to senior capacity or create a community hub. Designed generally in accordance with Schedule 3 		<ul style="list-style-type: none"> Benches/Seating Small Scale Play Ground Shade (natural) Drinking fountain Bin(s) Basic Paths Bollards as required Access required for maintenance and service vehicles Earthworks and retaining as required Tree/bush retention maximised Signage Minor landscaping (with native revegetation, waterwise planting and tree planting) 	<ul style="list-style-type: none"> Security Lighting Minor hydrozoned areas irrigation w/ bore licence Power Shade (built)
Neighbourhood Open Space (NOS) A Category	As per NOS B Category, however strategically located NOS within the City is to be developed to a higher standard of provision. May serve a neighbourhood level sports function (min 4ha).	3ha to 5ha (Preferably the larger sites)	Strategically located within the suburb to serve a larger catchment up to 2 km away Still services within 800m	<ul style="list-style-type: none"> Located central to the catchment to maximise accessibility. Located adjacent to residences to maximise passive surveillance. Is co-located with primary school facilities to upgrade school playing field to senior 	<ul style="list-style-type: none"> Junior sized playing fields 	<ul style="list-style-type: none"> Benches/Seating Medium Scale Play Ground Shade (natural and built) Drinking fountain Power Bin(s) Paths (internal and external circulation) Bollards as required Barbeque 	<ul style="list-style-type: none"> Bike racks Security Lighting Fitness equipment units Basketball half court Public Toilet Minor car parking Small scale dog exercise area <p>Sports Space (if required) - Minimum size of 4ha</p>



Type	Description and Purpose	Size	Walkable Distance / Catchment	Other Criteria*	Unacceptable Criteria*	Basic Standard Requirement	Optional Requirement *
			metres or 10 minute walk	<ul style="list-style-type: none"> capacity or create a community hub. Is strategically located within the suburb to facilitate high visitation. Designed generally in accordance with Schedule 3 		<ul style="list-style-type: none"> Picnic settings with picnic shelters Access required for maintenance and service vehicles Minor hydrozoned areas irrigation w/ bore licence Kick About space (Irrigated) Earthworks and retaining as required Tree/bush retention maximised As required landscaping (with native revegetation, waterwise planting and tree planting) As required hydrozoned areas irrigation w/ bore licence Signage 	<ul style="list-style-type: none"> 1x senior playing field - 205m x 165m = approx. 3.3ha – Irrigated, sub soil drainage and suitable to active use Basic supporting sporting infrastructure (sports lighting, fencing, cricket nets, baseball nets, goals, car parking etc.) Basic club room amenities building: (changerooms, storage, kiosk and toilets) Power
District Open Space (DOS)	DOS is principally designed to provide for organised formal sport. DOS will also very likely include substantial recreation space and some nature space. DOS design and function should consider biodiversity principles and environmental management goals. DOS serves several neighbourhoods with players and visitors travelling from surrounding districts.	5ha to 15ha+	Within 2kms or 5 minute drive	<ul style="list-style-type: none"> May be co-located with High Schools to create district community hub. Should be located close to major roads and other community facilities; Should be easily accessible by pedestrians, cyclists and motor vehicles. Designed generally in accordance with Schedule 3. 		<ul style="list-style-type: none"> Benches/seating Large scale Playground with shade. Shade (natural and built) Picnic settings with picnic shelters Barbeques Drinking fountain Bin(s) (dependant on size) Paths (internal and external circulation) Bollards Access required for maintenance and service vehicles Earthworks and retaining as required Car Parking Public Toilets (may be incorporated in Club room) Security Lighting As required landscaping (with native revegetation, waterwise planting and tree planting) As required, hydrozoned irrigation w/ bore licence Tree/bush retention Signage Power 	<ul style="list-style-type: none"> Fitness equipment units Basketball half court Multipurpose hard courts Bike rack/s Medium scale dog exercise area. Events Infrastructure (Power, minor amphitheatre) Fitness trails for pedestrian / cycling (external) <p>Sports Space (if required) - Minimum size of 8ha:</p> <ul style="list-style-type: none"> Multiple multipurpose senior sports ovals (as per Clause 2.16) – Irrigated, sub soil drainage and suitable to active use Supporting sporting infrastructure (sports lighting, fencing, cricket nets, baseball nets, goals, car parking etc.) Club room amenities building: (social area, storage, changerooms, kiosk and toilets) - Centrally located to service multiple playing fields



Type	Description and Purpose	Size	Walkable Distance / Catchment	Other Criteria*	Unacceptable Criteria*	Basic Standard Requirement	Optional Requirement *
Regional Open Space (ROS)	ROS may accommodate important recreation and organised sport spaces as well as significant conservation and/or environmental features. ROS may provide substantial facilities for organised sport, play, social interaction, relaxation and enjoyment of nature. ROS can assist to protect biodiversity conservation and environmental values through retention of bushland, wetlands and other natural features.	Variable**	Variable^	<ul style="list-style-type: none"> Should be accessible by public transport routes and major access roads. Should be located such that the impact on residents is able to be minimised especially noise, traffic and light spill. Should be located such that it minimises negative impact on the surrounding environment – both built and natural. Access and management of water both on and off site is critical. Site constraints should be minimised (e.g. topography, culturally significant sites, significant clearing) to ensure economic viability. **Size is variable and dependant on function. When sporting space is identified as a necessary regional function, allocations for playing fields and sports facilities should be 20ha+ in area. **ROS serves one or more geographical or social regions and is likely to attract visitors from outside any one local government area. Users not living within close proximity will use either private vehicles or public transport systems. 		<ul style="list-style-type: none"> Refer to District Open Space standard requirements. Refer to Native / Biodiversity Assets standard requirements where conservation use is provided. 	<ul style="list-style-type: none"> Refer to District Open Space standard requirements.
Nature / Biodiversity Asset	Nature spaces can provide settings for the community to access and enjoy nature, and protect local biodiversity. They may include bushland, coastal areas and wetlands. Sites are managed to enable recreational access while	N/A	N/A	<ul style="list-style-type: none"> May be co-located with sports/recreation POS. Shall be accessible by the community for recreational use (may be achieved through controlled access to walk trails through the site, or the co-location of natural areas with 	<ul style="list-style-type: none"> Restricted access conservation areas (i.e. fenced off from the public with controlled access) 	<ul style="list-style-type: none"> No earthworks except where it pertains to grading for universally accessible trails Weed control management strategy Tree/bush retention 3m wide vehicle access gates for maintenance, service and 	



Type	Description and Purpose	Size	Walkable Distance / Catchment	Other Criteria*	Unacceptable Criteria*	Basic Standard Requirement	Optional Requirement *
	protecting local ecological and biodiversity values.			developed sports and/or recreation open space to provide an activated interface with natural areas (Refer to Schedule 3 for example concept).		emergency vehicles (includes fire access) <ul style="list-style-type: none"> • Cement stabilised limestone trail surfacing Benches/Seating (off access track on concrete pad) • Directional or Interpretative signage • Pedestrian access control gates (where appropriate) • Conservation fencing • Development and implementation of a management plan 	

**At the discretion and satisfaction of the City's relevant departments and where appropriate Council*

***ROS may be small in size due to significant environmental value protected through a Parks and Recreation Zoning or Bush Forever designation or form part of an interconnected network of ROS. ROS serving multiple functions, providing regional sporting facilities or regional scale bushland reserves with recreational trails may typically be 30ha+*

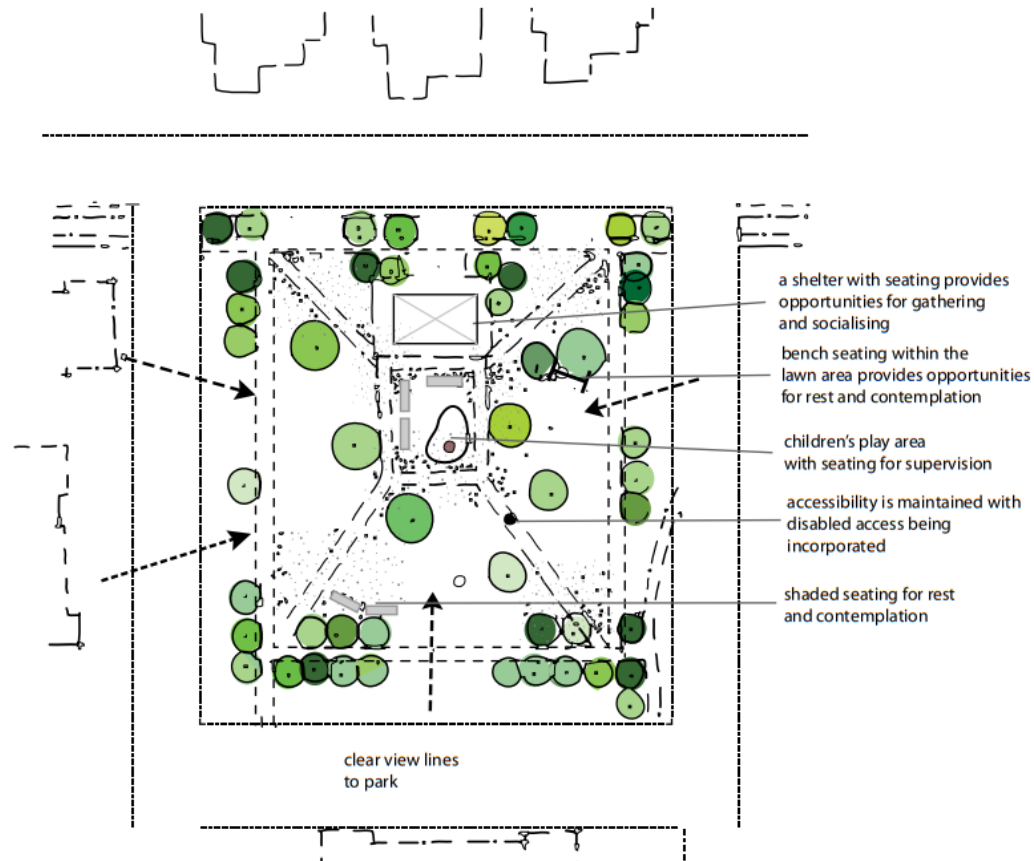
^ Catchment is dependent on size and function. For ROS serving multiple functions, providing regional sporting facilities or regional scale bushland reserves with recreational trails principle catchments may be 2.5km and greater.



Schedule 3 – Model Templates

Source - Department of Sport and Recreation 2012 – Classification Framework for Public Open Space)

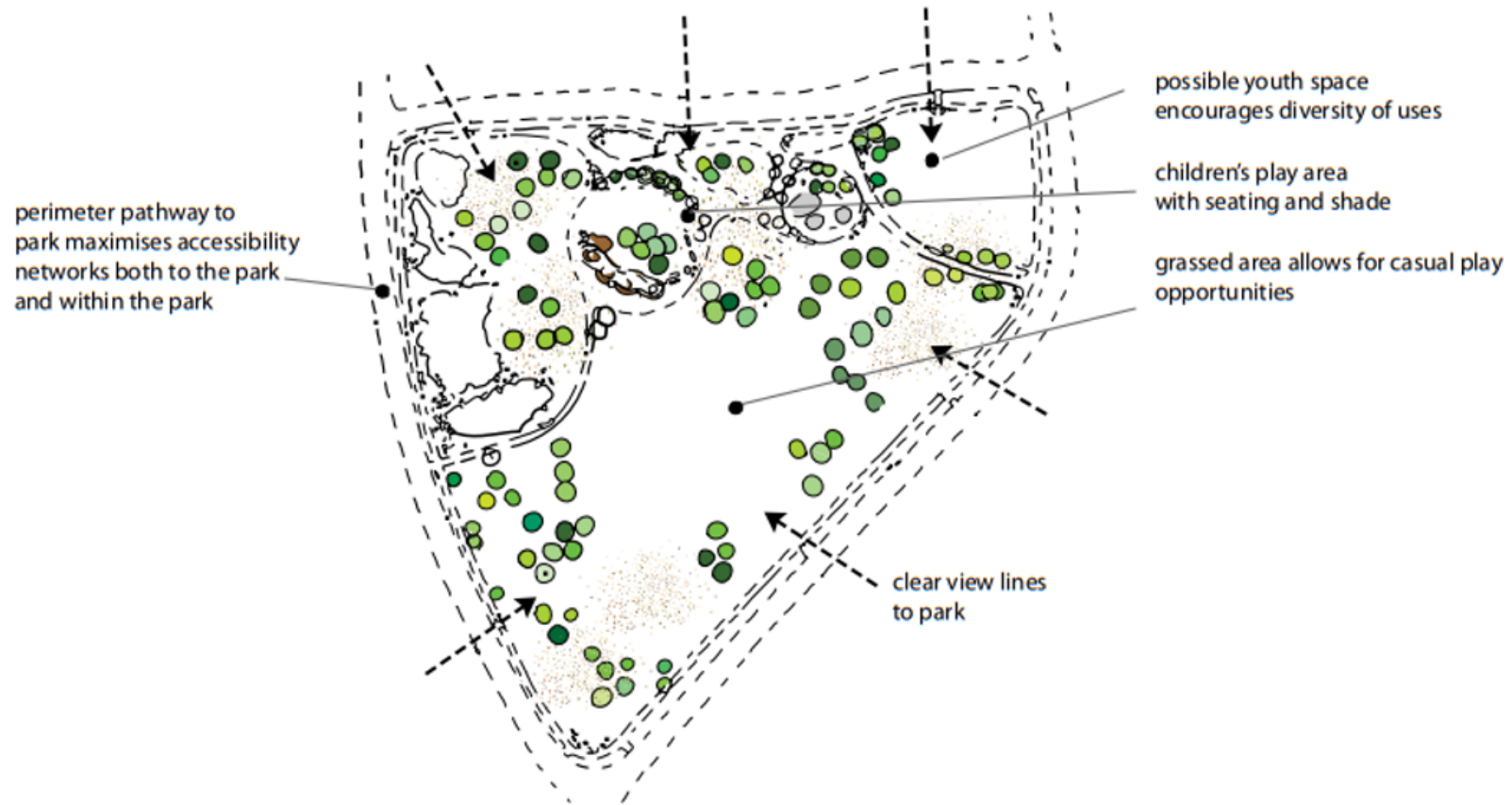
Local Open Space





Neighbourhood Open Space

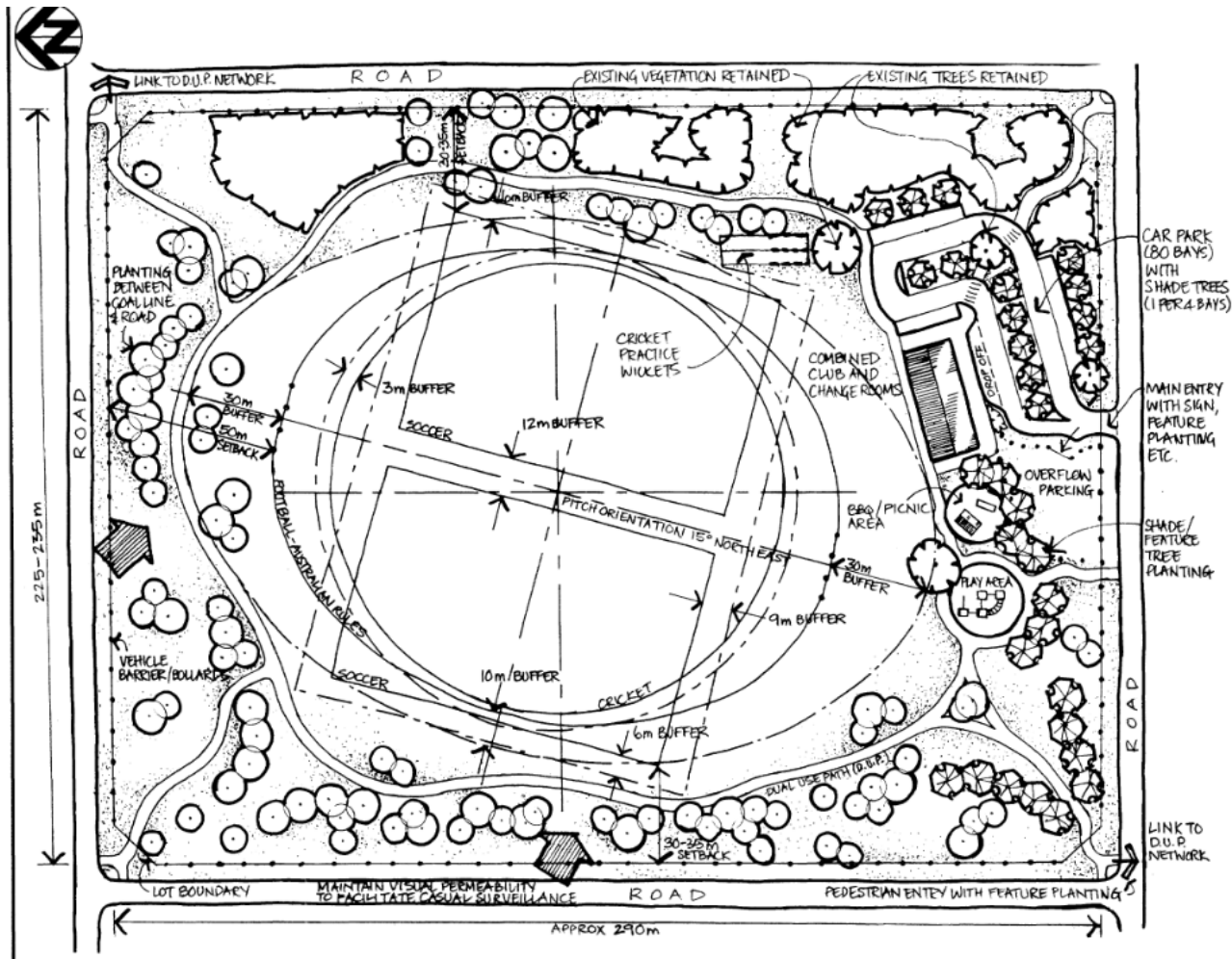
Source - Department of Sport and Recreation 2012 – Classification Framework for Public Open Space





Neighbourhood Open Space (Sports) - Category A

Source – City of Wanneroo Local Planning Policy 4.3: Public Open Space

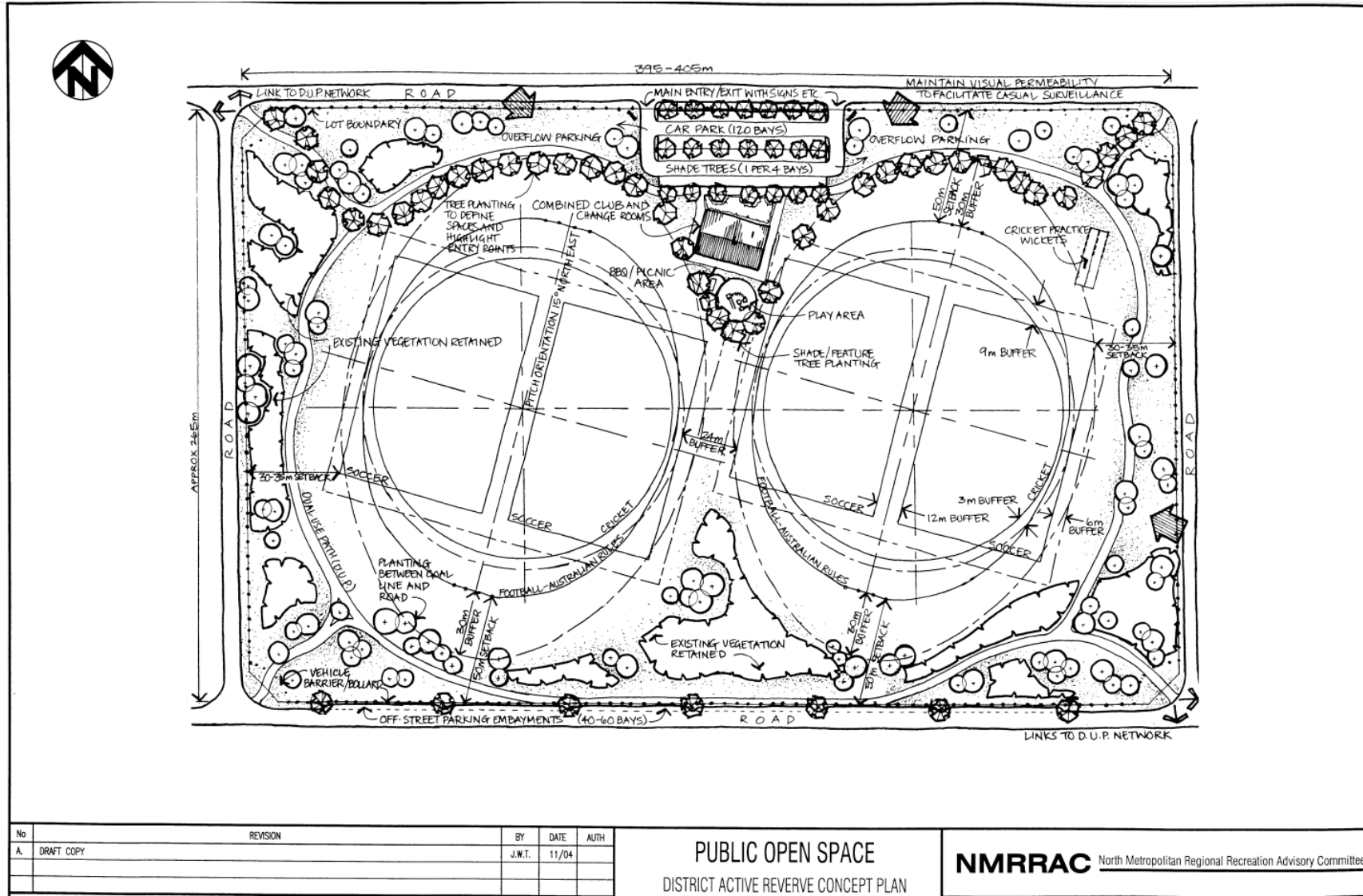




District Open Space

Source - Department of Sport and Recreation 2012 – Classification Framework for Public Open Space and City of Wanneroo Local Planning Policy 4.3: Public Open Space







Schedule 4 – Responsibilities

The below table represents a guide to City's officers on the responsibilities relating to the statutory requirements, Policy requirements, assessment, design, development, delivery and management of public open space.

Process/Plan	Coordinated by*	Assisted by*
Subdivision Referrals	Statutory Planning	Referred to relevant service teams for recommended conditions and advice with a three week response time.. Teams may have specific responsibilities as detailed in Schedule 4: <ul style="list-style-type: none"> • Environmental Health (contamination and amenity considerations) • Parks and Environment (POS Plan, POS Design, retention of natural vegetation) • Community Development (POS Plan, POS Design) • Strategic Planning (cash-in-lieu) • Building (Structures) • Asset Planning / Engineering (Urban Water Management, Assets, Servicing)
Subdivision Clearance	Statutory Planning	Referred to relevant service teams for clearance of conditions. Teams may have specific responsibilities as detailed in Schedule 4: <ul style="list-style-type: none"> • Environmental Health (contamination and amenity considerations) • Parks and Environment (POS Plan, POS Design, retention of natural vegetation) • Community Development (POS Plan, POS Design) • Strategic Planning (cash-in-lieu) • Building (Structures) • Asset Planning / Engineering (Urban Water Management, Assets, Servicing)
Cash-in-Lieu / Land Contribution Recommendation (Refer Clause 2.1.3)	Statutory /Strategic Planning	Referred to relevant service teams for recommendations and comments where Clause 2.1.3 of the Policy comes into affect: <ul style="list-style-type: none"> • Community Development



		<ul style="list-style-type: none"> • Parks and Environment • Statutory Planning • Asset Planning / Engineering
Cash-in-Lieu Expenditure	<p>Determined through working group comprising:</p> <ul style="list-style-type: none"> • Strategic Planning • Statutory Planning • Community Development • Parks and Environment • Asset Planning / Engineering 	<p>Where relevant and required:</p> <ul style="list-style-type: none"> • Finance • Communications and Engagement • Council
Structure Plan	<ul style="list-style-type: none"> • Statutory Planning (Proponent led) – Assessment • Strategic Planning (City led) - Preparation 	<p>Referred to service relevant teams for recommendations and comments. Teams may have specific responsibilities as detailed in Schedule 4:</p> <ul style="list-style-type: none"> • Strategic Planning • Statutory Planning • Community Development • Parks and Environment • Economic Development • Asset Planning/Engineering • Environmental Health
Public Open Space Plan	<ul style="list-style-type: none"> • Community Development (Neighbourhood – Category A, District or Regional Open Space) – assessment or preparation • Parks and Environment (Local Open Space, Neighbourhood – Category B or Nature Open Space) – assessment or preparation 	<p>Referred to relevant service teams for recommendations and comments:</p> <ul style="list-style-type: none"> • Parks and Environment • Community Development • Strategic Planning • Statutory Planning • Asset Planning/Engineering • Environmental Health



Urban Water Management	<ul style="list-style-type: none"> • Asset Planning / Engineering 	Referred to relevant teams for recommendations and comments: <ul style="list-style-type: none"> • Parks and Environment • Community Development • Strategic Planning • Statutory Planning • Asset Planning/Engineering • Environmental Health
Design of Public Open Space	<ul style="list-style-type: none"> • Community Development (Neighbourhood – Category A, District or Regional Open Space) – assessment or preparation of concepts • Parks and Environment (Local Open Space, Neighbourhood Category B or Nature Open Space) - assessment or preparation 	Referred to relevant teams for recommendations and comments: <ul style="list-style-type: none"> • Parks and Environment • Community Development • Strategic Planning • Statutory Planning • Asset Planning/Engineering • Asset Delivery • Environmental Health
Development/Delivery of Public Open Space	<ul style="list-style-type: none"> • Asset Planning/Engineering or Parks and Environment – Developer led development • Asset Delivery or Parks and Environment – City led development 	Relevant teams may assist with the management or delivery of the POS: <ul style="list-style-type: none"> • Asset Delivery • Parks and Environment • Community Development • Asset Planning / Engineering • Asset Management
Handover and Maintenance of Public Open Space	<ul style="list-style-type: none"> • Parks and Environment or Asset Maintenance 	Relevant teams may assist with the handover and maintenance of POS: <ul style="list-style-type: none"> • Parks and Environment • Asset Maintenance • Asset Delivery



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*At the discretion of the City

Legislation	Local Government Act 1995 Planning and Development Act 2005 Planning and Development (Local Planning Schemes) Regulations 2015
Adopted	
Reviewed	
Next Review Date	

